



W A V E R L E Y
C O U N C I L

COUNCIL MEETING

A meeting of WAVERLEY COUNCIL will be held by video conference at:

7.00 PM, THURSDAY 23 SEPTEMBER 2021

A handwritten signature in black ink, appearing to read 'Emily Scott'.

Emily Scott
General Manager

Waverley Council
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Live Streaming of Meetings

This meeting is streamed live via the internet and an audio-visual recording of the meeting will be publicly available on Council's website.

By attending this meeting, you consent to your image and/or voice being live streamed and publicly available.

AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager will read the following Opening Prayer:

God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

The Mayor will read the following Acknowledgement of Indigenous Heritage:

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.

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9. Questions with Notice

There are no questions with notice.

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There are no matters proposed to be dealt with in closed session.

12. Meeting Closure

OBITUARIES CM/3/21.09

Subject: Obituaries
Author: Emily Scott, General Manager



The Mayor will ask Councillors for any obituaries.

Council will rise for a minute's silence for the souls of people generally who have died in our Local Government Area.

CONFIRMATION AND ADOPTION OF MINUTES CM/5.1/21.09



Subject: Confirmation of Minutes - Council Meeting - 17 August 2021

TRIM No: SF21/279

Author: Al Johnston, Governance Officer

RECOMMENDATION:

That the minutes of the Council Meeting held on 17 August 2021 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Introduction/Background

The minutes of Council meetings must be confirmed at a subsequent meeting of Council, in accordance with section 375 of the *Local Government Act 1993*.

Attachments

1. Council Meeting Minutes - 17 August 2021



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD BY VIDEO CONFERENCE ON TUESDAY, 17 AUGUST 2021**

Present:

Councillor Paula Masselos (Mayor) (Chair)	Lawson Ward
Councillor Elaine Keenan (Deputy Mayor)	Lawson Ward
Councillor Sally Betts	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor George Copeland	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Steven Lewis	Hunter Ward
Councillor Will Nemesh	Hunter Ward
Councillor John Wakefield	Bondi Ward
Councillor Dominic Wy Kanak	Bondi Ward

Staff in attendance:

Emily Scott	General Manager
Sharon Cassidy	Acting Director, Community, Assets and Operations
John Clark	Director, Customer Service and Organisation Improvement
Tony Pavlovic	Director, Planning, Environment and Regulatory
Teena Su	Acting Chief Financial Officer
Evan Hutchings	Executive Manager, Governance and Risk

At the commencement of proceedings at 7.01 pm, those present were as listed above, with the exception of Cr Wakefield who arrived at 7.07 pm during obituaries and Cr Nemesh who arrived at 7.13 pm during addresses by members of the public.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager read the following Opening Prayer:

God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

The Mayor read the following Acknowledgement of Indigenous Heritage:

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.

1. Apologies/Leaves of Absence

There were no apologies.

2. Declarations of Pecuniary and Non-Pecuniary Interests

The Chair called for declarations of interest and the following was received:

- 2.1 Cr Goltsman declared a less than significant non-pecuniary interest in item CM/7.8/21.08 – North Bondi Surf Life Saving Club – Surf Life Saving Competition Events – January 2022 and informed the meeting that he is a member of the North Bondi Surf Life Saving Club.

3. Obituaries

Gabriel Eugenio Peña

John Mant

Council rose for a minute's silence for the souls of people generally who have died in our Local Government Area.

4. Addresses by Members of the Public

- 4.1 G Vaughan (on behalf of Bronte Beach Precinct) – CM/7.11/21.08 – Planning Proposal – Waverley War Memorial Hospital – Campus Site.
- 4.2 M Cusack – CM/7.11/21.08 – Planning Proposal – Waverley War Memorial Hospital – Campus Site.
- 4.3 D Caretti (on behalf of Charing Cross Precinct) – CM/7.11/21.08 – Planning Proposal – Waverley War Memorial Hospital – Campus Site.
- 4.4 S Swift (on behalf of Queens Park Precinct) – CM/7.11/21.08 – Planning Proposal – Waverley War Memorial Hospital – Campus Site.

- 4.5 J Jungheim – CM/7.11/21.08 – Planning Proposal – Waverley War Memorial Hospital – Campus Site.
- 4.6 M Main – CM/7.11/21.08 – Planning Proposal – Waverley War Memorial Hospital – Campus Site.
- 4.7 S Furness (on behalf of Uniting) – CM/7.11/21.08 – Planning Proposal – Waverley War Memorial Hospital – Campus Site.

ITEMS BY EXCEPTION

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Lewis

That the recommendations for the following items be adopted as recommended in the business paper:

- CM/5.1/21.08 Confirmation of Minutes – Council Meeting – 20 July 2021.
- CM/7.1/21.08 Delivery Program 2018-22 – Six-monthly Progress Report.
- CM/7.4/21.08 Fees and Charges 2021-22 – Amendment – Early Education Centres.
- CM/7.5/21.08 Investment Portfolio Report – July 2021.
- CM/7.6/21.08 Schedule of Meeting Dates 2021 – Amendments.
- CM/7.7/21.08 Status of Mayoral Minutes and Notices of Motion.
- CM/7.9/21.08 Biodiversity Action Plan – Remnant Sites 2021-2030.
- CM/7.14/21.08 Cycling Advisory Committee Meeting – 14 April 2021 – Minutes.
- CM/11.1/21.08 Closed Circuit Television (CCTV).

Cr Wakefield was not present for the vote on this item.

5. Confirmation and Adoption of Minutes

CM/5.1/21.08 Confirmation of Minutes - Council Meeting - 20 July 2021 (SF21/279)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Lewis

That the minutes of the Council Meeting held on 20 July 2021 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Cr Wakefield was not present for the vote on this item.

**CM/5.2/21.08 Adoption of Minutes - Waverley Traffic Committee Meeting - 22 July 2021
(SF21/282)**

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Kay

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 22 July 2021 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

1. TC/CV.01/21.07 – Eastern Bus Network Changes – Bronte Road and Curlewis Street – Bus Zone Extensions and Installations.

And that this item be dealt with separately below.

**CM/5.2.1/21.08 Adoption of Minutes - Waverley Traffic Committee Meeting - 22 July 2021 -
TC/CV.01/21.07 - Eastern Bus Network Changes - Bronte Road and Curlewis Street
- Bus Zone Extensions and Installations (SF21/3556)**

This item was saved and excepted by Cr Masselos.

MOTION / DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council adopts the Traffic Committee's recommendation.

6. Mayoral Minutes

CM/6.1/21.08 Automatic Activation of Pedestrian Phases (A03/0042-04)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

That Council:

1. Investigates locations for the automatic activation of pedestrian phases for the following:
 - (a) Key pedestrian crossings in areas of high pedestrian usage, including around key shopping precincts such as Bondi Junction, Charing Cross and Rose Bay.
 - (b) Around or near synagogues from sunset Friday to sunset on Saturday.
2. Forwards identified locations to Transport for NSW (TfNSW) for investigation and advice.
3. Receives a report detailing outcomes of investigations and any actions and advice from TfNSW.

Background

As the pandemic continues in Sydney, it is important that Council continues to keep our residents as safe as

possible by reducing the potential transmission points. A number of councils have instituted automatic activation of pedestrian phases, which means pedestrians do not have to press the 'walk' button at traffic lights. These automatic activations of pedestrian phases appear on major crossings at key business precincts.

At the same time, the matter of automatic activation of pedestrian phases was raised at a panel discussion at a recent Connections, Opportunities, Activities (COA Sydney) panel on which I participated. The Waverley local government area is home to a significant number of religious Jews who are prohibited on the Sabbath from doing certain things such as pressing the 'walk' button at traffic lights. I undertook to investigate this on behalf of the Jewish community.

Transport for NSW (TfNSW) previously investigated the automatic activation of pedestrian phases during the Jewish Sabbath along Old South Head Road. This showed that traffic flows along the road would have been severely impacted and that drivers would become frustrated that they cannot proceed even though there is nobody using the crossing. Therefore, it did not proceed.

TfNSW is currently preparing a guideline for this operation.

Cr Wakefield was not present for the vote on this item.

CM/6.2/21.08 Compliance Fees (A21/0419)

MOTION

Mover: Cr Masselos

That Council:

1. Notes that:

- (a) On Friday, 16 July 2021, Council was notified by the Chief Executive of Local Government NSW (LGNSW) of the passage of the *Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021* (NSW).
- (b) This decision was made without any prior consultation with Councils.
- (c) This Regulation will prohibit Councils from charging compliance levies after 31 December 2021.
- (d) Council is one of 29 Councils in NSW that charges a compliance levy to support its compliance programs.
- (e) Council raises approximately \$400,000, which contributes towards the employment of up to four permanent building compliance staff.
- (f) This change will adversely impact Council's 2021–22 budget, already facing significant pressure due to the current COVID-19 restrictions.
- (g) Council will now be forced to revise the extent of its current compliance services, to the detriment of our community and environment.

2. Instructs the Mayor, as a matter of urgency, to write to:

- (a) The Hon. Rob Stokes, Minister for Planning and Public Spaces, to:

- (i) Express extreme disappointment at the lack of genuine consultation with affected councils and their representatives.
 - (ii) Express extreme dissatisfaction with the *Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021*.
 - (iii) Request the State Government to reverse this decision, as it will significantly impact Council's ability to provide an appropriately resourced compliance function.
- (b) LGNSW, supporting urgent collective action among its members to advocate against this latest State Government regulation on compliance levies.
- (c) The Hon. Gabriel Upton, Member for Vaucluse, and Dr Marjorie O'Neill, Member for Coogee, seeking their urgent support and assistance to reverse this Regulation.

Background

On Friday, 16 July 2021, Council was notified by the Chief Executive of Local Government NSW of the passage by the NSW State Government of the *Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021* (NSW). The Regulation prohibits councils from collecting compliance levies after 31 December 2021.

Council is one of 29 councils in NSW that charges a compliance levy to support its compliance programs. This compliance levy is an opportunity to ensure adequate oversight and resourcing of statutory and regulatory responsibilities.

Council collects approximately \$400,000 in compliance levies each year, which contribute to funding up to four permanent Building Compliance staff and supplements our compliance activities.

This Regulation was made without any proper consultation with impacted councils. Even more concerning is that the State Building Commissioner's Office will now charge compliance levies, with the collections and remittance of these levies undertaken by local councils with no administrative or financial support.

This is a huge impost on the local government sector and the communities that we represent and is yet another example of cost shifting by the State government on to local government. There is no doubt it will add to the considerable hardship many councils are experiencing and towards the deterioration of building compliance activities.

The State Government has publicly committed to fostering economic recovery by streamlining planning processes and reducing costs, which is welcomed and supported. However, this decision is in conflict with that stated position and will have a significant financial impact on all councils across NSW that apply a compliance levy, not to mention the potential for substandard building works that do not comply with conditions of consent.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 1(e).

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION:

That Council:

1. Notes that:

- (a) On Friday, 16 July 2021, Council was notified by the Chief Executive of Local Government NSW (LGNSW) of the passage of the *Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021* (NSW).
 - (b) This decision was made without any prior consultation with Councils.
 - (c) This Regulation will prohibit Councils from charging compliance levies after 31 December 2021.
 - (d) Council is one of 29 Councils in NSW that charges a compliance levy to support its compliance programs.
 - (e) Council raises approximately \$400,000 annually, which contributes towards the employment of up to four permanent building compliance staff.
 - (f) This change will adversely impact Council's 2021–22 budget, already facing significant pressure due to the current COVID-19 restrictions.
 - (g) Council will now be forced to revise the extent of its current compliance services, to the detriment of our community and environment.
2. Instructs the Mayor, as a matter of urgency, to write to:
- (a) The Hon. Rob Stokes, Minister for Planning and Public Spaces, to:
 - (i) Express extreme disappointment at the lack of genuine consultation with affected councils and their representatives.
 - (ii) Express extreme dissatisfaction with the *Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021*.
 - (iii) Request the State Government to reverse this decision, as it will significantly impact Council's ability to provide an appropriately resourced compliance function.
 - (b) LGNSW, supporting urgent collective action among its members to advocate against this latest State Government regulation on compliance levies.
 - (c) The Hon. Gabriel Upton, Member for Vaucluse, and Dr Marjorie O'Neill, Member for Coogee, seeking their urgent support and assistance to reverse this Regulation.

Cr Wakefield was not present for the vote on this item.

CM/6.3/21.08 Infrastructure Contributions Reforms (SF21/3571)

MOTION

Mover: Cr Masselos

That Council:

1. Notes:
- (a) That the NSW Government introduced the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 into Parliament on 22 June 2021 and subsequently referred it to the Upper House Portfolio Committee No. 7 – Planning and

Environment on 24 June 2021 for inquiry and report by 10 August 2021.

- (b) That the Bill introduces a major overhaul of the infrastructure contributions system in NSW and has far and wide-ranging deleterious implications for Council and our community.
 - (c) That infrastructure contributions are made by developers to help fund public infrastructure that is required as a direct or indirect result of new development. This is based on a longstanding impactor/beneficiary-pays principle of the existing planning system; i.e. new development makes a contribution towards the cost of infrastructure that will meet the additional demand it generates and benefits from
 - (d) That councils rely on developer contributions to fund new infrastructure to support population growth. This includes local roads, pedestrian and cycle networks, local water and sewage utilities, stormwater and water management, buildings and facilities, public domains, parks and open spaces, recreation, cultural, family and community services and facilities, and a range of other infrastructure vital to local communities and important for creating liveable communities.
 - (e) Local Government NSW's (LGNSW) opposition to the Bill, given that 'the implementation of the recommendations will have far reaching financial implications for councils and communities.'
 - (f) The lack of broad consultation on the Bill and the attempt to expedite its passage by making it a cognate Bill of the NSW budget Appropriation Bills, therefore avoiding the level of scrutiny this warrants.
 - (g) That LGNSW's submission states that 'local government does not feel confident the reforms will create a fair and equitable system that does not make councils worse off.'
 - (h) The government's decision to tie reform of the rate peg to cater for population growth to reductions in infrastructure (developer) contributions.
 - (i) That preliminary estimates indicate that Council could stand to lose up to \$40 million over the duration of our Long Term Financial Plan, or an average of \$4 million per year.
- 2. Undertakes financial forecasting to determine the likely impact on Council over the duration of the current Long Term Financial Plan.
 - 3. Works with the Southern Sydney Regional Organisation of Councils to undertake regional financial forecasting to understand the cumulative financial impact across the region.
 - 4. Calls on the NSW Government to:
 - (a) Withdraw the Bill from Parliament.
 - (b) Undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system
 - (c) Decouple the Independent-Pricing-and-Regulatory-Tribunal-led review of the rate peg to include population growth from the infrastructure contributions reforms.
 - 5. Writes to the Premier, the Hon. Gladys Berejiklian MP; the Treasurer, the Hon. Dominic Perrottet MP; the Minister for Planning and Public Spaces, the Hon. Rob Stokes MP; the Minister for Local Government, the Hon. Shelley Hancock MP; the Hon. Gabriel Upton, Member for Vaucluse; and Dr

Marjorie O'Neill, Member for Coogee, seeking their support in the withdrawal of the Bill.

6. Writes to the Shadow Treasurer, the Hon. Daniel Mookhey MLC; the Shadow Minister for Planning and Public Spaces, Mr Paul Scully MP; the Shadow Minister for Local Government, Mr Greg Warren MP; Mr David Shoebridge MLC (The Greens); the Hon. Robert Borsak MLC (Shooters, Fishers and Farmers Party); the Hon. Mark Latham MLC (Pauline Hanson's One Nation); the Hon. Emma Hurst MLC (Animal Justice Party); the Hon. Fred Nile MLC (Christian Democratic Party – Fred Nile Group); Mr Justin Field MLC (Independent); Portfolio Committee Chair, Ms Cate Faehmann MLC (The Greens); Portfolio Committee Deputy Chair, the Hon. Mark Pearson MLC (Animal Justice Party); and Committee members, the Hon. Catherine Cusack MLC (Liberal Party), the Hon. Shayne Mallard MLC (Liberal Party), the Hon. Ben Franklin MLC (The Nationals), the Hon. Rose Jackson MLC (Australian Labor Party), and the Hon. Adam Searle MLC (Australian Labor Party) seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining Council's concerns with the Bill.
7. Alerts the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation, and shares and promotes these messages via its digital and social media channels and via its networks.
8. Affirms its support to LGNSW to continue advocating on our behalf to protect local government from any amendments to infrastructure contributions that leave councils and communities forced to use ratepayer funds on new infrastructure made necessary by new development, currently the responsibility of developers.
9. Participates in any joint council initiatives to fight these reforms.

Background

I am calling on Councillors to strongly oppose the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (NSW), which was introduced into Parliament in June 2021 with no public consultation and is likely to significantly impact the way local government can fund and deliver local infrastructure.

Currently, Council uses developer contributions to provide important local infrastructure in an area where development occurs. This Bill proposes to change the way developer contributions are paid, with a significant proportion proposed to be paid to the State Government to fund regional infrastructure in areas where the nexus between development and the provision of infrastructure does not exist.

Community infrastructure, such as parks and playgrounds, local roads, community facilities, footpaths and open spaces, that is currently funded through developer contributions will either have to be delayed, unfunded or fully funded by Council rates. To compensate, the State Government has said it will allow Council's to charge higher rates, once again shifting the cost and responsibility of funding local infrastructure onto local councils and our community.

The impact on Waverley is largely unknown. However, an initial review indicates we could lose up to \$40 million over the duration of our Long Term Financial Plan. That is \$40 million of parks and playgrounds, open spaces, community facilities that will have to be either unfunded, delayed or significantly reduced in scope to offset the financial loss

Council needs to be in a position to build quality infrastructure and community assets to offset the impact of development on our community and its local neighbourhood amenity, as well as provide vital infrastructure needed to accommodate additional housing and local employment in line with State Government targets.

While we support efforts to reduce complexity, cut red tape, and improve transparency and equity, our communities cannot be worse off because of these proposed reforms.

Local Government NSW (LGNSW) has been advocating this position on our behalf and has met with the Minister for Planning and Public Spaces, the Hon. Rob Stokes MP, on several occasions to stress that councils and their communities must *not* be worse off under any reforms.

LGNSW has made a submission to the parliamentary inquiry, opposing the passage of the Bill, and on 16 July 2021 LGNSW President, Linda Scott, spoke at the inquiry hearing alongside other local government representatives to present a united front on this issue.

LGNSW and councils will continue advocacy efforts by calling on the NSW Government to withdraw the Bill from the NSW Parliament.

AMENDMENT

Mover: Cr Betts

Seconder: Cr Burrill

That clause 7 be deleted.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Betts, Burrill, Goltsman, Kay and Nemesh.

Against the Amendment: Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF NEW CLAUSES 10 AND 11.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Notes:

- (a) That the NSW Government introduced the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 into Parliament on 22 June 2021 and subsequently referred it to the Upper House Portfolio Committee No. 7 – Planning and Environment on 24 June 2021 for inquiry and report by 10 August 2021.
- (b) That the Bill introduces a major overhaul of the infrastructure contributions system in NSW and has far and wide-ranging deleterious implications for Council and our community.
- (c) That infrastructure contributions are made by developers to help fund public infrastructure that is required as a direct or indirect result of new development. This is based on a longstanding impactor/beneficiary-pays principle of the existing planning system; i.e. new development makes a contribution towards the cost of infrastructure that will meet the additional demand it generates and benefits from
- (d) That councils rely on developer contributions to fund new infrastructure to support population growth. This includes local roads, pedestrian and cycle networks, local water and sewage utilities, stormwater and water management, buildings and facilities, public domains, parks and open spaces, recreation, cultural, family and community services and facilities, and a range

of other infrastructure vital to local communities and important for creating liveable communities.

- (e) Local Government NSW's (LGNSW) opposition to the Bill, given that 'the implementation of the recommendations will have far reaching financial implications for councils and communities.'
 - (f) The lack of broad consultation on the Bill and the attempt to expedite its passage by making it a cognate Bill of the NSW budget Appropriation Bills, therefore avoiding the level of scrutiny this warrants.
 - (g) That LGNSW's submission states that 'local government does not feel confident the reforms will create a fair and equitable system that does not make councils worse off.'
 - (h) The government's decision to tie reform of the rate peg to cater for population growth to reductions in infrastructure (developer) contributions.
 - (i) That preliminary estimates indicate that Council could stand to lose up to \$40 million over the duration of our Long Term Financial Plan, or an average of \$4 million per year.
2. Undertakes financial forecasting to determine the likely impact on Council over the duration of the current Long Term Financial Plan.
 3. Works with the Southern Sydney Regional Organisation of Councils to undertake regional financial forecasting to understand the cumulative financial impact across the region.
 4. Calls on the NSW Government to:
 - (a) Withdraw the Bill from Parliament.
 - (b) Undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system
 - (c) Decouple the Independent-Pricing-and-Regulatory-Tribunal-led review of the rate peg to include population growth from the infrastructure contributions reforms.
 5. Writes to the Premier, the Hon. Gladys Berejiklian MP; the Treasurer, the Hon. Dominic Perrottet MP; the Minister for Planning and Public Spaces, the Hon. Rob Stokes MP; the Minister for Local Government, the Hon. Shelley Hancock MP; the Hon. Gabriel Upton, Member for Vaucluse; and Dr Marjorie O'Neill, Member for Coogee, seeking their support in the withdrawal of the Bill.
 6. Writes to the Shadow Treasurer, the Hon. Daniel Mookhey MLC; the Shadow Minister for Planning and Public Spaces, Mr Paul Scully MP; the Shadow Minister for Local Government, Mr Greg Warren MP; Mr David Shoebridge MLC (The Greens); the Hon. Robert Borsak MLC (Shooters, Fishers and Farmers Party); the Hon. Mark Latham MLC (Pauline Hanson's One Nation); the Hon. Emma Hurst MLC (Animal Justice Party); the Hon. Fred Nile MLC (Christian Democratic Party – Fred Nile Group); Mr Justin Field MLC (Independent); Portfolio Committee Chair, Ms Cate Faehmann MLC (The Greens); Portfolio Committee Deputy Chair, the Hon. Mark Pearson MLC (Animal Justice Party); and Committee members, the Hon. Catherine Cusack MLC (Liberal Party), the Hon. Shayne Mallard MLC (Liberal Party), the Hon. Ben Franklin MLC (The Nationals), the Hon. Rose Jackson MLC (Australian Labor Party), and the Hon. Adam Searle MLC (Australian Labor Party) seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining Council's concerns with the Bill.

7. Alerts the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation, and shares and promotes these messages via its digital and social media channels and via its networks.
8. Affirms its support to LGNSW to continue advocating on our behalf to protect local government from any amendments to infrastructure contributions that leave councils and communities forced to use ratepayer funds on new infrastructure made necessary by new development, currently the responsibility of developers.
9. Participates in any joint council initiatives to fight these reforms.
10. Investigates challenging, via the appropriate legal mechanism, the failure of due process by the State Government in providing insufficient time for Council to make a submission.
11. Delegates authority to the General Manager, in consultation with the Mayor, to undertake further action if needed.

Division

For the Motion: Crs Burrill, Copeland, Kay, Keenan, Lewis, Masselos, Nemesh, Wakefield and Wy Kanak.

Against the Motion: Crs Betts and Goltsman.

7. Reports**CM/7.1/21.08 Delivery Program 2018-22 - Six-monthly Progress Report (A19/0364)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Lewis

That Council receives and notes the progress report on the Delivery Program 2018–22 attached to the report.

Cr Wakefield was not present for the vote on this item.

CM/7.2/21.08 Draft Financial Statements 2020-21 (A21/0024)**MOTION**

Mover: Cr Masselos

Seconder: Cr Keenan

That:

1. Council, in relation to the financial statements required in accordance with section 413(2)(c) of the *Local Government Act 1993*, resolves that in its opinion the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules for the year ended 30 June 2021 attached to the report:
 - (a) Have been properly drawn up in accordance with the provisions of the *Local Government Act 1993*, the *Local Government (General) Regulation 2005*, the Australian Accounting Standards and professional pronouncements, and the Local Government Code of Accounting Practice and

Financial Reporting.

- (b) To the best of the Council's knowledge and belief, present fairly the Council's operating result and financial position for the year and accord with the Council's accounting and other records.
- 2. Council is unaware of any matter that would render the financial statements false or misleading in anyway.
- 3. The Statement by Councillors and Management for the General Purpose Financial Statements and Special Purpose Financial Statements, on page 6 of the Annual Financial Statements, be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer.
- 4. The Statement by Councillors and Management for the Special Purpose Financial Statements, on page 3 of the Special Purpose Financial Statements, be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer.
- 5. The financial statements be referred to Council's auditor for audit.
- 6. A copy of the audited financial statements be forwarded to the NSW Office of Local Government.
- 7. The audited financial statements be advertised and presented at a meeting of Council to be held in accordance with section 418 of the *Local Government Act 1993*.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE.

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION:

That:

- 1. Council, in relation to the financial statements required in accordance with section 413(2)(c) of the *Local Government Act 1993*, resolves that in its opinion the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules for the year ended 30 June 2021 attached to the report:
 - (a) Have been properly drawn up in accordance with the provisions of the *Local Government Act 1993*, the *Local Government (General) Regulation 2005*, the Australian Accounting Standards and professional pronouncements, and the Local Government Code of Accounting Practice and Financial Reporting.
 - (b) To the best of the Council's knowledge and belief, present fairly the Council's operating result and financial position for the year and accord with the Council's accounting and other records.
- 2. Council is unaware of any matter that would render the financial statements false or misleading in anyway.
- 3. Notes that it has continued to successfully operate during the year despite difficult circumstances, with the draft financial statements showing a net operating result of a \$7.4 million surplus.
- 4. The Statement by Councillors and Management for the General Purpose Financial Statements and Special Purpose Financial Statements, on page 6 of the Annual Financial Statements, be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer.

5. The Statement by Councillors and Management for the Special Purpose Financial Statements, on page 3 of the Special Purpose Financial Statements, be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer.
6. The financial statements be referred to Council's auditor for audit.
7. A copy of the audited financial statements be forwarded to the NSW Office of Local Government.
8. The audited financial statements be advertised and presented at a meeting of Council to be held in accordance with section 418 of the *Local Government Act 1993*.

CM/7.3/21.08 Budget Carry Over and Amendments to Capital Works and Fleet Replacement Programs (A03/0346)

MOTION / DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Carries over \$14,820,779 from the 2020–21 financial year budget to 2021–22, as set out in Attachment 1 of the report.
2. Defers \$7,258,024 from the 2021–22 Capital Works Program to 2022–23, as set out in Attachment 2 of the report.
3. Defers \$2,486,589 from the 2021–22 Fleet Replacement Program to 2022–23, as set out in Table 4 of the report.
4. Establishes an Emergency Reserve for the purpose of providing funding to offset the financial impact of emergencies including COVID-19 with the projected budget result of \$2.7 million being allocated to this reserve, subject to audit and a report to Council.

CM/7.4/21.08 Fees and Charges 2021-22 - Amendment - Early Education Centres (SF21/917)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Lewis

That:

1. Council notes the submissions received on the proposed amendments to the Early Education Services Fees during the 28-day public exhibition period, which ended on 30 July 2021.
2. Council adopts the amendments to the Early Education Services Fees for the 2021–22 financial year to:
 - (a) Delay the increase of Early Education Centres fees until the commencement of school Term 4 on 5 October 2021.
 - (b) Maintain the Family Day Care Educator Levy for 2021–22 at 12% to rectify an administrative oversight.

3. In the event that it becomes evident that the component of Council's Community Support Initiatives to delay the increase in Early Education Centre fees is likely to extend beyond 4 October 2021, a further report be prepared and submitted to the September Council meeting, including a recommendation to advertise the associated change to the fees in accordance with section 610F(3) of the *Local Government Act 1993*.

Cr Wakefield was not present for the vote on this item.

CM/7.5/21.08 Investment Portfolio Report - July 2021 (A03/2211)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Lewis

That Council:

1. Receives and notes the Investment Summary Report for July 2021 attached to the report.
2. Notes that the Chief Financial Officer, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

Cr Wakefield was not present for the vote on this item.

CM/7.6/21.08 Schedule of Meeting Dates 2021 - Amendments (A04/1869)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Lewis

That Council:

1. Notes the postponement of the local government elections to 4 December 2021.
2. Amends its 2021 Schedule of Meeting Dates as follows:
 - (a) Schedules a meeting of the Operations and Community Services Committee and the Strategic Planning and Development Committee on Tuesday, 14 September 2021 at 7.00 pm and 7.30 pm respectively.
 - (b) Cancels the ordinary Council meeting scheduled for Tuesday, 7 December 2021.
3. Extends the term of the current deputy mayor from 4 September 2021 to 23 September 2021.
4. Extends the term of Councillors appointed to Council's standing committees, advisory committees, and other committees as well as delegates to various organisations in September 2020 to 4 December 2021.

Cr Wakefield was not present for the vote on this item.

CM/7.7/21.08 Status of Mayoral Minutes and Notices of Motion (SF18/691)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Lewis

That Council receives and notes the report on the status of mayoral minutes and notices of motion adopted by Council from 2016 to July 2021.

Cr Wakefield was not present for the vote on this item.

CM/7.8/21.08 North Bondi Surf Life Saving Club - Surf Life Saving Competition Events - January 2022 (A21/0355)

Cr Goltsman declared a less than significant non-pecuniary interest in this item and informed the meeting that he is a member of the North Bondi Surf Life Saving Club.

MOTION

Mover: Cr Wakefield

Seconder: Cr Goltsman

That Council:

1. Approves the hosting of Summer of Surf on 8 and 9 January 2022 and the Nutri-Grain IronMan/IronWoman Series on 15 and 16 January 2022 at Bondi Beach utilising the event footprints outlined in option two of the report, which reduces impacts on community beachgoers, lifeguard operations and mitigates the impact on the Bondi Surf Bathing Life Saving Club.
2. Allocates \$35,000 from the Festival of the Winds budget to engage an event co-ordinator to ensure the safe and successful delivery of the events.
3. Notes that the events remain subject to prevailing NSW Public Health Orders and authorises the General Manager to cancel the events if required by the prevailing Public Health Orders or other community safety concerns.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 2.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION:

That Council:

1. Approves the hosting of Summer of Surf on 8 and 9 January 2022 and the Nutri-Grain IronMan/IronWoman Series on 15 and 16 January 2022 at Bondi Beach utilising the event footprints outlined in option two of the report, which reduces impacts on community beachgoers, lifeguard operations and mitigates the impact on the Bondi Surf Bathing Life Saving Club.
2. Allocates \$35,000 from the budget previously allocated to the Festival of the Winds, which was cancelled due to the COVID-19 lockdown, for Council to engage an event co-ordinator to ensure the safe and successful delivery of the events.
3. Notes that the events remain subject to prevailing NSW Public Health Orders and authorises the General Manager to cancel the events if required by the prevailing Public Health Orders or other

community safety concerns.

CM/7.9/21.08 Biodiversity Action Plan - Remnant Sites 2021-2030 (SF20/2340)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Lewis

That Council:

1. Publicly exhibits the draft Biodiversity Action Plan: Remnant Sites 2021–2030 attached to the report for a minimum of 28 days.
2. Officers prepare a report to Council following the exhibition period.

Cr Wakefield was not present for the vote on this item.

CM/7.10/21.08 Environmental Upgrade Agreements (A09/1017)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Supports the implementation of Environmental Upgrade Agreements within the Waverley local government area.
2. Appoints a third-party provider to deliver streamlined Environmental Upgrade Agreements for a trial period of two years.
3. Supports the integration of Environmental Upgrade Agreements within Council's finance systems.
4. Officers prepare a report to Council at the end of the trial period on the performance of the Environmental Upgrade Agreements.

CM/7.11/21.08 Planning Proposal - Waverley War Memorial Hospital - Campus Site (PP-1/2017)

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Supports the planning proposal to amend the *Waverley Local Environmental Plan 2012* in respect of 125 Birrell Street, Waverley.
2. Officers review the draft Site Specific Development Control Plan (DCP) in order to consider the following matters prior to finalising and reporting to Council for adoption:
 - (a) The Conservation Management Plan design principles are used to provide guidance to ensure

that the heritage significance of Edina and the gardens are respected in any future development.

- (b) Inclusion of a development standard or objective to ensure that the DCP maintains or exceeds the existing mature tree canopy and habitat corridor available on the site in any future development.
 - (c) The main entry gates to the site at the corner of Birrell Street and Bronte Road are conserved, and the site will remain accessible to the public and that pedestrian accessibility through the site will be improved.
 - (d) Setbacks and proposed building footprints for future buildings consider the location of existing mature trees on the site and minimise the loss of mature landscaping where possible.
 - (e) Minimise the potential adverse impacts of parking and traffic generation associated with the proposal on the surrounding street network.
3. Forwards the submissions and exhibition report to the Department of Planning, Industry and Environment (DPIE), and requests that the following matters be taken into consideration in the post-Gateway assessment:
- (a) The inclusion of a site-specific clause in the *Waverley Local Environmental Plan 2012* for the subject site to prohibit the application of the *State Environmental Planning Policy (Housing for Seniors and People with a Disability)* on the R3 Medium Residential portion of the land.
 - (b) The inclusion of a site-specific clause in the *Waverley Local Environmental Plan 2012* that seeks to ensure the provision of a minimum amount of floor space for the purposes of a residential aged care facility.
4. Requests the DPIE to exercise the delegations issued by the Minister under section 59 of the *Environmental Planning and Assessment Act 1979* in relation to the making of the amendment.
5. Writes to property owners to provide an update on the Conditional Gateway Determination.
6. Requests the Mayor to write to the Hon. Don Harwin, Minister for the Arts (and the minister responsible for heritage), to express Council's concern that Heritage NSW believes that the War Memorial Hospital site is not considered a priority for State Heritage Register listing and that the Minister reconsider Council's request for the site to be included in the State Heritage Register.

THE MOVER OF THE MOTION THE ACCEPTED AMENDMENTS TO CLAUSES 2 AND 2(c) SUCH THAT THE MOTION NOW READS AS FOLLOWS:

That Council:

- 1. Supports the planning proposal to amend the *Waverley Local Environmental Plan 2012* in respect of 125 Birrell Street, Waverley.
- 2. Officers review the following matters and update the draft Site Specific Development Control Plan (DCP) prior to it being adopted for exhibition:
 - (a) The Conservation Management Plan design principles are used to provide guidance to ensure that the heritage significance of Edina and the gardens are respected in any future development.

- (b) Inclusion of a development standard or objective to ensure that the DCP maintains or exceeds the existing mature tree canopy and habitat corridor available on the site in any future development.
 - (c) The main entry gates to the site at the corner of Birrell Street and Bronte Road are conserved and the site will be accessible to the public via these gates, and that pedestrian accessibility through the site will be improved.
 - (d) Setbacks and proposed building footprints for future buildings consider the location of existing mature trees on the site and minimise the loss of mature landscaping where possible.
 - (e) Minimise the potential adverse impacts of parking and traffic generation associated with the proposal on the surrounding street network.
3. Forwards the submissions and exhibition report to the Department of Planning, Industry and Environment (DPIE), and requests that the following matters be taken into consideration in the post-Gateway assessment:
- (a) The inclusion of a site-specific clause in the *Waverley Local Environmental Plan 2012* for the subject site to prohibit the application of the *State Environmental Planning Policy (Housing for Seniors and People with a Disability)* on the R3 Medium Residential portion of the land.
 - (b) The inclusion of a site-specific clause in the *Waverley Local Environmental Plan 2012* that seeks to ensure the provision of a minimum amount of floor space for the purposes of a residential aged care facility.
4. Requests the DPIE to exercise the delegations issued by the Minister under section 59 of the *Environmental Planning and Assessment Act 1979* in relation to the making of the amendment.
5. Writes to property owners to provide an update on the Conditional Gateway Determination.
6. Requests the Mayor to write to the Hon. Don Harwin, Minister for the Arts (and the minister responsible for heritage), to express Council's concern that Heritage NSW believes that the War Memorial Hospital site is not considered a priority for State Heritage Register listing and that the Minister reconsider Council's request for the site to be included in the State Heritage Register.

AMENDMENT

Mover: Cr Wy Kanak

Seconder: Cr Keenan

That clause 1 be amended to read as follows:

'Supports the planning proposal to amend the *Waverley Local Environmental Plan 2012* in respect of 125 Birrell Street, Waverley, subject to the alternative building heights being changed from 15 metres to 12.5 metres and 21 metres to 18 metres, and the floor space ratio being changed from 1.2:1 to 1:1.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Keenan and Wy Kanak.

Against the Amendment: Crs Betts, Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, Nemesh and Wakefield.

THE MOVER OF THE MOTION THE ACCEPTED THE ADDITION OF NEW CLAUSES.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Supports the planning proposal to amend the *Waverley Local Environmental Plan 2012* in respect of 125 Birrell Street, Waverley.
2. Officers review the following matters and update the draft Site Specific Development Control Plan (DCP) prior to it being adopted for exhibition:
 - (a) The Conservation Management Plan design principles are used to provide guidance to ensure that the heritage significance of Edina and the gardens are respected in any future development.
 - (b) Inclusion of a development standard or objective to ensure that the DCP maintains or exceeds the existing mature tree canopy and habitat corridor available on the site in any future development.
 - (c) The main entry gates to the site at the corner of Birrell Street and Bronte Road are conserved and the site will be accessible to the public via these gates, and that pedestrian accessibility through the site will be improved.
 - (d) Setbacks and proposed building footprints for future buildings consider the location of existing mature trees on the site and minimise the loss of mature landscaping where possible.
 - (e) Minimise the potential adverse impacts of parking and traffic generation associated with the proposal on the surrounding street network.
3. Forwards the submissions and exhibition report to the Department of Planning, Industry and Environment (DPIE), and requests that the following matters be taken into consideration in the post-Gateway assessment:
 - (a) The inclusion of a site-specific clause in the *Waverley Local Environmental Plan 2012* for the subject site to prohibit the application of the *State Environmental Planning Policy (Housing for Seniors and People with a Disability)* on the R3 Medium Residential portion of the land.
 - (b) The inclusion of a site-specific clause in the *Waverley Local Environmental Plan 2012* that seeks to ensure the provision of a minimum amount of floor space for the purposes of a residential aged care facility.
 - (c) A request for consideration of options for rehousing existing residents in a sensitive and considered way, including giving preference to existing residents in the future development.
4. Officers, in any future development application, give consideration to rehousing existing residents.
5. Officers discuss the potential inclusion of social impact mitigation provisions with the applicant to be included in the planning proposal, Site Specific DCP or any other planning instrument.
6. Requests the DPIE to exercise the delegations issued by the Minister under section 59 of the *Environmental Planning and Assessment Act 1979* in relation to the making of the amendment.

7. Writes to property owners to provide an update on the Conditional Gateway Determination.
8. Requests the Mayor to write to the Hon. Don Harwin, Minister for the Arts (and the minister responsible for heritage), to express Council's concern that Heritage NSW believes that the War Memorial Hospital site is not considered a priority for State Heritage Register listing and that the Minister reconsider Council's request for the site to be included in the State Heritage Register.

Division

For the Motion: Crs Betts, Burrill, Copeland, Kay, Keenan, Lewis, Masselos, Lewis, Nemesh and Wakefield.

Against the Motion: Cr Wy Kanak.

G Vaughan (on behalf of Bronte Beach Precinct), M Cusack, D Caretti (on behalf of Charing Cross Precinct), S Swifte (on behalf of Queens Park Precinct), J Jungheim, M Main and S Furness (on behalf of Uniting) addressed the meeting.

At 10.00 pm, following the vote on this item, the meeting adjourned for short break.

At 10.07 pm, the meeting resumed.

CM/7.12/21.08 Voluntary Planning Agreement - 12 Burge Street, Vaucluse (SF21/3706)**MOTION / DECISION**

Mover: Cr Lewis
Seconder: Cr Copeland

That Council:

1. Endorses the draft Planning Agreement attached to this report applying to land at 12 Burge Street, Vaucluse, offering a total monetary contribution of \$61,200 to go towards Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy 2014.
2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.

Division

For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, Nemesh and Wakefield.

Against the Motion: Crs Keenan and Wy Kanak.

CM/7.13/21.08 Voluntary Planning Agreement - 97 Glenayr Avenue, Bondi Beach (SF21/3457)**MOTION / DECISION**

Mover: Cr Lewis
Seconder: Cr Goltsman

That Council:

1. Endorses the draft Planning Agreement attached to the report applying to land at 97 Glenayr Avenue, Bondi Beach, offering a total monetary contribution of \$541,860, with \$406,395 (75%) to go towards Biddigal Reserve design upgrades including a playground, landscaping, paving and seating, and \$135,465 (25%) to go to Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy 2014.

2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.

Division

For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, Nemesh and Wakefield.

Against the Motion: Crs Keenan and Wy Kanak.

CM/7.14/21.08 Cycling Advisory Committee Meeting - 14 April 2021 - Minutes (A18/0188)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Lewis

That Council receives and notes the minutes of the Cycling Advisory Committee meeting held on 14 April 2021 attached to the report.

Cr Wakefield was not present for the vote on this item.

CM/7.15/21.08 Council Chambers Refurbishment - Feasibility Study Outcome (SF21/3221)**MOTION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Endorses option three—major refurbishment including complete removal of pre-1960s structure—for the Council Chambers building refurbishment project, as set out in the attachment to the report.
2. Officers prepare a report to Council with the Review of Environmental Factors (REF), including planning detailed design for option three.
3. Includes an increase of \$5.8 million to the project budget for the refurbishment of the Council Chambers building in the Long Term Financial Plan 6.0.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 2.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Endorses option three—major refurbishment including complete removal of pre-1960s structure—for the Council Chambers building refurbishment project, as set out in the attachment to the report.
2. Officers prepare a report to Council with the Review of Environmental Factors (REF), including planning detailed design for option three and consideration of car parking.
3. Includes an increase of \$5.8 million to the project budget for the refurbishment of the Council Chambers building in the Long Term Financial Plan 6.0.

Division

For the Motion: Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak.

Against the Motion: Crs Betts, Burrill, Goltsman, Kay and Nemesh.

CM/7.16/21.08 Boonara Avenue and Imperial Avenue, Bondi - Right Turn Ban into Bondi Road (A21/0178)

MOTION

Mover: Cr Wakefield

Seconder: Cr Copeland

That Council:

1. Notes Transport for NSW's response to Council's resolution in relation to temporarily banning the right turn from Boonara Avenue into Bondi Road.
2. Undertakes an investigation into banning:
 - (a) Right turn movements from Boonara Avenue and Imperial Avenue into Bondi Road.
 - (b) The movement from Boonara Avenue into Castlefield Street.
3. Notes that the investigation will include resident consultation, with the findings to be reported to Council through the Waverley Traffic Committee.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE 2(c) AND AN AMENDMENT TO CLAUSE 3

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Notes Transport for NSW's response to Council's resolution in relation to temporarily banning the right turn from Boonara Avenue into Bondi Road.
2. Undertakes an investigation into banning:
 - (a) Right turn movements from Boonara Avenue and Imperial Avenue into Bondi Road.
 - (b) The movement from Boonara Avenue into Castlefield Street.
 - (c) The movement from Imperial Avenue (south of Bondi Road) into Imperial Avenue (north of Bondi Road).
3. Notes that the investigation will include resident consultation for streets impacted by the proposal, with the findings and Traffic Management Plan (TMP) to be reported to the Waverley Traffic Committee for subsequent Council consideration and then, if appropriate, to Transport for NSW for approval.

8. Notices of Motions**CM/8.1/21.08 Oxford Street Mall Upgrade (A14/0404)****MOTION**

Mover: Cr Burrill

Seconder: Cr Kay

That Council:

1. Develops a proposal to bring forward the upgrade and revitalisation of Oxford Street Mall, including seeking new funding sources and an accelerated timetable. The scope should urgently address the replacement of shade structures and inclusion of safety measures such as 'safety by design' and cyclist prevention, with a report to come back to Council as soon as possible.
2. Notes that the upgrade of Oxford Street Mall is listed in the Long Term Financial Plan (LTFP) for \$6 million over 10 years, with \$1 million in 2022–23 and the balance falling in 2026–2032.
3. Notes that there is no current strategy or plan for the upgrade of the Mall and the shade structures are in very poor condition and are overdue for replacement.
4. Notes that new garden structures and bike parking are planned to be installed at both ends of the Mall in 2021–22.
5. Notes that there is currently no place manager responsible for activating the Mall.

THE MOTION WAS PUT AND DECLARED LOST.

Division**For the Motion:** Crs Betts, Burrill, Goltsman, Kay and Nemesh.**Against the Motion:** Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak.**CM/8.2/21.08 Short-stay, Hotel, Motel, Boarding House and Guest House Accommodation - Management Plans (A21/0390)****MOTION / DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That:

1. Council investigates amending the Waverley Development Control Plan and *Waverley Local Environmental Plan 2012* to require a management plan for all short-stay, hotel, motel, boarding house and guest house applications.
2. The management plan include details of:
 - (a) Control of patrons as they enter and exit the premises.
 - (b) Use of common areas.
 - (c) External lighting hours of operations.
 - (d) Full-time on-site staff and security staff.

- (e) Patron parking requirements.
- (f) Waste management.

Division

For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Keenan, Kay, Lewis, Masselos, Nemesh, Wakefield and Wy Kanak.

Against the Motion: Nil.

CM/8.3/21.08 Bondi Pavilion - Aboriginal Keeping Place (A15/0272)**MOTION / DECISION**

Mover: Cr Wy Kanak

Seconder: Cr Copeland

That:

1. Council officers, in discussion with the Reconciliation Action Plan (RAP) Advisory Committee, prepare a feasibility report on the process to establish, design and operate an Aboriginal Keeping Place at Bondi Pavilion to celebrate aspects of ancient and modern Aboriginal First Nations culture, heritage and cultural artefacts specific to the Bondi/Eastern Suburbs area, such as the Bondi points.
2. The Feasibility Report include, together with the RAP, consultation with museums and galleries, such as the Australian Museum which has an extensive collection of Bondi points, to investigate a process to physically display boondiboondi Bondi-connected Aboriginal heritage items at Bondi Pavilion to supplement the information provided through the virtual stories to be featured after the Bondi Pavilion makeover is completed.
3. Should physical display not be feasible, Council considers including photography or 3D imaging of Bondi points to be priority-featured in the Bondi Story Room visual archive and investigates featuring content about Bondi points and other Indigenous artefacts alongside language translations, stories and cultural history to provide ongoing cultural learning for all who use and visit Bondi Pavilion.

Division

For the Motion: Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak.

Against the Motion: Crs Burrill, Betts, Goltsman and Nemesh

Cr Kay was not present for the vote on this item.

9. Questions with Notice

There were no questions with notice.

10. Urgent Business

There were no items of urgent business.

11. Closed Session**CM/11/21.08 Closed Session**

There were no items dealt with in closed session.

CM/11.1/21.08 CONFIDENTIAL REPORT - Closed Circuit Television (CCTV) (A20/0307)

Council dealt with this item in open session.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Lewis

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(e) of the *Local Government Act 1993*. The report contains information that would, if disclosed, prejudice the maintenance of law.
2. Approves the Closed Circuit Television (CCTV) solution for the Bondi Beach precinct as outlined in the report.
3. Adopts the CCTV Policy and CCTV Code of Practice attached to the report.

Cr Wakefield was not present for the vote on this item.

12. Meeting Closure**THE MEETING CLOSED AT 11.01 PM.**

.....
SIGNED AND CONFIRMED
MAYOR
23 SEPTEMBER 2021

CONFIRMATION AND ADOPTION OF MINUTES CM/5.2/21.09



Subject: Adoption of Minutes - Waverley Traffic Committee Meeting - 26 August 2021

TRIM No: SF21/282

Author: Richard Coelho, Governance Officer

RECOMMENDATION:

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 26 August 2021 be received and noted, and that the recommendations contained therein be adopted.

Introduction/Background

The Waverley Traffic Committee (WTC) is not a committee of Council. The WTC operates under delegation from Transport for NSW (TfNSW), an agency of the NSW Government. It is advisory-only and has no decision-making powers.

The purpose of the WTC is to make recommendations and provide advice to Council on the technical aspects of proposals to regulate traffic on local roads in Waverley. The recommendations of the WTC must be adopted by Council before they can be implemented.

Part 1 of the minutes of WTC meetings must be submitted to Council for adoption in accordance with clause 18 of the Waverley Traffic Committee Charter.

Council has the opportunity to 'save and except' any of the recommendations listed in Part 1 of the minutes for further consideration in accordance with clause 18.1 of the Charter.

Attachments

1. Waverley Traffic Committee Minutes - 26 August 2021

**MINUTES OF THE WAVERLEY TRAFFIC COMMITTEE
MEETING HELD BY VIDEO CONFERENCE ON
THURSDAY, 26 AUGUST 2021**



Voting Members Present:

Cr P Masselos	Waverley Council – Chair
A/Sgt A Birchansky	NSW Police – Eastern Suburbs Police Area Command – Traffic Services
Mr R Autar	Transport for NSW – Traffic Engineering Officer
Mr P Pearce	Representing Marjorie O’Neill, MP, Member for Coogee
Ms J Zin	Representing Gabrielle Upton, MP, Member for Vaucluse

Also Present:

Mr B Gidiess	State Transit – Traffic and Services Manager (Eastern Region)
Cr T Kay	Waverley Council – Alternate Chair
Mr D Joannides	Waverley Council – Executive Manager, Infrastructure Services
Mr C Hutcheson	Waverley Council – Service Manager, Traffic and Transport
Mr C Yabuka	Waverley Council – Manager, Strategic Transport
Mr H Bahari	Waverley Council – Professional Engineer
Mr P Cai	Waverley Council – Traffic Engineer
Mr E Kayes	Waverley Council – Traffic Engineer

At the commencement of proceedings at 10.04 am, those present were as listed above, with the exception of S/Cst A Birchansky who arrived at 10.08 am and Ms J Zin who arrived at 10.12 am.

At 10.24 am, Mr P Pearce left the meeting and did not return.

Apologies

There were no apologies.

Declarations of Pecuniary and Non-Pecuniary Interests

The Chair called for declarations of interest and none were received.

Adoption of Previous Minutes by Council - 22 July 2021

The recommendations contained in Part 1 – Matters Proposing that Council Exercise its Delegated Functions – of the minutes of the Waverley Traffic Committee meeting held on 22 July 2021 were adopted by Council at its meeting on 17 August 2021.

ITEMS BY EXCEPTION

The following items on the agenda were dealt with together and the Council Officer's Proposal for each item was unanimously supported by the Committee:

TC/C.03/21.08	Trafalgar Street, Bronte – 90-degree Angle Parking.
TC/C.04/21.08	Scott Street and Pacific Lane Intersection, Bronte – 'No Stopping' Zone.
TC/C.05/21.08	335 Bronte Road, Bronte – Construction Zone.
TC/V.01/21.08	8 Consett Avenue, Bondi Beach – Partial Road Closure for Structural Panel Lift.
TC/V.02/21.08	Eastern Avenue, Dover Heights – 'No Stopping' Sign – Removal.
TC/V.04/21.08	20–24 Hall Street, Bondi Beach – Construction Zone.
TC/V.05/21.08	102–106 Campbell Parade, Bondi Beach – Construction Zone

PART 1 – MATTERS PROPOSING THAT COUNCIL EXERCISE ITS DELEGATED FUNCTIONS

NOTE: The matters listed under this part of the agenda propose that Council either does or does not exercise the traffic related functions delegated to it by TfNSW. The recommendations made by the Committee under this part of the agenda will be submitted to Council for adoption.

TC/C STATE ELECTORATE OF COOGEE**TC/C.01/21.08 Grafton Street, Bondi Junction - Bicycle Shared Path (SF21/4020)****COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs shared path signage and blue shared path lines with associated text and symbols to the edge of footpath on the northern side of Grafton Street between Adelaide Street and the proposed commuter bicycle cage within Transport for NSW land beneath Syd Einfeld Drive on the western side of Grosvenor Street, Bondi Junction.
2. Reinstates shared path signage and installs blue shared path lines with associated text and symbols to the existing shared path beside Syd Einfeld Drive between Oxford Street and Adelaide Street.
3. Provides a kerb ramp to the north-eastern side of the roundabout at the intersection of Adelaide Street and Grafton Street to facilitate on-road bicycle riders to access the existing shared path.

4. Installs cyclist dismount signs at the zebra crossing at the north side of the roundabout at the intersection of Adelaide Street and Grafton Street.
5. Refers the proposal of changing the existing pedestrian-only lantern lens covers to combined pedestrian and bicycle lantern lens covers at the intersections of Graton Street/Grosvenor Street to Transport for NSW for assessment.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to the addition of a new clause 6 such that the recommendation now reads as follows:

That Council:

1. Installs shared path signage and blue shared path lines with associated text and symbols to the edge of footpath on the northern side of Grafton Street between Adelaide Street and the proposed commuter bicycle cage within Transport for NSW land beneath Syd Einfeld Drive on the western side of Grosvenor Street, Bondi Junction.
2. Reinstates shared path signage and installs blue shared path lines with associated text and symbols to the existing shared path beside Syd Einfeld Drive between Oxford Street and Adelaide Street.
3. Provides a kerb ramp to the north-eastern side of the roundabout at the intersection of Adelaide Street and Grafton Street to facilitate on-road bicycle riders to access the existing shared path.
4. Installs cyclist dismount signs at the zebra crossing at the north side of the roundabout at the intersection of Adelaide Street and Grafton Street.
5. Refers the proposal of changing the existing pedestrian-only lantern lens covers to combined pedestrian and bicycle lantern lens covers at the intersections of Graton Street/Grosvenor Street to Transport for NSW for assessment.
6. Installs a cyclist dismount sign at the termination of the shared pathway north of Oxford Street.

Voting members present for this item: Representative of the Member for Coogee, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/C.02/21.08 Bondi Junction - Electric Vehicle Charging Stations (A17/0477)

COUNCIL OFFICER'S PROPOSAL:

That Council installs two 'Electric Vehicles Excepted Only While Charging' spaces and associated equipment at each of the following locations:

1. The northern side of Grafton Street, opposite 55 Grafton Street, Bondi Junction.
2. The southern side of Ebley Street, Bondi Junction, adjacent to Clementson Park.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to an amendment such that the recommendation

now reads as follows:

That Council installs two 'No Parking Electric Vehicles Excepted Only While Charging' spaces and associated equipment at each of the following locations:

1. The northern side of Grafton Street, opposite 55 Grafton Street, Bondi Junction.
2. The southern side of Ebley Street, Bondi Junction, adjacent to Clementson Park.

Voting members present for this item: Representative of the Member for Coogee, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/C.03/21.08 Trafalgar Street, Bronte - 90-degree Angle Parking (A14/0145)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Installs 14 new 90-degree angle '4P, 8 am–6 pm, Monday to Friday' parking spaces on the southern side of Trafalgar Street opposite Pembroke Street, Bronte, in accordance with the diagram attached to the report.
2. Undertakes ancillary works, including new footpath, landscaping, signage and line marking.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

Voting members present for this item: Representative of the Member for Coogee, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/C.04/21.08 Scott Street and Pacific Lane Intersection, Bronte - 'No Stopping' Zone (A14/0145)

COUNCIL OFFICER'S PROPOSAL:

That Council installs a 17 metre 'No Stopping' zone on the outer bend of the intersection of Scott Street and Pacific Lane, Bronte.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

Voting members present for this item: Representative of the Member for Coogee, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/C.05/21.08 335 Bronte Road, Bronte - Construction Zone (A03/2514-04)**COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Installs a 12 metre 'No Parking 7 am–5 pm Mon–Fri, 8 am–3 pm Saturday Council Authorised Vehicles Excepted' construction zone outside the frontage of 335 Bronte Road, Bronte.
2. Notifies businesses in the vicinity of the construction zone prior to it being installed.
3. Delegates authority to the Executive Manager, Infrastructure Services, to adjust the length and duration of, or remove, the construction zone, as necessary.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

Voting members present for this item: Representative of the Member for Coogee, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/V STATE ELECTORATE OF VAUCLUSE**TC/V.01/21.08 8 Consett Avenue, Bondi Beach - Partial Road Closure for Structural Panel Lift (SF21/3285)****COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Approves the temporary partial road and footpath closure of Consett Avenue, Bondi Beach, between Lamrock Avenue and Hall Street, over four consecutive weekdays on dates to be agreed with Council, in accordance with the Traffic Guidance Scheme attached to the report, subject to the applicant:
 - (a) Notifying NSW Police and obtaining relevant approvals.
 - (b) Notifying NSW Ambulance Service and NSW Fire and Rescue.
 - (c) Notifying affected residents and businesses at least five working days prior to the event, with a follow-up notification on the day prior to day one of the partial road closure.
 - (d) Obtaining written concurrence from owners of properties that the crane will operate over.
 - (e) Obtaining written concurrence from affected property owners/residents for blocking driveway access and ensuring access to those properties during the temporary closure.
 - (f) Using traffic controllers accredited by Transport for NSW.
 - (g) Obtaining approval of any tree pruning from Council's tree management team.
 - (h) Covering all costs associated with closing the road, including traffic control and permit fees.

2. Removes parking spaces from 4 pm the day before the first deliveries occur to facilitate the structural panel lift.
3. Relocates the existing accessible parking space in front of 6 Consett Avenue to the southern side of the driveway of 4 Consett Avenue for the duration of the works.
4. Delegates authority to the Executive Manager, Infrastructure Services, to approve the dates that the operation will occur and to extend the dates, if required.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

Voting members present for this item: Representative of the Member for Vacluse, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/V.02/21.08 Eastern Avenue, Dover Heights - 'No Stopping' Sign - Removal (A14/0145)

COUNCIL OFFICER'S PROPOSAL:

That Council removes the 'No Stopping (L)' sign on the southern side of Eastern Avenue, Dover Heights, fronting 7 Eastern Avenue.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

Voting members present for this item: Representative of the Member for Vacluse, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/V.03/21.08 67-69 and 71 Penkivil Street, Bondi - 'P Motor Bikes Only' Parking Zone (A21/0065)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Installs a 'P Motor Bikes Only' parking zone between the driveways of 67–69 and 71 Penkivil Street, Bondi.
2. Delegates authority to the Executive Manager, Infrastructure Services, to adjust the length and duration of, or remove, the 'P Motor Bikes Only' parking zone, as necessary.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to an amendment to clause 1 such that the recommendation now reads as follows:

That Council:

1. Installs a 'P Motor Bikes Only' parking zone with left and right arrows between the driveways of 67–69 and 71 Penkivil Street, Bondi.
2. Delegates authority to the Executive Manager, Infrastructure Services, to adjust the length and duration of, or remove, the 'P Motor Bikes Only' parking zone, as necessary.

Voting members present for this item: Representative of the Member for Vaucluse, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/V.04/21.08 20-24 Hall Street, Bondi Beach - Construction Zone (A03/2514-04)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Installs an 18 metre 'No Parking 7 am–5 pm Mon–Fri, 8 am–3 pm Saturday Council Authorised Vehicles Excepted' construction zone in Jacques Avenue along the side boundary of 20–24 Hall Street, Bondi Beach.
2. Notifies residents and businesses in the vicinity of the construction zone prior to it being installed.
3. Delegates authority to the Executive Manager, Infrastructure Services, to adjust the length and duration of, or remove, the construction zone, as necessary.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

Voting members present for this item: Representative of the Member for Vaucluse, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/V.05/21.08 102-106 Campbell Parade, Bondi Beach - Construction Zone (A03/2514-04)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Installs a 12 metre 'No Parking 7 am–5 pm Mon–Fri, 8 am–3 pm Saturday Council Authorised Vehicles Excepted' construction zone south of the 15 minute parking zone outside the frontage of 102–106 Campbell Parade, Bondi Beach.
2. Notifies businesses in the vicinity of the construction zone prior to it being installed.
3. Delegates authority to the Executive Manager, Infrastructure Services, to adjust the length and duration of, or remove, the construction zone, as necessary.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

Voting members present for this item: Representative of the Member for Vaucluse, NSW Police representative, TfNSW representative and Waverley Council representative (Chair).

TC/CV ELECTORATES OF COOGEE AND VAUCLUSE

Nil.

THE MEETING CLOSED AT 10.27 AM.

.....
SIGNED AND CONFIRMED
MAYOR
23 SEPTEMBER 2021

MAYORAL MINUTES CM/6/21.09

Subject: Mayoral Minutes

Author: Mayor of Waverley, Cr Paula Masselos



Mayoral minutes are permissible at Waverley Council meetings under the Waverley Code of Meeting Practice. Clauses 9.7–9.11 of the Code state:

Subject to clause 9.10, if the mayor is the chair at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.

A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chair (but only if the chair is the mayor) may move the adoption of a mayoral minute without the motion being seconded.

A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.

Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

REPORT
CM/7.1/21.09**Subject:** Election of Mayor and Deputy Mayor by Councillors**TRIM No:** SF21/4356**Author:** Evan Hutchings, Director, Finance and Governance**Director:** Evan Hutchings, Director, Finance and Governance

RECOMMENDATION:

That Council:

1. Notes that the term of office of the Mayor elected at this meeting is up to and including 3 December 2021.
2. Agrees to elect a Deputy Mayor to hold office up to and including 3 December 2021.
3. Notes the procedure for the election of Mayor and Deputy Mayor by Councillors outlined in the report.
4. Determines the method of voting for the election of Mayor and Deputy Mayor to be the open voting method.

1. Executive Summary

Waverley Councillors must elect a Mayor from among their number every two years. The current Mayor was appointed in September 2019.

Councillors may also elect a person from their number to be Deputy Mayor. The Deputy Mayor may be elected for the mayoral term or a shorter term.

The procedure to elect a Mayor and Deputy Mayor is prescribed in Schedule 7 of the *Local Government (General) Regulation 2021*. The procedure is outlined in this report and Schedule 7 is attached for your reference.

This report recommends that Council appoints by open voting method a Mayor and a Deputy Mayor for the period up to and including 3 December 2021.

2. Introduction/Background

The *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation) determine the requirements and procedures for the election of Mayor and Deputy Mayor by Councillors. I have outlined the key elements of the procedures below and have attached Schedule 7 of the Regulation to this report at Attachment 1.

Before conducting an election, Council is required to determine the method of voting it wishes to use for the election. If more than one nomination is received, the method of voting can be either by open voting

method, ordinary ballot method or preferential ballot method. I will explain each voting method in more detail below. This report recommends that the open voting method be used.

3. Relevant Council Resolutions

Nil.

4. Discussion

The Returning Officer for the election of Mayor and Deputy Mayor by Councillors is the General Manager. However, the General Manager can appoint another person to be Returning Officer. The General Manager has appointed the Director, Finance and Governance, to the role of Returning Officer for this election.

To assist you in understanding the various procedures for election and requirements for voting, I have summarised the key elements below.

The Mayor

A council must have a Mayor (s 225 of the Act).

A Mayor elected by the Councillors holds the office of Mayor for two years, subject to the Act. The period of office commences on the day the Councillor is declared to be elected as Mayor. It becomes vacant when the Mayor ceases to hold office as a Councillor (s 230 of the Act).

At this election, the term of office of the Mayor is for the period up to and including 3 December 2021. This is when all councillors cease to hold office for the conduct of the Local Government Election.

The Deputy Mayor

Councillors may elect a person from among their number to be Deputy Mayor. The term can be for the period of the mayoral term or a shorter term. The Deputy Mayor exercises functions of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising these functions (s 231 of the Act).

It is recommended that a Deputy Mayor be elected for the mayoral term; that is, up to and including 3 December 2021.

Nomination forms

Under the Act, Councillors may be nominated without notice for election as Mayor or Deputy Mayor. The nomination must be in writing by two or more Councillors (one of whom may be the nominee) and is not valid unless the nominee has indicated consent to the nomination in writing. The nomination forms can be delivered to the Returning Officer any time up to and including the calling of nominations for each election.

Once the Returning Officer has finished the call for nominations for each election, the Returning Officer will announce the names of the nominees received. If there is one nomination, that Councillor is declared to be elected. If there is more than one nomination the Returning Officer will proceed to the election. A copy of the nomination form to be used for the election is attached to this report at Attachment 2 and will also be distributed to councillors separately with the agenda.

Method of voting

The Returning Officer will carry out the election in accordance with the method of voting determined by Council.

The open voting method means voting by a show of hands or similar means.

In the event that Council chooses the ordinary ballot or preferential ballot method, the Returning Officer has prepared a ballot paper, which will be distributed at the meeting. The Returning Officer will give clear instructions to Councillors on their requirements for voting in the election and each ballot paper will include instructions on the face of the paper. The Returning Officer will conduct the election using a ballot box for the return of the ballot papers, and the appropriate documents for the recording of votes.

On counting of the ballot papers, the Returning Officer will use the relevant provisions of the Regulation to determine formality and informality of ballot papers. The Returning Officer will check each vote for formality, count the votes for the Councillors nominated, and declare the election, so long as there is no equal number of votes.

In the case of an equal number of votes, the Returning Officer will need to then proceed to choose the candidate by lot.

Choosing by lot

The names of the candidates who have equal number of votes will be written on a similar slip of paper by the Returning Officer then folded by the Returning Officer so as to prevent the names from being seen. The Returning Officer will then place the slips into identical containers. The containers will be placed into the ballot box and then mixed, and one is drawn at random by the Returning Officer. The candidate whose name is on the slip within the drawn container is chosen.

Results

The result of the election, including the name of the candidate elected as Deputy Mayor, will be announced at the meeting by the Returning Officer and the next day notified to the Departmental Chief Executive and to the Chief Executive of Local Government New South Wales.

5. Financial impact statement/Timeframe/Consultation

There is no unbudgeted cost to Council to hold the Mayoral Election.

The term of the office of Mayor at this election is up to and including 3 December 2021. This is when all councillors cease to hold office for the conduct of the Local Government Election.

It is recommended that a Deputy Mayor be elected for the period up to and including 3 December 2021 to match the mayoral term.

6. Conclusion

The election of the Mayor and Deputy Mayor will be undertaken by the voting method chosen by Council and in accordance with the requirements of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*.

7. Attachments

1. Schedule 7 - Local Government (General) Regulation 2021 [↗](#)
2. Nomination form for election of Mayor and Deputy Mayor [↗](#)

Schedule 7 - Election of Mayor by Councillors

Part 1 Preliminary

1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

2 Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

3 Election

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this clause:
ballot has its normal meaning of secret ballot.
open voting means voting by a show of hands or similar means.

Part 2 Ordinary ballot or open voting

4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

5 Marking of ballot-papers

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

6 Count—2 candidates

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

7 Count—3 or more candidates

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Part 3 Preferential ballot

8 Application of Part

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

- (1) The ballot-papers are to contain the names of all the candidates. The Councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

10 Count

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. That candidate is elected.
- (4) In this clause, "**absolute majority**", in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

11 Tied candidates

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Part 4 General

12 Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

13 Result

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

- a) to be declared to councillors at the council meeting at which the election is held by the returning officer, and
- b) to be delivered or sent to the Departmental Chief Executive and to the Chief Executive of Local Government New South Wales.



NOMINATION FORM FOR ELECTION
OF MAYOR / DEPUTY MAYOR

We, the undersigned, nominate:

Councillor _____

For election to the position of Mayor / Deputy Mayor (*)

Councillor: _____

Signature: _____

Councillor: _____

Signature: _____

Date: _____

CONSENT OF NOMINEE

I agree to the nomination for the election of Mayor / Deputy Mayor (*)

Councillor: _____

Signature: _____

Date: _____

(*) Strike out whichever is not applicable.

ONCE COMPLETED PLEASE SUBMIT THIS FORM TO THE RETURNING OFFICER

REPORT
CM/7.2/21.09**Subject:** Role of Acting General Manager**TRIM No:** SF21/9**Author:** Emily Scott, General Manager**Director:** Emily Scott, General Manager

RECOMMENDATION:

That:

1. Council notes that at its extraordinary meeting on 1 June 2021, Council delegated/sub-delegated to the General Manager, Emily Scott, the functions in accordance with the Instrument of Delegation to the General Manager also dated 1 June 2021.
2. Evan Hutchings be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.
3. When acting as General Manager pursuant to this resolution, Evan Hutchings has all the functions, delegations and sub-delegations given to the General Manager by Council.

1. Executive Summary

In view of recent staff changes to the Council Executive, it is necessary to review the arrangements that are to occur in relation to the exercise of delegations and sub-delegations granted to the General Manager, Emily Scott, on occasions when she is absent from work on leave or business.

2. Introduction/Background

At its extraordinary meeting on 1 June 2021, Council resolved to delegate/sub-delegate to the General Manager, Emily Scott, the functions in accordance with the Instrument of Delegation to the General Manager also dated 1 June 2021.

Council also resolved that John Clark be appointed to act as the General Manager if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.

It was further resolved that should John Clark be unable or unwilling to act as General Manager at any time, Karen Mobbs be appointed to act as the General Manager if the General manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.

Subsequent to those resolutions, staff changes at the Executive level have resulted in these provisions for an Acting General Manager no longer being able to be implemented. Therefore, a further Council resolution is required.

This report does not contemplate any amendments to the existing delegations and sub-delegations to the General Manager.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Extraordinary Council 1 June 2021	CM/4.1/21.06	<p>That:</p> <ol style="list-style-type: none"> <p>Council delegates/sub-delegates to the General Manager the functions in accordance with the Instrument of Delegation to the General Manager attached to the report, subject to the following amendments:</p> <ol style="list-style-type: none"> <p>The limitation in Part A of Schedule 1 relating to the <i>Local Government Act 1993</i>, s 377(1)(i), being amended to read as follows: ‘Authority to accept tenders where the proposed contract is not for services currently provided by members of staff of the Council with a total contract value (incl GST) of up to:</p> <ul style="list-style-type: none"> \$2.5 million during the Council end of year recess (i.e. from the day following the last Council meeting of the calendar year until the first Council or Committee meeting of the following year); and \$500,000 for the rest of the year. <p>This function cannot be sub-delegated by the General Manager.</p> <p>The General Manager must report to Councillors on a monthly basis by email outlining all tenders accepted.’</p> <p>The limitation in Part B of Schedule 1 relating to procurement exemptions being amended to read as follows: ‘Authority to approve purchases with fewer than the required quotes called for in the Purchasing Procedure up to \$150,000.</p> <p>The General Manager must report to Councillors on a monthly basis by email outlining all exemptions approved under this delegation.’</p> <p>Council authorises the Mayor and Deputy Mayor to affix the Council Seal to the Instrument of Delegation to the General Manager.</p> <p>John Clark be appointed to act as the General Manager</p>

		<p>if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.</p> <p>4. Should John Clark be unable or unwilling to act as General Manager at any time, Karen Mobbs be appointed to act as the General Manager if the General manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.</p> <p>5. Any person acting as General Manager pursuant to this resolution has all the functions, delegations and sub-delegations given to the General Manager by Council.</p> <p>6. The General Manager reports to Councillors monthly by email on tenders accepted under delegation and any procurement exemptions approved.</p>
Council 25 May 2021	CM/11.1/21.05	<p>That:</p> <p>1. Council treats the mayoral minute as confidential in accordance with section 11(3) of the <i>Local Government Act 1993</i>, as it relates to a matter specified in section 10A(2)(a) and 10A(2)(d)(i) of the <i>Local Government Act 1993</i>. The mayoral minute contains personnel matters concerning particular individuals (other than Councillors) as well as commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.</p> <p>2. Council receives and notes the report by the recruitment consultant, Stephen Blackadder, dated 17 May 2021 attached to the mayoral minute, on the recruitment and selection of a new General Manager.</p> <p>3. The preferred candidate selected by the Panel after interviews conducted on 11 and 13 May 2021 be offered the position of General Manager effective Wednesday, 2 June 2021, and the Mayor and Deputy Mayor, in consultation with the recruitment consultant, be authorised to negotiate and finalise the appointment based on the following terms and conditions:</p> <p>(a) A five-year performance-based contract in accordance with the standard contract of employment as required by the Office of Local Government for General Managers in NSW.</p> <p>(b) A total remuneration package of \$370,000, being the total value of all components of</p>

		<p>remuneration offered, including salary, superannuation, the private use value of the Council- provided motor vehicle under a novated lease or leaseback arrangement and any other benefits negotiated with the successful candidate.</p> <p>(c) The policies of the Council that grant an entitlement to the employee relating to the private use of the Council motor vehicle and the incidental private use of the Council-provided mobile phone and laptop computer be included in Schedule A of the contract.</p> <p>4. Following written acceptance of the offer from the preferred candidate, an Extraordinary Meeting of Council be held to formalise the Instrument of Delegation.</p> <p>5. Council establishes a Committee made up of Councillors Masselos, Betts and Keenan to develop and negotiate a performance agreement with the General Manager within three months of appointment.</p> <p>6. In view of the forthcoming local government elections in September 2021, a Performance Review Committee be appointed early in the next term of Council to undertake the General Manager's annual performance reviews.</p> <p>7. No public announcement of the name of the successful candidate be made until such time as the Mayor has obtained a written acceptance of the offer from the preferred candidate.</p> <p>8. Council maintains the confidentiality of the documents and considerations in respect of the General Manager recruitment process.</p>
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4. Discussion

On occasions when the General Manager, Emily Scott, is sick or otherwise absent from work on leave or business, the *Local Government Act 1993* requires that an officer of Council undertake that role in an acting capacity.

Council's Director, Finance and Governance, Evan Hutchings, has extensive experience in senior executive roles in local government and has acted as a General Manager on numerous occasions for extended periods throughout his career. He is considered to be the most appropriate Council officer to act in the role of General Manager as required.

No changes to the existing delegations are being considered through this report.

5. Financial impact statement/Time frame/Consultation

There are no financial implications resulting from this report.

6. Conclusion

It is recommended that Evan Hutchings perform the role of Acting General Manager when the General Manager, Emily Scott, is sick or otherwise absent from work on leave or business.

7. Attachments

Nil.

**REPORT
CM/7.3/21.09****Subject:** Local Government NSW Annual Conference 2021**TRIM No:** A13/0314**Author:** Al Johnston, Governance Officer**Director:** Evan Hutchings, Director, Finance and Governance

RECOMMENDATION:

That Council:

1. Notes that the 2021 Local Government NSW Annual Conference will be held over two events as follows:
 - (a) A one-hour Annual Conference held online from 9.30 am on Monday, 29 November 2021.
 - (b) A Special Conference to be held in-person at the Hyatt Regency Sydney from Monday, 28 February, to Wednesday, 2 March 2022.
2. In respect of the one-hour Annual Conference to be held online on 29 November 2021:
 - (a) Nominates the Mayor, Deputy Mayor, Councillor [INSERT NAME], Councillor [INSERT NAME] and Councillor [INSERT NAME] as voting delegates for motions and the election of the Board and Office Bearers of Local Government NSW (LGNSW).
 - (b) Nominates Councillor [INSERT NAME] and Councillor [INSERT NAME] as substitute voting delegates for motions and the election of the Board and Office Bearers of Local Government NSW (LGNSW).
 - (c) Nominates Councillors [INSERT NAMES] to attend the Annual Conference as observers.
 - (d) Approves the attendance of the General Manager or nominee at the Annual Conference.
3. Receives a further report after the local government election seeking Council's nominations for its voting delegates to attend the Special Conference in February/March 2022.

1. Executive Summary

As a result of COVID-19 constraints and the further postponement of local government elections, the Local Government NSW (LGNSW) Annual Conference will be held in two parts this year: a one-hour Annual Conference to be held online from 9.30 am on Monday, 29 November 2021, followed by a Special Conference to be held in-person at the Hyatt Regency Sydney from Monday, 28 February, to Wednesday, 2 March 2022.

Separate registrations are required for the Annual Conference online event and the Special Conference to allow for potential attendance changes brought about by the local government election.

Council must advise LGNSW of the names of its nominated voting delegates for the Annual Conference online event (and LGNSW Board election) by 5 pm on Tuesday, 5 October 2021.

With respect to the Special Conference, Council must advise LGNSW of the names of its nominated voting delegates by midnight on Thursday, 17 February 2022. However, to allow for potential attendance changes brought about by the local government election, Council's nominations for its voting delegates will be sought after the election.

2. Introduction/Background

The LGNSW Annual Conference is the annual policy-making event for NSW councils. The conference is the pre-eminent event of the local government year where councillors come together to share ideas and debate issues that shape the way local government is governed and to set policy for the coming year.

As a result of the COVID-19 pandemic and the further postponement of local government elections, this year's conference will be held over two events:

- A one-hour Annual Conference to be held online from 9.30 am on Monday, 29 November 2021.
- A Special Conference to be held in-person at the Hyatt Regency Sydney from Monday, 28 February, to Wednesday 2 March 2022.

The Annual Conference online event will be limited to the adoption of standing orders, along with reports from the President and Treasurer, while the Special Conference will incorporate the debate and resolution of motions and a range of keynote speakers.

The delay to local government elections also has a flow-on impact on the LGNSW Board Elections. To avoid any election irregularities, LGNSW has asked the Australian Electoral Commission (AEC) to conduct and finalise this election so that it does not clash with the local government election, and is awaiting further advice from the AEC and will provide updated information to councils as soon as possible.

3. Relevant Council Resolutions

Nil.

4. Discussion

Voting delegates

Council is entitled to send five voting delegates to each part of the conference.

Council must advise LGNSW of the names of its nominated voting delegates for the Annual Conference online event by 5 pm on Tuesday, 5 October 2021.

Council must advise LGNSW of the names of its nominated voting delegates for the Special Conference by midnight on Thursday, 17 February 2022. However, to allow for potential attendance changes brought about by the local government election, Council's nominations for its voting delegates will be sought after the election.

Motions

Council can submit motions for consideration at the Special Conference. LGNSW advises that motions must be submitted to LGNSW by midnight on Sunday, 30 January 2022 and include accompanying evidence of Council's support for the motion.

The LGNSW Board has resolved that motions will be included in the Business Paper for the Conference only where they:

1. Are consistent with the objects of LGNSW (see Rule 4 of the Association's rules).
2. Relate to local government in NSW and/or across Australia.
3. Concern or are likely to concern local government as a sector.
4. Seek to advance the local government policy agenda of LGNSW and/or improve governance of the Association.
5. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws).
6. Are clearly worded and unambiguous in nature.
7. Do not express preference for one or several members over one or several other members.

Should Council wish to submit any motions to the Conference, it will need to consider them for adoption by 30 January 2022. An LGNSW guide for submitting motions to the Conference is attached to this report.

Councillors are able to submit proposed motions for consideration by Council via the notice of motion process.

Registrations

Registration for the Annual Conference online event on 29 November 2021 is open now and free for all councillors.

The LGNSW advises that registrations for the Special Conference in February/March 2022 will open at a later date, and that all mayors, councillors and general managers will be advised of the date via direct email from LGNSW.

5. Financial impact statement/Timeframe/Consultation

There is no cost to Council for councillors to attend the Annual Conference online event, as LGNSW has stated it is a free event.

At the time of preparing this report, Council did not know the cost to Council for councillors to attend the Special Conference, as the details had not been released by LGNSW. However, costs are covered in the budget allocation for Councillor expenses, in accordance with Council's Councillor Expenses and Facilities Policy.

6. Conclusion

It is recommended that Council nominates councillors to attend the LGNSW Annual Conference online event on 29 November 2021 as Council's voting delegates.

7. Attachments

1. LGNSW Special Conference Motions Submission Guide [↓](#)



LGNSW Special Conference Motions Submission Guide

LOCAL GOVERNMENT NSW
GPO BOX 7003 SYDNEY NSW 2001
L8, 28 MARGARET ST SYDNEY NSW 2000
T 02 9242 4000 F 02 9242 4111
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Motions Submission Guide

1. Introduction

Each year, member councils across NSW submit a range of motions to an Annual Conference conducted by Local Government NSW (LGNSW). These motions relate to strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions. They are debated and resolved by Conference delegates, with successful resolutions guiding LGNSW's advocacy priorities for the year ahead.

However, stay-at-home orders and the postponement of local government elections have forced a truncated Annual Conference in 2021, with insufficient time for proper motion debate. To ensure motions are properly debated and resolved by members, LGNSW will hold an additional Special Conference from 28 February to 2 March 2022.

All LGNSW member councils are invited to submit motions to this Special Conference, with the following Guide outlining the Motion development and submission process.

2. Deadlines

Members are encouraged to submit motions [online](#) as early as possible to allow assessment of the motions and distribution of the Business Paper before the Conference. Under LGNSW Rules, the latest date motions can be accepted for inclusion in the Business Paper is **12 midnight (AEDT) on Sunday 30 January 2022** (28 days prior to Conference).

3. Criteria for motion submission

The LGNSW Board has resolved that motions will be included in the Business Paper for the Conference only where they:

1. are consistent with the objects of LGNSW (see Rule 4 of the Association's [rules](#)),
2. relate to local government in NSW and/or across Australia,
3. concern or are likely to concern local government as a sector,
4. seek to advance the local government policy agenda of LGNSW and/or improve governance of the Association,
5. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws),
6. are clearly worded and unambiguous in nature, and
7. do not express preference for one or several members over one or several other members.

Council members are encouraged to review [Action Reports](#) (on the member only pages of the LGNSW website) from previous Conferences and the [LGNSW Policy Platform](#) before submitting motions for this year's Special Conference to ensure the proposed motion wording reflects any recent developments and does not duplicate existing positions..

4. How to write a motion

Motions adopted at Conferences inform LGNSW's advocacy actions on behalf of the local government sector. LGNSW includes the exact wording of motions when writing to ministers, departments and agencies post-conference, so it is important that the wording of motions clearly outlines your council's policy intent or objective.

The format of motions, as much as possible, should call on a specific body (e.g. LGNSW, state government, federal government, a specific department or minister) and have a specific outcome that the motion is aiming to achieve. The wording should be unambiguous.

Examples of clearly-worded Annual Conference motions:

Minister for Rural and Regional NSW

That LGNSW lobbies the NSW State Government to appoint a Minister for Rural and Regional NSW with suitable resources to undertake meaningful representative activities.

Natural Disaster Funding, Day Labour

That LGNSW requests the Australian and NSW governments reinstate the claimable expense for the use of council staff during their normal working hours to attend to natural disaster relief and recovery funded works and reverse the present policy that effectively requires the mandatory use of contractors for recovery works.

Companion Animal Act matters

That LGNSW advocates that the NSW Government takes the following steps to improve the management of companion animals:

- establish an integrated on-line statewide registration process as an improved service to companion animal owners;
- resolve difficulties with the *Companion Animals Act 1998* definition of an "Authorised Officer", by using the definition contained in the *Impounding Act 1993* as the definition in both Acts, allowing councils choice in the business model for its area; and
- review the dismissal of charges under section 10 of the *Crimes (Sentencing Procedure) Act 1999* in relation to offences under the *Companion Animals Act 1998*.

For more examples see Business Papers from [past Conferences](#) on the LGNSW website.

5. Demonstrating evidence of council support for motion

The member submitting the motion must provide accompanying evidence of support for the motion. Such evidence may include an attachment note or extract from the minutes of the council meeting, at which the member council resolved to submit the motion for consideration by the Conference. In the absence of a council meeting, the evidence should be a letter signed by both the Mayor and General Manager.

6. How to submit a motion

LGNSW members are invited to submit motions through an [online portal](#) from **12 July 2021**.

Each motion submission should include responses to the following fields:

1. **Council name**
2. **Contact details** of relevant officer
3. **Motion category** (e.g. *planning, economic, environment etc. This assists with assigning motions to the relevant policy staff and grouping related motions in the Conference Business Paper.*)
4. **Motion title** (a few words)
5. **Motion** (a sentence or two which includes the call to action)
6. **Background note** (a paragraph or two to explain the context and importance of the issue to the local government sector)
7. **Evidence of council support** for the motion (e.g. *extract of council meeting minutes*)

Once a motion has been submitted it cannot be edited without contacting LGNSW, so please review the content carefully before submission.

7. How LGNSW manages incoming motions

The LGNSW Board has established a committee and delegated the function of managing incoming motions for the Conference to this committee. The Chief Executive will refer motions to the committee and the committee will assess whether the motion meets or doesn't meet the criteria, or if

it is unclear whether it meets the criteria. This assessment forms the final decision on which motions are included in the Conference Business Paper.

Prior to the committee making a final decision, LGNSW may contact the council that submitted the motion to seek clarity on its intent or wording.

Incoming motions which seek to change any long-held Fundamental [Principles](#), will be highlighted in the Business Paper for members' information at time of voting.

Motions which are consistent with existing LGNSW positions or current LGNSW actions, or that are operational and can be actioned without a Conference resolution, may still be printed in the Business Paper but will not be debated at the Conference.

8. What happens to motions at the LGNSW Conference

Standing orders are outlined at the front of the Business Paper and adopted at the commencement of each Conference. They outline the manner in which the Conference deals with motions. The standing orders adopted at the 2019 Conference can be found in **Attachment A**.

During debate on motions at Conference, the standing orders generally permit councillor delegates to speak in support of or against each motion. Following a vote on a motion, the motion is either carried and becomes a resolution of the Conference, or it is defeated.

9. Post-conference: Updates to the LGNSW Policy Platform

LGNSW's [Policy Platform](#) consolidates the voices of councils across NSW, reflecting the collective positions of local government on issues of importance to the sector. Importantly, the Policy Platform guides LGNSW in its advocacy on behalf of the local government sector.

The Policy Platform consists of two parts: LGNSW's Fundamental Principles, and the more targeted Position Statements.

- **Fundamental Principles** are the enduring and overarching principles that direct LGNSW's response to broad matters of importance to the local government sector. These Fundamental Principles are endorsed (or amended) by LGNSW members at Annual Conferences (or this year, at the Special Conference).
- **Position Statements** contain LGNSW's more detailed positions on specific issues and guide LGNSW's work on, and response to, policy issues of the day. Position Statements are subordinate to LGNSW's Fundamental Principles but are more agile and are targeted at specific policy issues as they arise.

Changing Fundamental Principles

Where a motion conflicts or may conflict with a Fundamental Principle, this will be clearly highlighted for delegates in the Conference Business Paper. If the motion is adopted as a resolution at Conference, then the relevant Fundamental Principle will be changed.

It is expected that changes to the Fundamental Principles will be uncommon, given their broad focus and general acceptance among the local government sector.

Changing Position Statements

Following each Conference, LGNSW will review resolutions of that Conference to determine whether the intent of each resolution is adequately covered by existing Position Statements. Where the Position Statements do not adequately include the intent of a resolution, LGNSW will update an existing Position Statement or draft a new Position Statement, to be endorsed by the LGNSW Board as part of the LGNSW Policy Platform.

LGNSW members will be informed of updates to the LGNSW Policy Platform.

10. Post-conference: Determining LGNSW Advocacy Priorities

Following the LGNSW Special Conference, LGNSW will review the resolutions and identify key areas of focus to guide LGNSW's advocacy for the coming year. These areas of focus are also be informed by member feedback, the LGNSW strategic plan, position statements, emerging issues, and Board input.

LGNSW's Advocacy Priorities for the following year are then submitted for endorsement by the LGNSW Board, and communication to members via email.

As LGNSW undertakes advocacy actions on each of the Conference resolutions throughout the year, these actions and their outcomes will be published in LGNSW's Action Report. ([Past Action reports](#) are available on the member only pages of the LGNSW website).

11. Further information

For further information on the motion submission process, please contact Beau Reid, Policy Officer at beau.reid@lgnsw.org.au.

Frequently Asked Questions

How do I know if my proposed motion is consistent with existing LGNSW policy positions?

The subject matter expert within council is best placed to identify this (for example, if the motion relates to a planning matter, this question should be answered by the Planning Manager). Subject matter experts are encouraged to review LGNSW's [Policy Platform](#) to gain an understanding of LGNSW's position on a particular matter to help identify whether your proposed motion is consistent.

What is the deadline for submitting motions?

Members are encouraged to submit motions [online](#) as soon as possible to allow assessment of the motions and distribution of the Business Paper before the Conference. However, in line with the LGNSW Rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is **12 midnight AEST on Sunday 30 January 2022** (28 days prior to Conference).

LGNSW can receive more than 300 motions for an Annual Conference. Submitting motions as early as possible helps LGNSW to manage the large volume of motions received within a short period of time and allows LGNSW to seek clarification on any motions if required.

I'm unsure which motion category or sub-category I should select in the online portal

If you are unsure, just select the category you think best fits. LGNSW can reallocate the motion if necessary.

What if my council will not meet to consider motions for the LGNSW Special Conference until after the 30 January 2022 deadline?

LGNSW understands that some councils will not hold their first meeting of the new council term until after the 30 January 2022 deadline to submit motions for inclusion in the Business Paper.

The LGNSW Rules set the deadline of midnight on 30 January 2022 for motions to be submitted for potential inclusion in the Conference Business Paper. However, the LGNSW Rules do also allow for councils to submit motions with less than 28 days' notice and the LGNSW Board may allow these to be considered at Conference as **late items**.

If councils cannot meet the 30 January 2022 timeline, we encourage councils to submit motions as late items as soon as possible after the deadline.

Who should be the council contact for motions?

We recommend the council contact is someone who is available during the months that motions are open, and able to respond promptly to communications between the subject matter expert, your council and LGNSW. Some councils have identified the General Manager and others have identified the Governance Officer – it is a decision for each council.

Will the COVID-19 pandemic affect the motions process?

The LGNSW Conference motions process is an important policy setting process for the local government sector. The Conference will follow government guidelines on safe events and social distancing. In 2020, the LGNSW conference was held online due to COVID-19 health and safety orders and delegates had the opportunity to debate motions during the conference. However, member feedback indicated an in-person conference is preferable, and LGNSW is seeking to do this with the Special Conference from 28 February to 2 March 2022.

How can I amend my council's motion that I've already submitted?

Once a motion has been submitted it cannot be edited without contacting LGNSW so please review the content carefully before submission. If you need to edit a submitted motion, please contact Beau Reid, Policy Officer at beau.reid@lgnsw.org.au. You may need to provide evidence of support for the change (see section 5).

Attachment A – Excerpt of LGNSW 2019 Annual Conference Standing Orders

The 2020 Annual Conference was held wholly online and as such the standing orders differed substantially from past years. The 2019 standing orders are included below as a guide.

Manner of dealing with Conference Business

11. *Conference Business will be dealt with in any order at the discretion of the Chairperson.*
12. *Nothing in these Standing Orders shall prevent the Chairperson from dealing with motions concurrently.*

In the case of motions

13. *The Chairperson, upon coming to a motion set out in the Business Paper, must ask whether there is any dissent to the proposed resolution the subject of the item and, if no dissent be signified, may at any time, declare the motion carried.*
14. *Where dissent is signified, the Chairperson shall require the motion to be moved and seconded.*
15. *If the motion is moved and seconded, the Chairperson may, at any time during debate, make such inquiries as to the nature of the dissent so as to confine any debate to the issues genuinely in dispute or to explore amendments to the proposed resolution which satisfactorily accommodate the moving and dissenting Delegates and Delegates generally.*
16. *Movers of motions shall be permitted two (2) minutes to introduce their proposed resolution into debate and one and a half (1.5) minutes in reply. All other speakers shall each be permitted to speak once for one and a half (1.5) minutes. The Conference may, on application by a speaker, permit that speaker to have one, but only one, further period of one and a half (1.5) minutes in which to speak.*
17. *A Delegate seconding a motion shall not be permitted to speak until at least one Delegate has spoken in dissent.*
18. *The Chairperson may, during the course of debate direct a speaker to confine his or her speech so as to:*
 - a. *limit repetition of matters addressed by other speakers;*
 - b. *limit debate about matters or issues not genuinely disputed.*
19. *Except as otherwise provided herein, it shall not be in order to move that any resolution be immediately put until at least two Delegates, in addition to the mover and the seconder, shall have had an opportunity to speak on the resolution then before the Conference.*
20. *A Delegate can, without notice, move to dissent from the ruling of the Chairperson on a point of order. If that happens, the Chairperson must suspend the business before the Conference until a decision is made on the motion of dissent;*
 - a. *If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course; and*
 - b. *Despite any clause to the contrary, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.*
21. *A Delegate may not substitute from the floor of the Conference a new motion for one listed in the Business Paper unless the new motion is substantially the same, and dealing with the same subject matter, as the original motion, and the new motion is accompanied by written evidence that it has the support of the member concerned.*
22. *When an amendment is before the Conference, no further amendment shall be discussed until that amendment has been dealt with.*

23. *No more than one amendment upon any motion shall be considered unless notice of such further amendment is given before the amendment then under discussion has been dealt with.*
24. *The mover of an amendment which has been adopted as the motion shall (as in the case of the mover of an original motion) have the right of reply to any further amendments submitted.*

New motions from the floor of Conference

25. *At least 24 hours' notice shall be given before dealing with any new motions introduced during the Conference (Rule 28(d)).*
26. *Where a Member seeks to introduce a new motion during the Conference, they shall submit the motion and evidence that the motion has the support of the member concerned, to the Association's Chief Executive (or the Chief Executive's nominee), in writing.*
27. *The Chief Executive (or the Chief Executive's nominee), upon receiving a new motion submitted during the Conference, shall immediately record the time that they receive the motion and make arrangements for copies of the motion to be provided to Delegates.*

Motions that reflect existing LGNSW policy

28. *Motions submitted for inclusion in the Business Paper to the Conference which reflect existing LGNSW policy (Category 2 motions) shall remain existing LGNSW policy unless superseded or replaced by a subsequent Conference resolution.*

In the case of all other Conference Business

29. *All other Conference Business will be dealt with at the discretion of the Chairperson.*

Manner of voting

30. *Only Members' nominated voting Delegates and members of the Board may debate and vote on motions.*
31. *Except as hereinafter provided voting on any matter shall be on the show of cards.*
32. *The Chairperson may direct that voting on any matter be taken by show of voting cards or by use of electronic voting.*
33. *After a show of voting cards or on conclusion of an electronic vote the Chairperson may either:*
- a. declare the question resolved in the affirmative or negative; or*
 - b. if voting cards have been used, call for a new vote using electronic voting.*
34. *A Division may be called following a vote on the show of cards by no less than 10 Delegates.*
35. *A Division will be taken by use of electronic voting.*

Suspending Standing Orders

36. *Standing Orders may be suspended by a majority of those present, provided the meeting is in quorum. A motion to this effect shall be open to debate.*

Outstanding business

37. *In the event that the Conference, having commenced in quorate, subsequently loses a quorum and is unable to consider any item(s) of business properly put before the Conference, they shall be referred to the Association's Board for consideration.*

REPORT CM/7.4/21.09



Subject: Investment Portfolio Report - August 2021

TRIM No: A03/2211

Author: Sid Ali, Revenue Co-ordinator
Teena Su, Executive Manager, Finance

Director: Evan Hutchings, Director, Finance and Governance

RECOMMENDATION:

That Council:

1. Receives and notes the Investment Summary Report for August 2021 attached to the report.
2. Notes that the Director, Finance and Governance, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

1. Executive Summary

For August, Council's investment portfolio generated \$74,739 in interest.

The interest on investment budget for the 2021–22 financial year was adopted by Council at its meeting on 22 June 2021 and was set at \$858,678.

The interest income for year to date achieved 19.18% (\$164,669) of the current approved budget forecast of \$858,678.

2. Introduction/Background

Clause 212 of the *Local Government (General) Regulation* requires that Council be provided with a written report setting out details of all money that the Council has invested under section 625 of the *Local Government Act 1993* (the Act) and certifying that these investments have been made in accordance with the Act, regulations, Ministerial Investment Orders and Council's Investment Policy.

The table below illustrates the monthly interest income received by Council and performance against the Budget.

Table 1. Monthly interest income received by Council.

Month	2021/22 Budget (\$)	Actual Monthly (\$)	Actual YTD (\$)	Tracking Budget (%)
July	858,687	89,930	89,930	10.47%
August	858,687	74,739	164,669	19.18%

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 17 August 2021	CM/7.5/21.08	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receives and notes the Investment Summary Report for July 2021 attached to the report. 2. Notes that the Chief Financial Officer, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the <i>Local Government Act 1993</i> and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

4. Discussion

As at 31 August 2021, Council's cash investment portfolio for the financial year, generated interest earnings of \$164,669 representing 19.18% of the current approved budget of \$858,687.

Council's investment portfolio posted a return of 2.43% pa for the month of August versus the Ausbond Bank Bill Index benchmark return of 0.02% pa.

Over the last 12 months, Council's investment portfolio has exceeded the Ausbond bank bill index benchmark by 2.13% pa (2.17% vs 0.04% pa).

The TCorpIM LT Growth Fund had another month of solid gains in August, rising 1.87% (actual). The Australian share market rose 2.6% for the month, with the information technology sector leading the way (+16.2%) followed by consumer staples and healthcare, up 6.8% and 6.6% respectively.

As at 31 August 2021, Council's investment portfolio has a current market value of \$155,223,405, which represents a gain of \$452,429 on the \$154,770,976 face value of the portfolio. The table below provides a summary by investment (asset) type.

Table 2. Portfolio value – Summary by investment (asset) type.

Asset Group	Face Value	Current value
Cash	\$27,358,553	\$27,358,553
Floating Rate Note	\$24,500,000	\$24,705,045
Floating Rate Term Deposits	\$5,500,000	\$5,501,359
Managed Funds	\$16,412,423	\$16,412,423
Term Deposit	\$81,000,000	\$81,246,025
Total	\$154,770,976	\$155,223,405

Analysis

Attached to this report are the summaries of the investment portfolio for the year ending 31 August 2021. These reports are prepared by Council's independent financial advisor, Prudential Investment Services Corp.

Included in this report are tables showing that Council's investment portfolio for the month of August 2021 has exceeded the AusBond bank bill index by 2.41% pa (2.43% to 0.02% pa). The Portfolio outperformed the stated benchmark measure as the rate of return on cash exceeds AusBond Bank Bill Index as illustrated in the table below:

Table 3. Portfolio return.

Month	Portfolio Return %	Ausbond BB Index %	Variance %
July-20	3.08	0.11	2.97
Aug-20	2.50	0.11	2.39
Sep-20	0.78	0.09	0.69
Oct-20	1.60	0.13	1.47
Nov-20	4.98	0.09	4.89
Dec-20	1.37	0.03	1.34
Jan-21	1.10	0.01	1.09
Feb-21	0.92	-0.01	0.93
Mar-21	2.52	0.02	2.50
Apr-21	2.81	0.04	2.77
May-21	1.96	0.05	1.91
Jun-21	2.94	0.03	2.91
Jul-21	2.63	0.04	2.59
Aug-21	2.43	0.02	2.41
Average % return Over the last 12 months	2.17	0.04	2.13

Council has a well-diversified portfolio invested among a range of term deposits, fixed and floating rate bonds from highly rated Australian ADIs, as well as growth assets via holdings in the NSW TCorp Long Term Growth Fund. Council remains within its investment policy credit limits and term to maturity limits while generating sound returns above benchmark in the current low interest environment. It is expected that Council can continue to achieve above benchmark returns with prudent investment selection for its short- and long-term holdings.

Investments in ethically, socially and environmentally beneficial alternatives

As at the end of August 2021, 70.1% of Council's portfolio was invested in non-fossil fuel lending ADIs and socially responsible investments, while fossil fuel lending ADIs (including the daily operation fund) accounted for 19.3% of the portfolio. The remaining 10.6% is invested with TCorp.

Over the period of 39 months, from June 2018 to August 2021, Council has reduced its investment in fossil-fuel-lending ADIs from 59% to 19.3%, as displayed in Figure 1 below. The increase of 10.6% from the last month is due the non-fossil fuel investment maturities, and the working capital funds held in the CBA bank account (a fossil-fuel-lending bank) to meet day-to-day operating requirements.

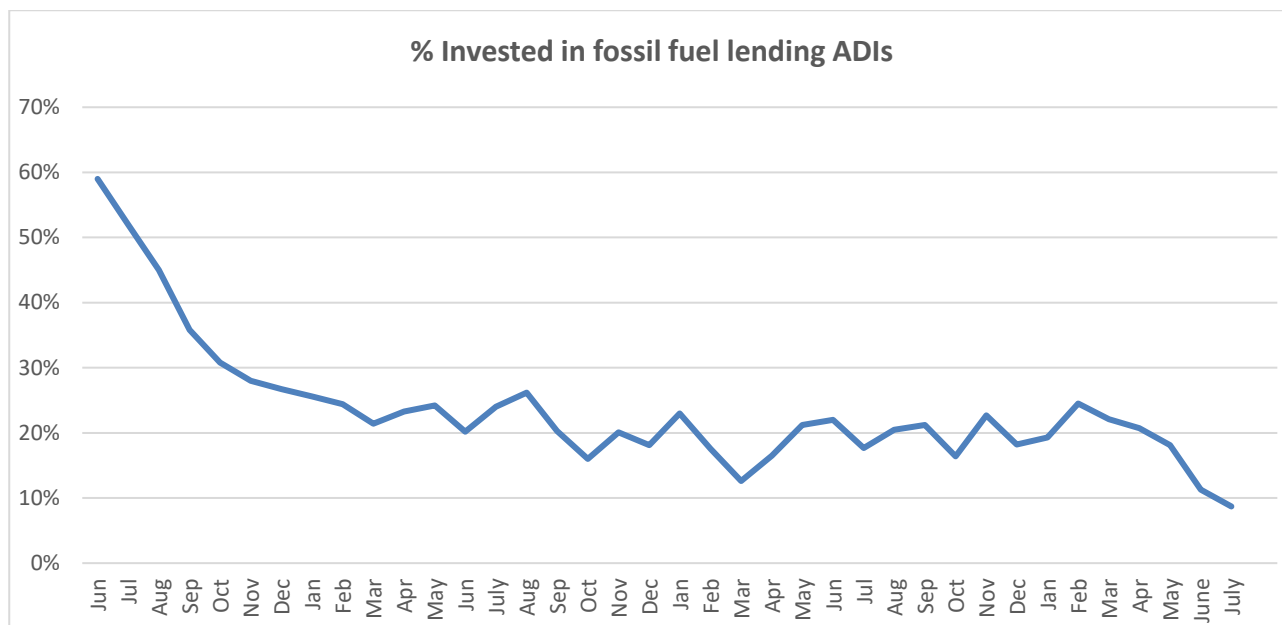


Figure 1. Investments in fossil-fuel-lending ADIs.

When excluding the working capital funds held in the CBA bank account (a fossil-fuel-lending bank) to meet day-to-day operating requirements, 85.16% of Council's investment portfolio was invested in non-fossil-fuel-lending ADIs and socially responsible investments, while fossil-fuel-lending ADIs accounted for 1.96% of the portfolio. The remaining 12.88% is invested with TCorp as displayed in Figure 2 below.

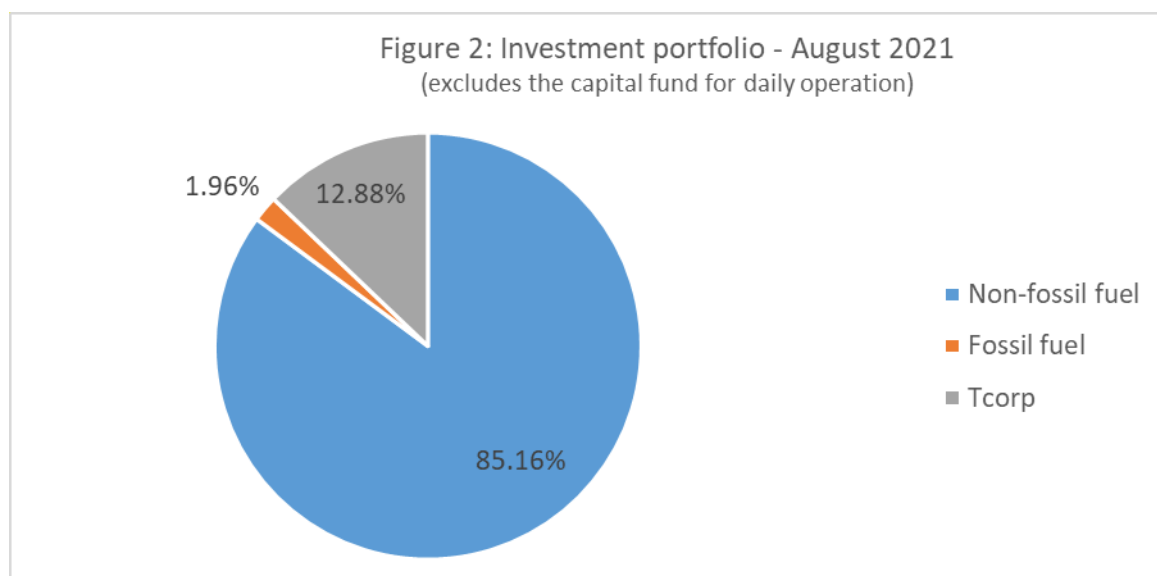


Figure 2. Investment portfolio – August 2021.

During August, Council's investment portfolio had \$21m across several 12- and 24-month term deposits mature, with a weighted average rate of 0.75% pa. Also, a \$1.5m Bank Australia three-year Snr FRN matured, which had been paying a quarterly rate of three-month BBSW plus a margin of 1.30% pa. Council invested \$19.5m among a range of 8- and 12-month term deposits, paying a weighted average of 0.47%.

The following table compares rates on offer during August 2021 between the non-fossil/green investment and the fossil fuel ADI.

Table 4. Non-fossil fuel v fossil fuel ADI deposit rates.

Date	Amount	Term (months)	Non-Fossil/Green Deposit Rates	Fossil Fuel ADI Deposit Rates
10-Aug-21	9,000,000	12	0.50%	0.45%
16-Aug-21	3,000,000	8	0.50%	0.44%
24-Aug-21	2,500,000	12	0.30%	0.45%
26-Aug-21	5,000,000	12	0.35%	0.45%

5. Financial impact statement/Time frame/Consultation

This report has been prepared in consultation with Council's independent financial advisor, Prudential Investment Services Corp.

6. Conclusion

Council's investment portfolio has achieved interest earning of \$164,669 for the year to date, representing 19.18% of the current approved budget forecast of \$858,678.

7. Attachments

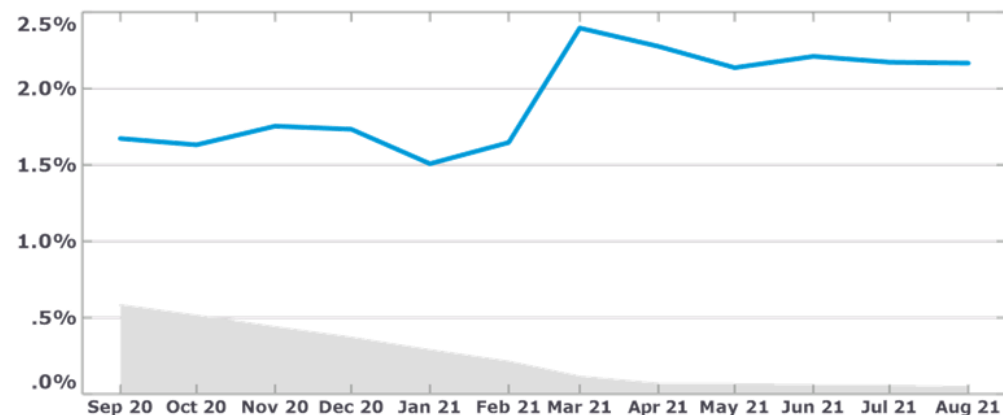
1. Investment Summary Report - August 2021 [↓](#)



Investment Summary Report August 2021

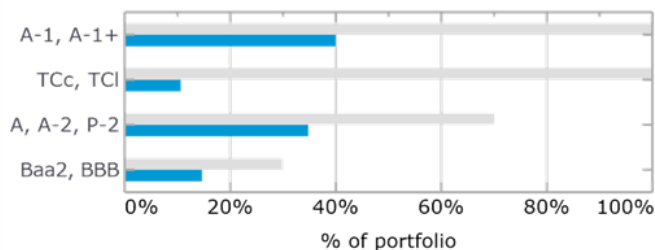
Waverley Council**Executive Summary - August 2021****Investment Holdings**

	Face Value (\$)	Current Value (\$)
Cash	27,358,552.67	27,358,552.67
Floating Rate Note	24,500,000.00	24,705,044.86
Floating Rate Term Deposits	5,500,000.00	5,501,359.38
Managed Funds	16,412,423.31	16,412,423.31
Term Deposit	81,000,000.00	81,246,025.06
	154,770,975.98	155,223,405.28

Investment Performance

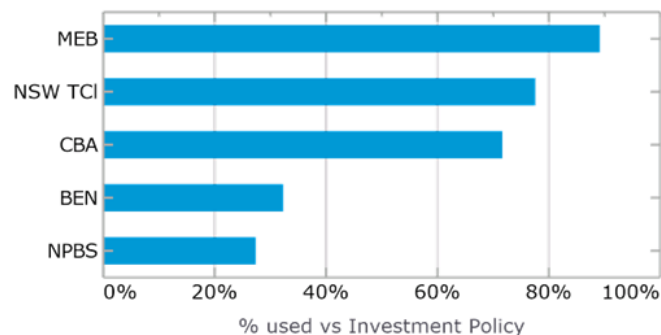
Portfolio Rolling 12 month return

AusBond BB Index Rolling 12 month Return

Investment Policy Compliance**Total Credit Exposure**

Portfolio Exposure

Investment Policy Limit

Highest Individual Exposures**Term to Maturities**

Maturity Profile	Face Value (\$)		Policy Max
Between 0 and 1 Year	128,270,976	83%	100%
Between 1 and 3 Years	13,950,000	9%	50%
Between 3 and 10 Years	12,550,000	8%	30%
	154,770,976		

Waverley Council

Investment Holdings Report - August 2021

**Cash Accounts**

Face Value (\$)	Rate (%pa)	Institution	Credit Rating		Current Value (\$)	Deal No.	Reference
16,526,324.83	0.2000%	Commonwealth Bank of Australia	A-1+		16,526,324.83	120789	24hr Call
9,738,127.13	0.0000%	Commonwealth Bank of Australia	A-1+		9,738,127.13	120794	General Funds
93,242.91	0.0000%	Commonwealth Bank of Australia	A-1+		93,242.91	120795	Trust Funds
40,955.00	0.0000%	Commonwealth Bank of Australia	A-1+		40,955.00	120796	Cemetery Funds
442,394.28	0.0000%	Commonwealth Bank of Australia	A-1+		442,394.28	120797	Depositor Funds
390,502.28	0.0000%	Commonwealth Bank of Australia	A-1+		390,502.28	120799	Library CP
46,032.70	0.0000%	Commonwealth Bank of Australia	A-1+		46,032.70	120800	Eastgate CP
43,399.19	0.0000%	Commonwealth Bank of Australia	A-1+		43,399.19	120801	Hollywood Av CP
37,574.35	0.0000%	Commonwealth Bank of Australia	A-1+		37,574.35	370151	Library Gift
27,358,552.67	0.1208%				27,358,552.67		

Managed Funds

Face Value (\$)	Monthly Return	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.	Reference
2,192,840.18	0.0195%	NSW T-Corp (Cash)	TCc	Short Term Income Fund	2,192,840.18	411310	Builder Deposits
2,211,803.37	-0.0009%	NSW T-Corp (Cash)	TCc	Cash Fund	2,211,803.37	505262	
12,007,779.76	1.8702%	NSW T-Corp (LT)	TCI	Long Term Growth Fund	12,007,779.76	538089	
16,412,423.31					16,412,423.31		

Term Deposits

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
7-Sep-21	4,000,000.00	0.7300%	Westpac Group	A-1+	4,000,000.00	31-Aug-20	4,000,080.00	540172	80.00	Quarterly	Green
14-Sep-21	1,000,000.00	0.5500%	Auswide Bank	P-2	1,000,000.00	8-Dec-20	1,004,023.29	540813	4,023.29	At Maturity	
14-Sep-21	2,000,000.00	0.4300%	Great Southern Bank	A-2	2,000,000.00	23-Feb-21	2,004,476.71	540963	4,476.71	At Maturity	
21-Sep-21	2,500,000.00	2.8000%	Newcastle Permanent Building Society	A-2	2,500,000.00	25-Mar-19	2,530,684.93	537651	30,684.93	Annually	
28-Sep-21	3,000,000.00	0.7000%	Commonwealth Bank of Australia	A-1+	3,000,000.00	2-Oct-20	3,019,216.44	540359	19,216.44	At Maturity	Green
1-Oct-21	3,000,000.00	0.7000%	Commonwealth Bank of Australia	A-1+	3,000,000.00	2-Oct-20	3,019,216.44	540360	19,216.44	At Maturity	Green

Waverley Council**Investment Holdings Report - August 2021****Term Deposits**

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
2-Nov-21	3,000,000.00	0.5400%	Westpac Group	A-1+	3,000,000.00	30-Oct-20	3,001,464.66	540481	1,464.66	Quarterly	Green
23-Nov-21	3,000,000.00	0.5400%	Commonwealth Bank of Australia	A-1+	3,000,000.00	24-Nov-20	3,012,471.78	540595	12,471.78	At Maturity	Green
30-Nov-21	3,000,000.00	0.5200%	Commonwealth Bank of Australia	A-1+	3,000,000.00	1-Dec-20	3,011,710.68	540632	11,710.68	At Maturity	Green
11-Jan-22	2,000,000.00	0.5500%	Auswide Bank	P-2	2,000,000.00	12-Jan-21	2,006,991.78	540819	6,991.78	At Maturity	
25-Jan-22	3,000,000.00	0.5500%	Auswide Bank	P-2	3,000,000.00	25-Jan-21	3,009,900.00	540888	9,900.00	At Maturity	
1-Feb-22	2,500,000.00	0.4100%	Commonwealth Bank of Australia	A-1+	2,500,000.00	10-Feb-21	2,505,700.68	540937	5,700.68	At Maturity	Green
8-Feb-22	3,000,000.00	3.0500%	Newcastle Permanent Building Society	A-2	3,000,000.00	19-Feb-19	3,048,632.88	537553	48,632.88	Annually	
8-Mar-22	2,000,000.00	1.7000%	Auswide Bank	P-2	2,000,000.00	5-Mar-20	2,016,767.12	539531	16,767.12	Annually	
15-Mar-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	12-Mar-21	3,007,109.59	541161	7,109.59	At Maturity	
15-Mar-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	16-Mar-21	3,006,945.21	541203	6,945.21	At Maturity	
29-Mar-22	4,000,000.00	0.5000%	ME Bank	A-2	4,000,000.00	30-Mar-21	4,008,493.15	541231	8,493.15	At Maturity	
19-Apr-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	16-Aug-21	3,000,657.53	541746	657.53	At Maturity	
3-May-22	2,500,000.00	0.5000%	ME Bank	A-2	2,500,000.00	28-Apr-21	2,504,315.07	541290	4,315.07	At Maturity	
10-May-22	1,500,000.00	0.5000%	ME Bank	A-2	1,500,000.00	18-May-21	1,502,178.08	541347	2,178.08	At Maturity	
24-May-22	1,500,000.00	0.5000%	ME Bank	A-2	1,500,000.00	18-May-21	1,502,178.08	541348	2,178.08	At Maturity	
14-Jun-22	4,000,000.00	0.5500%	ME Bank	A-2	4,000,000.00	16-Jun-21	4,004,641.10	541541	4,641.10	At Maturity	
19-Jul-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	20-Jul-21	3,001,767.12	541669	1,767.12	At Maturity	
2-Aug-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	10-Aug-21	3,000,904.11	541733	904.11	At Maturity	
9-Aug-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	10-Aug-21	3,000,904.11	541734	904.11	At Maturity	
16-Aug-22	3,000,000.00	0.5000%	ME Bank	A-2	3,000,000.00	10-Aug-21	3,000,904.11	541735	904.11	At Maturity	
23-Aug-22	2,500,000.00	0.3000%	Commonwealth Bank of Australia	A-1+	2,500,000.00	24-Aug-21	2,500,164.38	541770	164.38	At Maturity	Green
26-Aug-22	5,000,000.00	0.3500%	Suncorp Bank	A-1	5,000,000.00	26-Aug-21	5,000,287.67	541782	287.67	At Maturity	
8-Nov-22	2,000,000.00	0.8000%	Auswide Bank	Baa2	2,000,000.00	3-Nov-20	2,013,238.36	540548	13,238.36	Annually	
81,000,000.00		0.7186%			81,000,000.00		81,246,025.06		246,025.06		

Waverley Council

Investment Holdings Report - August 2021

**Floating Rate Term Deposits**

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
16-Nov-21	3,000,000.00	.8316%	Westpac Group 3moBBSW+0.82%	AA-	3,000,000.00	28-Nov-18	3,000,136.70	537360	136.70	16-Nov-21	Green
16-May-22	2,500,000.00	1.1157%	Westpac Group 3moBBSW+1.10%	A-1+	2,500,000.00	16-May-17	2,501,222.68	535241	1,222.68	16-Nov-21	
5,500,000.00		.9607%			5,500,000.00		5,501,359.38		1,359.38		

Floating Rate Notes

Maturity Date	Face Value (\$)	Rate (%pa)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date	Reference
28-Oct-22	2,400,000.00	0.9199%	TMB Snr FRN (Oct22) BBSW+0.90%	BBB	2,400,000.00	28-Oct-19	2,422,037.03	538616	2,117.03	28-Oct-21	
2-Dec-22	3,000,000.00	0.9309%	BOz 'SRI' Snr FRN (Dec22) BBSW+0.90%	BBB	3,000,000.00	2-Dec-19	3,027,272.62	538825	6,962.62	2-Sep-21	
25-Jan-23	1,250,000.00	1.0750%	BEN Snr FRN (Jan23) BBSW+1.05%	BBB+	1,250,000.00	25-Jan-18	1,266,374.66	536145	1,362.16	25-Oct-21	
6-Feb-23	1,100,000.00	1.4100%	NPBS Snr FRN (Feb23) BBSW+1.40%	BBB	1,100,000.00	6-Feb-18	1,116,460.82	536174	1,104.82	8-Nov-21	
21-Feb-23	1,700,000.00	0.9100%	GSB Snr FRN (Feb23) BBSW+0.90%	BBB	1,700,000.00	21-Feb-20	1,715,349.41	539454	381.45	22-Nov-21	
30-Jul-24	2,500,000.00	0.8005%	SUN Snr FRN (Jul24) BBSW+0.78%	A+	2,500,000.00	30-Jul-19	2,535,134.35	538331	1,809.35	29-Oct-21	
24-Oct-24	1,000,000.00	1.1450%	GSB Snr FRN (Oct24) BBSW+1.12%	BBB	1,000,000.00	24-Oct-19	1,021,460.68	538604	1,160.68	25-Oct-21	
2-Dec-25	2,250,000.00	0.5509%	BEN Snr FRN (Dec25) BBSW+0.52%	BBB+	2,250,000.00	2-Dec-20	2,257,005.32	540603	3,090.32	2-Sep-21	
24-Feb-26	1,300,000.00	0.4607%	SUN Snr FRN (Feb26) BBSW+0.45%	A+	1,300,000.00	24-Feb-21	1,302,471.27	540958	131.27	24-Nov-21	
4-Mar-26	4,000,000.00	0.6563%	NPBS Snr FRN (Mar26) BBSW+0.63%	BBB	4,000,000.00	4-Mar-21	4,017,041.17	540983	6,401.17	6-Sep-21	
18-Jun-26	4,000,000.00	0.6713%	BEN Snr FRN (Jun26) BBSW+0.65%	BBB+	4,000,000.00	11-Jun-21	4,024,437.53	541523	5,517.53	20-Sep-21	
24,500,000.00		0.8056%			24,500,000.00		24,705,044.86		30,038.40		

Waverley Council
Accrued Interest Report - August 2021



Accrued Interest Report

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
<u>Floating Rate Note</u>									
BOz 'SRI' Snr FRN (Aug21) BBSW+1.30%	536983		1,500,000.00	30-Aug-18	30-Aug-21	4,996.27	29	1,592.22	1.34%
TMB Snr FRN (Oct22) BBSW+0.90%	538616		2,400,000.00	28-Oct-19	28-Oct-22	0.00	31	1,875.08	.92%
BOz 'SRI' Snr FRN (Dec22) BBSW+0.90%	538825		3,000,000.00	02-Dec-19	02-Dec-22	0.00	31	2,371.88	.93%
BEN Snr FRN (Jan23) BBSW+1.05%	536145		1,250,000.00	25-Jan-18	25-Jan-23	0.00	31	1,141.27	1.08%
NPBS Snr FRN (Feb23) BBSW+1.40%	536174		1,100,000.00	06-Feb-18	06-Feb-23	3,992.55	31	1,321.81	1.41%
GSB Snr FRN (Feb23) BBSW+0.90%	539454		1,700,000.00	21-Feb-20	21-Feb-23	4,107.95	31	1,342.88	.93%
SUN Snr FRN (Jul24) BBSW+0.78%	538331		2,500,000.00	30-Jul-19	30-Jul-24	0.00	31	1,699.69	.80%
GSB Snr FRN (Oct24) BBSW+1.12%	538604		1,000,000.00	24-Oct-19	24-Oct-24	0.00	31	972.46	1.14%
BEN Snr FRN (Dec25) BBSW+0.52%	540603		2,250,000.00	02-Dec-20	02-Dec-25	0.00	31	1,052.74	.55%
SUN Snr FRN (Feb26) BBSW+0.45%	540958		1,300,000.00	24-Feb-21	24-Feb-26	1,607.56	31	533.16	.48%
NPBS Snr FRN (Mar26) BBSW+0.63%	540983		4,000,000.00	04-Mar-21	04-Mar-26	0.00	31	2,229.62	.66%
BEN Snr FRN (Jun26) BBSW+0.65%	541523		4,000,000.00	18-Jun-21	18-Jun-26	0.00	31	2,280.58	.67%
Floating Rate Note Total						14,704.33		18,413.39	.84%
<u>Floating Rate Term Deposits</u>									
Westpac Group	535380	Green	3,000,000.00	10-Jun-16	10-Jun-21	6,646.70	31	2,187.28	.86%
Westpac Group	535241		2,500,000.00	16-May-17	16-May-22	7,101.74	31	2,393.30	1.13%
Floating Rate Term Deposits Total						13,748.44		4,580.58	.98%
<u>Managed Funds</u>									
Short Term Income Fund	411310	Builder Deposits	2,192,840.18	01-Dec-15		0.00	31	427.22	.23%
Cash Fund	505262		2,211,803.37	30-Jul-15		0.00	31	-19.70	-.01%
Managed Funds Total						0.00		407.52	.11%
<u>Term Deposit</u>									

Waverley Council**Accrued Interest Report - August 2021****Accrued Interest Report**

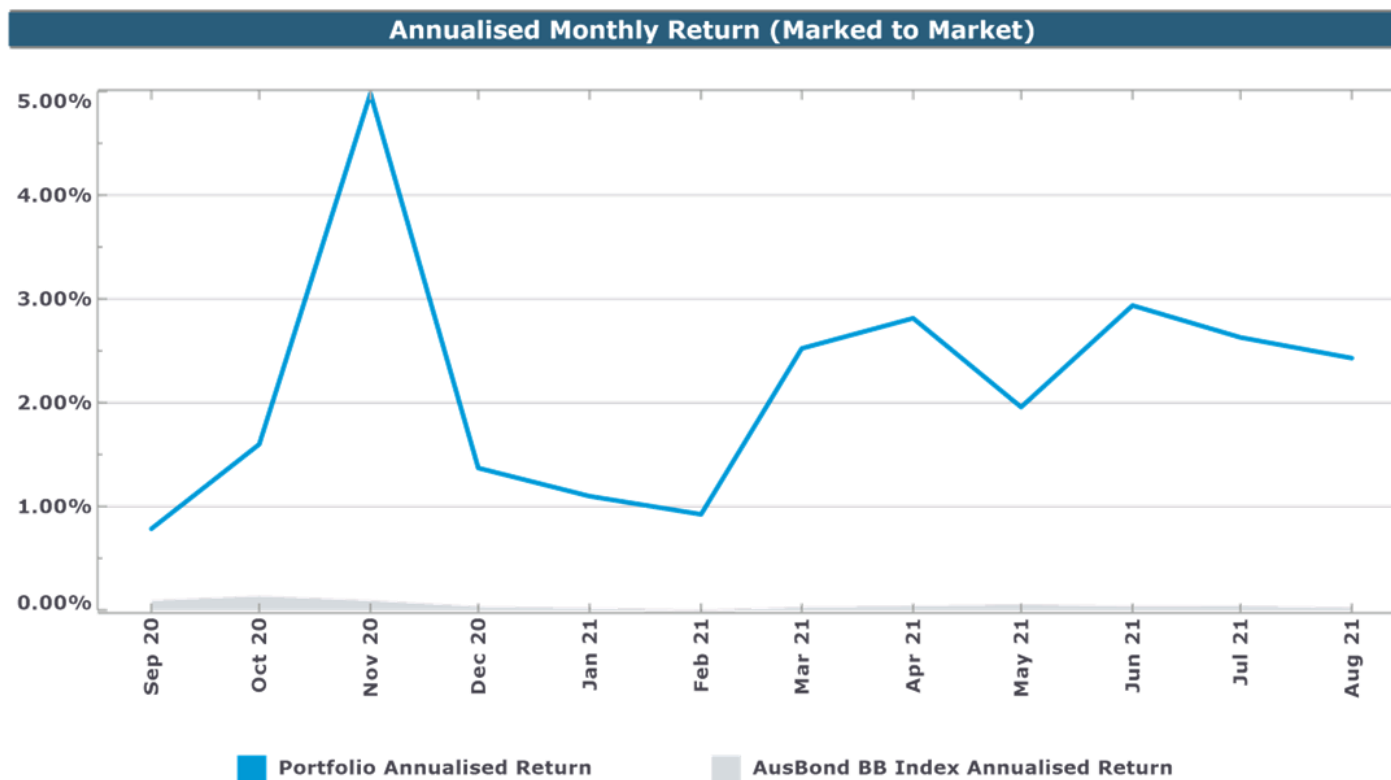
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Bank of Queensland	538366		2,000,000.00	06-Aug-19	03-Aug-21	37,687.67	2	208.22	1.90%
Westpac Group	540105	Green	3,000,000.00	06-Aug-20	10-Aug-21	6,154.52	9	576.99	.78%
Commonwealth Bank of Australia	540183	Green	5,000,000.00	02-Sep-20	18-Aug-21	35,000.00	17	1,700.00	.73%
Westpac Group	540170	Green	4,000,000.00	31-Aug-20	24-Aug-21	6,800.00	23	1,840.00	.73%
Commonwealth Bank of Australia	540184	Green	2,500,000.00	02-Sep-20	24-Aug-21	17,800.00	23	1,150.00	.73%
Westpac Group	540171	Green	2,000,000.00	31-Aug-20	31-Aug-21	3,680.00	30	1,200.00	.73%
Commonwealth Bank of Australia	540185	Green	2,500,000.00	02-Sep-20	31-Aug-21	18,150.00	30	1,500.00	.73%
Westpac Group	540172	Green	4,000,000.00	31-Aug-20	07-Sep-21	7,360.00	31	2,480.00	.73%
Auswide Bank	540813		1,000,000.00	08-Dec-20	14-Sep-21	0.00	31	467.13	.55%
Great Southern Bank	540963		2,000,000.00	23-Feb-21	14-Sep-21	0.00	31	730.41	.43%
Newcastle Permanent Building Society	537651		2,500,000.00	25-Mar-19	21-Sep-21	0.00	31	5,945.20	2.80%
Commonwealth Bank of Australia	540359	Green	3,000,000.00	02-Oct-20	28-Sep-21	0.00	31	1,783.56	.70%
Commonwealth Bank of Australia	540360	Green	3,000,000.00	02-Oct-20	01-Oct-21	0.00	31	1,783.56	.70%
Westpac Group	540481	Green	3,000,000.00	30-Oct-20	02-Nov-21	0.00	31	1,375.89	.54%
Commonwealth Bank of Australia	540595	Green	3,000,000.00	24-Nov-20	23-Nov-21	0.00	31	1,375.89	.54%
Commonwealth Bank of Australia	540632	Green	3,000,000.00	01-Dec-20	30-Nov-21	0.00	31	1,324.93	.52%
Auswide Bank	540819		2,000,000.00	12-Jan-21	11-Jan-22	0.00	31	934.25	.55%
Auswide Bank	540888		3,000,000.00	25-Jan-21	25-Jan-22	0.00	31	1,401.37	.55%
Commonwealth Bank of Australia	540937	Green	2,500,000.00	10-Feb-21	01-Feb-22	0.00	31	870.54	.41%
Newcastle Permanent Building Society	537553		3,000,000.00	19-Feb-19	08-Feb-22	0.00	31	7,771.24	3.05%
Auswide Bank	539531		2,000,000.00	05-Mar-20	08-Mar-22	0.00	31	2,887.67	1.70%
ME Bank	541161		3,000,000.00	12-Mar-21	15-Mar-22	0.00	31	1,273.97	.50%
ME Bank	541203		3,000,000.00	16-Mar-21	15-Mar-22	0.00	31	1,273.98	.50%
ME Bank	541231		4,000,000.00	30-Mar-21	29-Mar-22	0.00	31	1,698.63	.50%

Waverley Council**Accrued Interest Report - August 2021****Accrued Interest Report**

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
ME Bank	541746		3,000,000.00	16-Aug-21	19-Apr-22	0.00	16	657.53	.50%
ME Bank	541290		2,500,000.00	28-Apr-21	03-May-22	0.00	31	1,061.65	.50%
ME Bank	541347		1,500,000.00	18-May-21	10-May-22	0.00	31	636.98	.50%
ME Bank	541348		1,500,000.00	18-May-21	24-May-22	0.00	31	636.98	.50%
ME Bank	541541		4,000,000.00	16-Jun-21	14-Jun-22	0.00	31	1,868.50	.55%
ME Bank	541669		3,000,000.00	20-Jul-21	19-Jul-22	0.00	31	1,273.97	.50%
ME Bank	541733		3,000,000.00	10-Aug-21	02-Aug-22	0.00	22	904.11	.50%
ME Bank	541734		3,000,000.00	10-Aug-21	09-Aug-22	0.00	22	904.11	.50%
ME Bank	541735		3,000,000.00	10-Aug-21	16-Aug-22	0.00	22	904.11	.50%
Commonwealth Bank of Australia	541770	Green	2,500,000.00	24-Aug-21	23-Aug-22	0.00	8	164.38	.30%
Suncorp Bank	541782		5,000,000.00	26-Aug-21	26-Aug-22	0.00	6	287.67	.35%
Auswide Bank	540548		2,000,000.00	03-Nov-20	08-Nov-22	0.00	31	1,358.91	.80%
Term Deposit Total						132,632.19		54,212.33	.76%
						161,084.96		77,613.82	.76%

Waverley Council

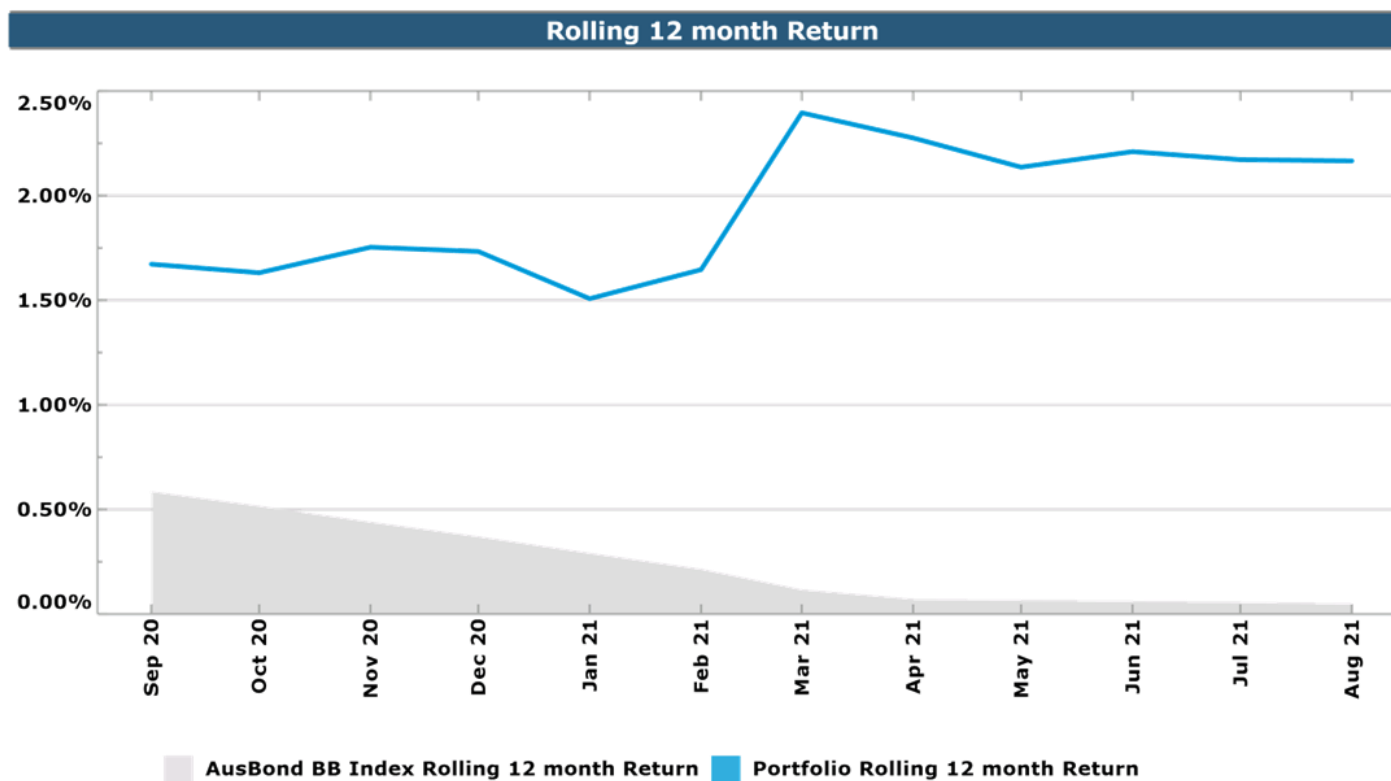
Investment Performance Report - August 2021

**Historical Performance Summary**

	Portfolio	AusBond BB Index	Outperformance
Aug 2021	2.43%	0.02%	2.41%
Last 3 Months	2.66%	0.03%	2.63%
Last 6 Months	2.54%	0.03%	2.51%
Financial Year to Date	2.53%	0.03%	2.50%
Last 12 months	2.17%	0.04%	2.13%

Waverley Council

Investment Performance Report - August 2021

**Historical Performance Summary (actual)**

	Portfolio	AusBond BB Index	Outperformance
Aug 2021	0.20%	0.00%	0.20%
Last 3 Months	0.66%	0.01%	0.65%
Last 6 Months	1.27%	0.02%	1.25%
Financial Year to Date	0.43%	0.00%	0.43%
Last 12 months	2.17%	0.04%	2.13%

Waverley Council

Environmental Commitments Report - August 2021

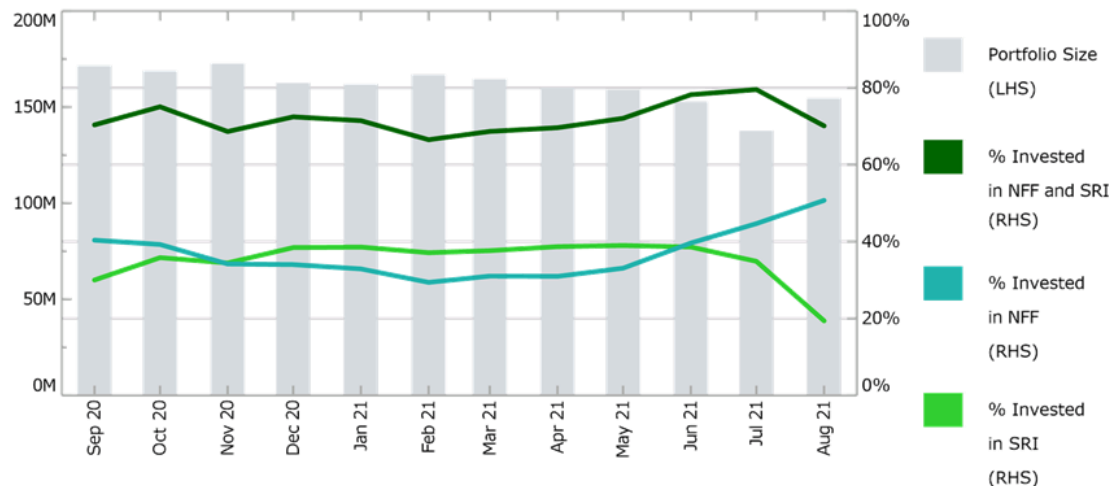


Current Breakdown

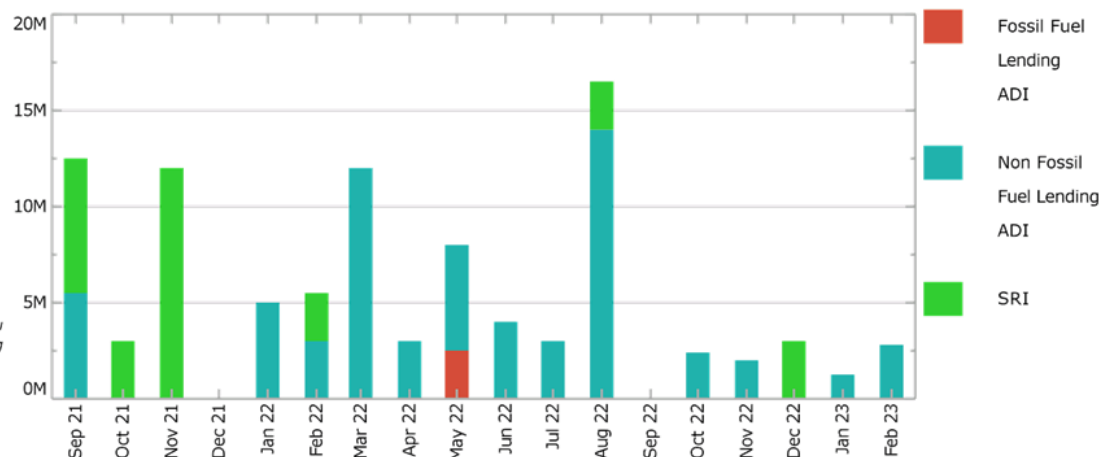
ADI Lending Status *	Current Month (\$)	Previous Month (\$)
Fossil Fuel Lending ADIs		
Bank of Queensland		2,000,000
Commonwealth Bank of Australia	27,358,553	7,461,839
Westpac Group	2,500,000	2,500,000
	29,858,553 19.3%	11,961,839 8.7%
Non Fossil Fuel Lending ADIs		
Auswide Bank	10,000,000	10,000,000
Bendigo and Adelaide Bank	7,500,000	7,500,000
Great Southern Bank	4,700,000	4,700,000
Members Equity Bank	34,500,000	22,500,000
Newcastle Permanent Building Society	10,600,000	10,600,000
Suncorp Bank	8,800,000	3,800,000
Teachers Mutual Bank	2,400,000	2,400,000
	78,500,000 50.7%	61,500,000 44.7%
Other		
NSW T-Corp (Cash)	4,404,644	4,404,236
NSW T-Corp (LT)	12,007,780	11,787,338
	16,412,423 10.6%	16,191,574 11.8%
Socially Responsible Investment		
Bank Australia (Sustainability)	3,000,000	4,500,000
CBA (Green TD)	17,000,000	24,500,000
Westpac Group (Green TD)	10,000,000	19,000,000
	30,000,000 19.4%	48,000,000 34.9%
	154,770,976	137,653,413

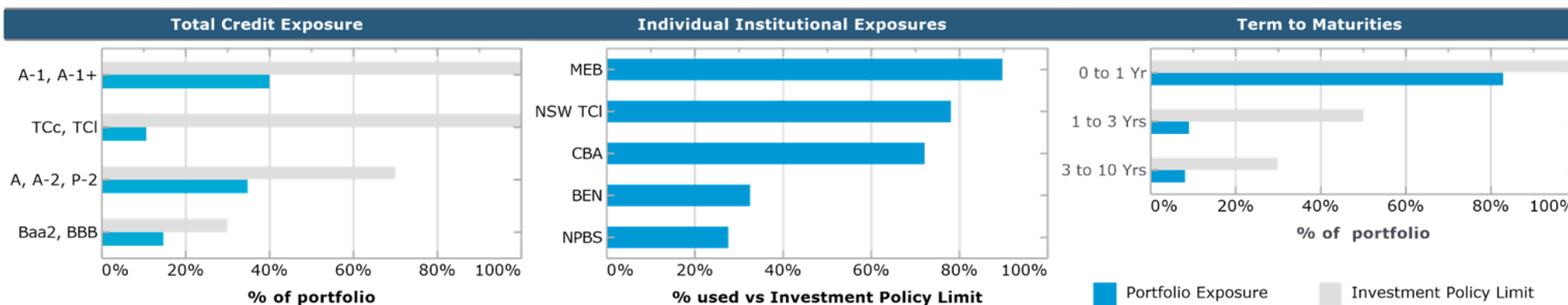
* source: <http://www.marketforces.org.au>
Percentages may not add up to 100% due to rounding

Historical Portfolio Exposure to NFF Lending ADIs and SRIs



Upcoming maturities



Waverley Council**Investment Policy Report - August 2021**

	Credit Rating	Face Value (\$)	Policy Max	
Short Term	A-1	5,000,000		
Short Term	A-1+	56,858,553		
		61,858,553	40%	100% a
Short Term	TCc	4,404,644		
Short Term	TCI	12,007,780		
		16,412,423	11%	100% a
Short Term	A-2	42,000,000		
Short Term	P-2	8,000,000		
Long Term	A	3,800,000		
		53,800,000	35%	70% a
Long Term	Baa2	2,000,000		
Long Term	BBB	20,700,000		
		22,700,000	15%	30% a
		154,770,976	100%	

a = compliant

r = non-compliant

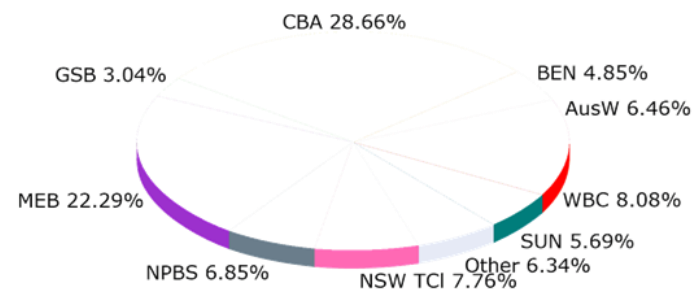
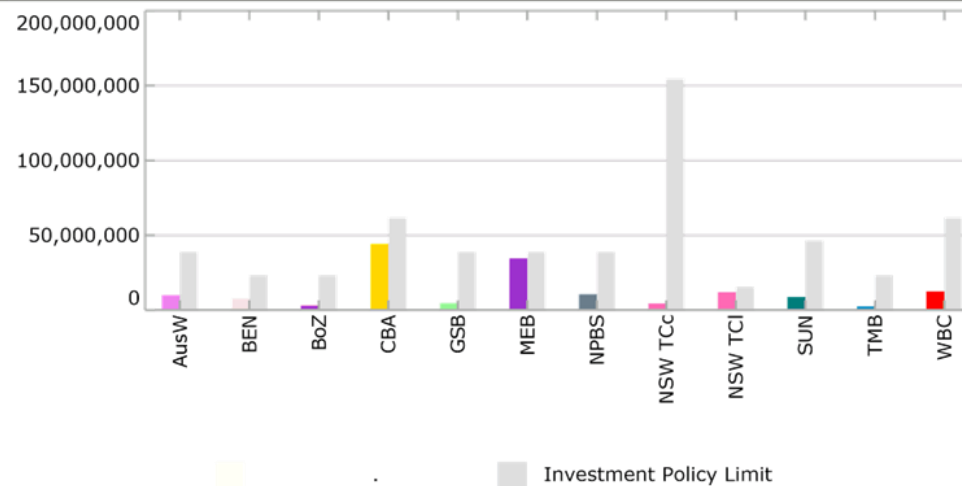
	% used vs Investment Policy Limit	
Members Equity Bank (A-2, BBB+)	89%	a
NSW T-Corp (LT) (TCI)	78%	a
Commonwealth Bank of Australia (A-1+, AA-)	72%	a
Bendigo and Adelaide Bank (A-2, BBB+)	32%	a
Newcastle Permanent Building Society (A-2, BBB)	27%	a
Auswide Bank (P-2, Baa2)	26%	a
Westpac Group (A-1+, AA-)	20%	a
Suncorp Bank (A-1, A+)	19%	a
Bank Australia (A-2, BBB)	13%	a
Great Southern Bank (A-2, BBB)	12%	a
Teachers Mutual Bank (A-2, BBB)	10%	a
NSW T-Corp (Cash) (TCc)	3%	a

	Face Value (\$)	Policy Max	
Between 0 and 1 Year	128,270,976	83%	100% a
Between 1 and 3 Years	13,950,000	9%	50% a
Between 3 and 10 Years	12,550,000	8%	30% a
	154,770,976		

Detailed Maturity Profile	Face Value (\$)	
00. Cash + Managed Funds	43,770,976	28%
01. Less Than 30 Days	12,500,000	8%
02. Between 30 Days and 60 Days	3,000,000	2%
03. Between 60 Days and 90 Days	9,000,000	6%
04. Between 90 Days and 180 Days	13,500,000	9%
05. Between 180 Days and 365 Days	46,500,000	30%
06. Between 365 Days and 3 Years	13,950,000	9%
07. Between 3 Years and 5 Years	12,550,000	8%
	154,770,976	

Waverley Council**Individual Institutional Exposures Report - August 2021****Individual Institutional Exposures**

Parent Group	Credit Rating	Portfolio Exposure (\$)	Investment Policy Limit (\$)
Auswide Bank	P-2, Baa2	10,000,000	34,561,163
Bank Australia	A-2, BBB	3,000,000	20,736,698
Bendigo and Adelaide Bank	A-2, BBB+	7,500,000	20,736,698
Commonwealth Bank of Australia	AA-, A-1+	44,358,553	55,297,860
Great Southern Bank	A-2, BBB	4,700,000	34,561,163
Members Equity Bank	A-2, BBB+	34,500,000	34,561,163
Newcastle Permanent Building Society	A-2, BBB	10,600,000	34,561,163
NSW T-Corp (Cash)	TCc	4,404,644	138,244,651
NSW T-Corp (LT)	TCI	12,007,780	13,824,465
Suncorp Bank	A-1, A+	8,800,000	41,473,395
Teachers Mutual Bank	A-2, BBB	2,400,000	20,736,698
Westpac Group	A-1+, AA-	12,500,000	55,297,860
		154,770,976	

Individual Institutional Exposure Charts

Waverley Council

Cashflows Report - August 2021



Current Month Cashflows

Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Received
3-Aug-21	538366	Bank of Queensland	Term Deposits	Maturity Face Value - Received	2,000,000.00
		Bank of Queensland	Term Deposits	Interest - Received	37,687.67
				<u>Deal Total</u>	<u>2,037,687.67</u>
				Day Total	2,037,687.67
6-Aug-21	536174	Newcastle Permanent Building Society	Floating Rate Note	Coupon - Received	3,992.55
				<u>Deal Total</u>	<u>3,992.55</u>
	540105	Westpac Group	Term Deposits	Interest - Received	5,898.08
				<u>Deal Total</u>	<u>5,898.08</u>
				Day Total	9,890.63
10-Aug-21	540105	Westpac Group	Term Deposits	Maturity Face Value - Received	3,000,000.00
		Westpac Group	Term Deposits	Interest - Received	256.44
				<u>Deal Total</u>	<u>3,000,256.44</u>
	541733	ME Bank	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
				<u>Deal Total</u>	<u>-3,000,000.00</u>
	541734	ME Bank	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
				<u>Deal Total</u>	<u>-3,000,000.00</u>
	541735	ME Bank	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
				<u>Deal Total</u>	<u>-3,000,000.00</u>
				Day Total	-5,999,743.56
16-Aug-21	535241	Westpac Group	Floating Rate Term Deposits	Interest - Received	7,101.74
				<u>Deal Total</u>	<u>7,101.74</u>
	541746	ME Bank	Term Deposits	Settlement Face Value - Paid	-3,000,000.00
				<u>Deal Total</u>	<u>-3,000,000.00</u>
				Day Total	-2,992,898.26
18-Aug-21	540183	Commonwealth Bank of Australia	Term Deposits	Maturity Face Value - Received	5,000,000.00
		Commonwealth Bank of Australia	Term Deposits	Interest - Received	35,000.00
				<u>Deal Total</u>	<u>5,035,000.00</u>
				Day Total	5,035,000.00
23-Aug-21	539454	Great Southern Bank	Floating Rate Note	Coupon - Received	4,107.95
				<u>Deal Total</u>	<u>4,107.95</u>
				Day Total	4,107.95

Waverley Council

Cashflows Report - August 2021



Current Month Cashflows

Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Received
24-Aug-21	540170	Westpac Group	Term Deposits	Maturity Face Value - Received	4,000,000.00
		Westpac Group	Term Deposits	Interest - Received	6,800.00
				<u>Deal Total</u>	<u>4,006,800.00</u>
	540184	Commonwealth Bank of Australia	Term Deposits	Maturity Face Value - Received	2,500,000.00
		Commonwealth Bank of Australia	Term Deposits	Interest - Received	17,800.00
				<u>Deal Total</u>	<u>2,517,800.00</u>
	540958	Suncorp Bank	Floating Rate Note	Coupon - Received	1,607.56
				<u>Deal Total</u>	<u>1,607.56</u>
	541770	Commonwealth Bank of Australia	Term Deposits	Settlement Face Value - Paid	-2,500,000.00
				<u>Deal Total</u>	<u>-2,500,000.00</u>
				Day Total	4,026,207.56
26-Aug-21	541782	Suncorp Bank	Term Deposits	Settlement Face Value - Paid	-5,000,000.00
				<u>Deal Total</u>	<u>-5,000,000.00</u>
				Day Total	-5,000,000.00
30-Aug-21	536983	Bank Australia	Floating Rate Note	Coupon - Received	4,996.27
		Bank Australia	Floating Rate Note	Maturity Face Value - Received	1,500,000.00
				<u>Deal Total</u>	<u>1,504,996.27</u>
	537360	Westpac Group	Floating Rate Term Deposits	Interest - Received	6,646.70
				<u>Deal Total</u>	<u>6,646.70</u>
				Day Total	1,511,642.98
31-Aug-21	540171	Westpac Group	Term Deposits	Maturity Face Value - Received	2,000,000.00
		Westpac Group	Term Deposits	Interest - Received	3,680.00
				<u>Deal Total</u>	<u>2,003,680.00</u>
	540172	Westpac Group	Term Deposits	Interest - Received	7,360.00
				<u>Deal Total</u>	<u>7,360.00</u>
	540185	Commonwealth Bank of Australia	Term Deposits	Maturity Face Value - Received	2,500,000.00
		Commonwealth Bank of Australia	Term Deposits	Interest - Received	18,150.00
				<u>Deal Total</u>	<u>2,518,150.00</u>
				Day Total	4,529,190.00
				Net Cash Movement for Period	3,161,084.96

Waverley Council

Cashflows Report - August 2021



Next Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Due
2-Sep-21	538825	Bank Australia	Floating Rate Note	Coupon - Received	7,039.13
				<u>Deal Total</u>	<u>7,039.13</u>
	540603	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	3,124.28
				<u>Deal Total</u>	<u>3,124.28</u>
				Day Total	10,163.42
6-Sep-21	540983	Newcastle Permanent Building Society	Floating Rate Note	Coupon - Received	6,760.79
				<u>Deal Total</u>	<u>6,760.79</u>
				Day Total	6,760.79
7-Sep-21	540172	Westpac Group	Term Deposit	Maturity Face Value - Received	4,000,000.00
		Westpac Group	Term Deposit	Interest - Received	560.00
				<u>Deal Total</u>	<u>4,000,560.00</u>
				Day Total	4,000,560.00
14-Sep-21	540813	Auswide Bank	Term Deposit	Maturity Face Value - Received	1,000,000.00
		Auswide Bank	Term Deposit	Interest - Received	4,219.18
				<u>Deal Total</u>	<u>1,004,219.18</u>
	540963	Great Southern Bank	Term Deposit	Maturity Face Value - Received	2,000,000.00
		Great Southern Bank	Term Deposit	Interest - Received	4,783.01
				<u>Deal Total</u>	<u>2,004,783.01</u>
				Day Total	3,009,002.19
20-Sep-21	541523	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	6,915.31
				<u>Deal Total</u>	<u>6,915.31</u>
				Day Total	6,915.31
21-Sep-21	537651	Newcastle Permanent Building Society	Term Deposit	Maturity Face Value - Received	2,500,000.00
		Newcastle Permanent Building Society	Term Deposit	Interest - Received	34,520.55
				<u>Deal Total</u>	<u>2,534,520.55</u>
				Day Total	2,534,520.55
28-Sep-21	540359	Commonwealth Bank of Australia	Term Deposit	Maturity Face Value - Received	3,000,000.00
		Commonwealth Bank of Australia	Term Deposit	Interest - Received	20,769.86
				<u>Deal Total</u>	<u>3,020,769.86</u>
				Day Total	3,020,769.86
				Net Cash Movement for Period	12,588,692.12

REPORT
CM/7.5/21.09

Subject: Audit, Risk and Improvement Committee Meeting - 20 May 2021 - Minutes

TRIM No: SF21/529

Author: Al Johnston, Governance Officer

Director: Evan Hutchings, Director, Finance and Governance

RECOMMENDATION:

That Council notes the minutes of the Audit, Risk and Improvement Committee Meeting held on 20 May 2021 attached to the report.

1. Executive Summary

Council established the Audit, Risk and Improvement Committee ('the Committee') in February 2019. The Committee meets five times per year. In accordance with the Committee's Charter, once the minutes of a meeting have been confirmed by the Committee, they are reported to Council for noting.

The minutes of the meeting held on 20 May 2021 were confirmed by the Committee at its meeting on 29 July 2021 and are attached to this report for Council's information.

2. Introduction/Background

The Audit, Risk and Improvement Committee provides independent assistance to Council by monitoring, reviewing and providing advice on governance processes, risk management and control frameworks, and external accountability obligations.

The Committee is supported by an internal audit function and together they are one mechanism Council uses to ensure its internal controls and management approaches are effective for the management of risk across the organisation.

In accordance with section 9.6 of the Committee's Charter, after the minutes of each meeting have been confirmed by the Committee they are reported to Council for noting.

3. Relevant Council Resolutions

Nil.

4. Discussion

Nil.

5. Financial impact statement/Time frame/Consultation

The minutes of the meeting held on 20 May 2021 were confirmed by the Committee at its meeting in July 2021.

6. Conclusion

The minutes of the ARIC meeting held on 20 May 2021 are attached to this report. It is recommended that Council notes the minutes of the meeting.

7. Attachments

1. ARIC Minutes - 20 May 2021 [↓](#)



**MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
THURSDAY, 20 MAY 2021**

Voting Members Present:

Elizabeth Gavey (Chair)	Independent Member
John Gordon	Independent Member
Kath Roach	Independent Member
Cr George Copeland	Councillor Member

In Attendance:

John Clark	Acting General Manager
Meredith Graham	Acting Director, Customer Service and Organisation Improvement
Tony Pavlovic	Director, Planning, Environment and Regulatory
Emily Scott	Director, Community, Assets and Operations
Darren Smith	Chief Financial Officer
Karen Mobbs	General Counsel
Evan Hutchings	Executive Manager, Governance and Risk
Jarrold Lean	Internal Auditor (Engagement Partner, Grant Thornton Australia)
Mahesha Rubasinghe	Internal Auditor (Engagement Manager, Grant Thornton Australia)
Teena Su	Executive Manager, Finance
John Mantzios	Chief Information Officer (Items 5.5 & 5.10)
Kevin Trinh	Executive Manager, Information Management & Technology (Items 5.5 & 5.10)
Kerrie Pryke	Executive Manager, Human Resources, Safety & Wellbeing (Item 5.6)
Al Johnston	Committee Secretary
Sophie Benbow	Committee Secretary

At the commencement of proceedings at 9.08am, those present were as listed above.

Prior to the meeting commencing the Executive Manager, Community Programs and the Executive Manager, Environmental Sustainability gave presentations to the ARIC members on the top risk areas in their business area.

ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Chair read the following Acknowledgement of Indigenous Heritage:

The Waverley Audit Risk and Improvement Committee respectfully acknowledges the Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms the Waverley Local Government Area.

1. Apologies/Leaves of Absence

Apologies were received and accepted from Brett Hanger, Council's External Auditor (Nexia Australia) and Caroline Karakatsanis from the Audit Office of NSW.

2. Declarations of Pecuniary and Non-Pecuniary Interests

The Chair called for declarations of interest and the following were received:

- 2.1 Elizabeth Gavey disclosed that she was recently appointed to the Independent Review Office, Audit and Risk Committee.

3. Confirmation of Minutes

ARIC/3.1/21.05 Confirmation of Minutes - Audit, Risk and Improvement Committee Meeting - 18 March 2021 (SF21/284)

MOTION / DECISION

Mover: Elizabeth Gavey
Seconder: Kath Roach

That the minutes of the Audit, Risk and Improvement Committee Meeting held on 18 March 2021 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

4. Actions from Previous Meetings

ARIC/4.1/21.05 Actions from Previous Meetings (SF21/531)

MOTION / DECISION

Mover: John Gordon
Seconder: Cr Copeland

That the Committee notes the status of the actions from previous meetings as at 20 May 2021.

DISCUSSION

The Committee asked the Executive Manager, Governance and Risk about the delayed status of the Enterprise Risk Management Framework. The Executive Manager responded that the software used for the risk registers is changing as part of the ICT Strategy implementation but a decision on the final format has not yet been made. The Committee will receive update reports on the development of the Framework from mid-year.

5. Reports

ARIC/5.1/21.05 Audit Office of NSW - Matters to Report (SF19/5930)

MOTION / DECISION

Mover: Elizabeth Gavey

Seconder: John Gordon

That the Committee:

1. Notes that the Audit Office of NSW has no matters to report to this meeting.
2. Notes the Chief Financial Officer's update on progress with the end of financial year audit.

DISCUSSION

The Committee asked the Chief Financial Officer for an update on the preparedness for the end of financial year audit. The Chief Financial Officer responded that the Finance team is tracking well to achieve the August target date. The interim audit has been completed and the Management Letters and asset infrastructure assessment are expected soon. A position paper on the new Accounting Standard 1059 is being drafted for the external auditors for the end of May.

The Executive Manager, Finance advised that the Audit Office is focusing on expenditure provisions in this audit. Supporting information for the provisions and accruals is available for the auditors and any issues raised will be documented in the Audit. The Audit Office will also re-evaluate the following three fair evaluation asset classes; Investment Property, Open Space/Recreation Assets, and Other Structures.

ARIC/5.2/21.05 Acting General Manager's Update (SF21/638)

MOTION / DECISION

Mover: John Gordon

Seconder: Cr Copeland

That the Committee:

1. Notes the Acting General Manager's update and presentation provided at the meeting.
2. Receives update reports on the Service Review program every six months with an initial update at its meeting in December 2021.

DISCUSSION

The Acting General Manager provided an update to the Committee on a number of matters. The key points mentioned were:

Draft 2021/22 Budget

- There is an Operating surplus before depreciation of \$22.1 million in the 20/21 budget.
- No new borrowings.
- Capital Expenditure \$60 million.
- Operating performance ratio >0% first time in 2 years (0.05%).

Long Term Financial Plan forecasts

- Balanced budget for each year from 2021 to 2032.
- Cash & Cash Investments balance of \$116m.
- Reserve balance of \$102m.
- Positive operating performance ratio for every year.

- \$355m capital works program.

Q3 Budget Review

- No change in forecast operating performance ratio.
- Significant movement in revenue items –net result \$400k decrease.
- Operating Expenditure reduced to offset revenue shortfall.
- Current run rate for Operating Expenditure is below EOY forecast.
- Capital Expenditure –reduced by \$3.93m to \$70.30m.

Proposed Event on Bondi Beach

- An Event application has been lodged but no DA application made.

Cemetery Business Plan

- Long-term memorialisation opportunities.
- Create a cemetery foundation.
- Heritage grant opportunities.
- Building design and reuse.
- Research on community meeting spaces, workshops and activities.

ICT Strategy

- KMPG working with Council over 3 months to gather information to go to market for core systems and to develop business case for investment in core systems.

Remote Working

- Staff back in the office 3 days per week.
- Accommodation strategy being finalised.

Major Projects

- Bondi Pavilion –completion December 2021.
- Boot Factory Innovation Hub –completion March 2022.
- Mill Hill community centre and staff accommodation –completion March 2022.
- Tamarama Surfclub–construction commenced early May.
- Bondi Junction Cycleway –on track, completion 2022.
- Hostile Vehicle Mitigation measures.

The Committee expressed concern that the assumption in the Long-Term Financial Plan is that workers' compensation costs are going down, but it is the Committee's understanding that at other councils workers' compensation costs are going up. The Acting General Manager explained that Council is coming from a high base and there have been no claims in this financial year so the assumptions reflect the current trend at Waverley.

With regard to the Cemetery Business Plan the Committee asked whether community expectations that the cemetery will be a usable park and recreation space has been built into the new model. The Acting General Manager noted that the cemetery has a lot of public visitation and Council is looking at incorporating recreation spaces into existing structures. The Acting General Manager advised that he believes Council has the balance right.

The Committee asked how confident Management is in the calculations that domestic waste will be a revenue generator. The Chief Financial Officer advised the Committee that the Domestic Waste Reserve is currently \$11.1M and is expected to reach \$30M over the life of the Long-Term Financial Plan, and advised the Committee that no impact on the community or fees is expected.

The Committee asked about progress with the Service Review project. The Chief Financial Officer

responded that Council is looking to use the Australian Business Excellence Framework model as the basis for the review and is anticipating that after the planning stage the next six months there will be data collection and analysis and then a further six months to implement recommendations. The Committee requested that it receive update reports on the Service Review program every six months with an initial update at its meeting in December 2021.

ARIC/5.3/21.05 Proposed 2021/22 Budget (SF20/5906)**MOTION / DECISION**

Mover: John Gordon

Seconder: Cr Copeland

That the Committee:

1. Receives and notes the draft 2021/22 Budget Report presented to Council on 20 April 2021 attached to the report.
2. Receives and notes the Waverley Reserves Strategy attached to the report.
3. Requests that the Reserves Strategy includes a section on how the reserves are spent.

DISCUSSION

The Chief Financial Officer highlighted the following key aspects:

- The document is currently on exhibition. Most submissions received have been on childcare fees.
- There is an \$18M impact on the budget due to COVID-19 which is higher than the \$11M expected.
- There was an internal borrowing of \$2.88M from the Property Investment Strategy Reserve to fund the 2020/21 expenditure program due to revenue loss as a result of Covid-19 pandemic. This internal borrowing will be re-paid from the general fund over the next six years.
- Expenditure is reducing.
- Hopeful that the Operating Performance Ratio will achieve 0 or better.
- The biggest risk is the cost of workers compensation (as discussed in the Acting General Manager's update).

The Committee asked questions about the robustness of the assumptions, the domestic waste strategy, the operating surplus, asset classes and depreciation, and the debt service ratio.

The Committee referred to the Reserves Strategy and noted there is a detailed paper on Council's reserves coming to the next meeting and requested that it includes a spending plan for the reserves showing where the money comes from, where it goes and how it is spent.

ARIC/5.4/21.05 Council Investment Report (A03/2211)**MOTION / DECISION**

Mover: Elizabeth Gavey

Seconder: Cr Copeland

That the Committee:

1. Receives and notes the March 2021 Investment Portfolio Report previously presented to Council and attached to the report.

2. Requests that certification confirming that investments are in compliance with Council's investment policy be included in future Investment Portfolio Reports to Council.
3. Receives and notes Council's Investment Policy attached to the report subject to management giving consideration to:
 - (a) Including a conversion table to compare the credit rating descriptions between ratings agencies.
 - (b) Adding a section to the Investment Policy linking the policy to Council's risk appetite.

DISCUSSION

The Committee referred to clause 4.1 of the Investment Policy and the statement about credit ratings and noted that the rating descriptions used by Standard and Poor's may be different to those used by Moody's or Fitch and suggested Management consider including a conversion table in the Policy to compare the credit rating descriptions between the ratings agencies.

The Committee further noted that the recommendation in the Council report on the Investment Portfolio does not contain certification confirming that investments are in compliance with Council's investment policy, as required by clause 212 of the Local Government (General) Regulation 2005, and requested that this be rectified in the next report to Council.

The Committee suggested that a section be added to the Investment Policy linking it to Council's risk appetite.

ARIC/5.5/21.05 Information Management and Technology - ICT Strategy and Work Program Update (A21/0039)

MOTION / DECISION

Mover: Elizabeth Gavey
Seconder: John Gordon

That the Committee:

1. Notes progress on the implementation of the ICT strategy and work program
2. Requests that:
 - (a) The thirteen outstanding items that were taken off the IT Audit Progress Report be placed back on and actioned.
 - (b) The Committee receives an update on the IT Disaster Recovery Plan and development of the IT recovery kit at the next ARIC meeting as part of the standing ICT Strategy and Work Program update.

DISCUSSION

The Chief Information Officer provided an update on the ICT Strategy and Work Program. The following key points were discussed.

Ernst & Young have been engaged for Cybersecurity which will include: Cyber-awareness training, compliance training and phishing exercises.

KPMG are giving holistic advice about going to market for core systems and they are developing a business case for investment in core systems.

It was noted that Council has hired a change manager.

ARIC/5.6/21.05 Governance Report (SF21/524)

MOTION / DECISION

Mover: Kath Roach
Seconder: John Gordon

That the Committee:

1. Receives and notes the report.
2. Requests that:
 - (a) If possible, the Uprise program's utilisation data be categorised into 'staff' and 'family of staff' to better assist in identifying emerging themes.
 - (b) Consideration be given to preparing a memorandum of understanding between NSW Police and Council that establishes an agreed framework for Police requests for CCTV footage.
 - (c) Any significant litigation affecting Council be included in the Governance Report.

DISCUSSION

The Committee received an update on progress with the Safe Workplace for All project from the Executive Manager Human Resources, Safety and Well-being and congratulated Management on the initiative.

The Employee Assistance Program *Uprise* was discussed in some detail including how the success of the program is gauged. The Committee requested that, if possible, the program's utilisation data be categorised into staff and the family of staff to better assist in the identification of any emerging themes.

The General Counsel referred to the ICAC report on Operation Dasha and informed the Committee that a gap analysis of the recommendations in the report will be undertaken and reported to the Committee when complete.

The Requests for Information section of the Governance Report informed the Committee that requests for CCTV footage from NSW Police are no longer dealt with by staff as access applications under the Government Information Public Access Act. The Committee agreed that the change would expedite the provision of footage to the Police but suggested that consideration be given to preparing a memorandum of understanding between the Police and Council to establish an agreed framework for such requests.

The Committee requested that any significant litigation affecting Council be reported to the Committee in the Governance Report.

Other matters discussed by the Committee were the WHS injury data and employment outcomes, the roll-out of the random drug and alcohol testing program, the zero number of mental health claims, disability employment and staff leave balances.

ARIC/5.7/21.05 Strategic Internal Audit Program (A19/0149)**MOTION / DECISION**

Mover: Kath Roach
Seconder: John Gordon

That the Committee:

1. Notes the draft Four-Year Strategic Internal Audit Program for the financial years 2022-2025 attached to the report.
2. Endorses the 2021-22 Internal Audit Plan attached to the report.
3. Requests that a cemetery audit be added to the Program as a priority.

DISCUSSION

The Committee asked about the People/ Performance Management Audit in FY24 and the Events Management Audit in FY22, and requested a cemetery audit be added to the Program as a priority given the work being done on the Cemetery Business Plan.

The Committee asked whether there would be a follow-up IT Audit within the next four years and a review of the IT Strategy project including its Project Management Office in the next year or two. The Internal Auditor advised that is yet to be determined by Management.

ARIC/5.8/21.05 Annual Internal Audit Plan 2020-21 Status Update (A19/0800)**MOTION / DECISION**

Mover: Elizabeth Gavey
Seconder: John Gordon

That the Committee receives and notes the status update for the Annual Internal Audit Plan 2020-21.

ARIC/5.9/21.05 Completed Internal Audit Reports 2020-21 (A19/0800)**MOTION / DECISION**

Mover: John Gordon
Seconder: Kath Roach

That the Committee notes the following completed Internal Audit Reports attached to this report:

1. Collection of Fees and Contributions Process Review.
2. Building Compliance Internal Audit Report.

DISCUSSION

With respect to the Collection of Fees and Contributions Process Review the Executive Manager Compliance provided a brief overview of the current process and workflow for the collection of fees and 7.12 contributions. The key issues identified by the manager were private certifiers not notifying Council that work has commenced and an understating of the value of work to be undertaken. The Committee was satisfied the process addresses all the issues identified in the audit.

With respect to the Building Compliance Internal Audit Report, the Internal Auditor summarised the report

findings and advised the Committee there were no systemic issues found. From the ensuing discussion the Committee gained a good understanding of the differences between a Building Compliance Request, a Building Information Certificate and an Occupation Certificate.

ARIC/5.10/21.05 Audit Recommendations Report - Implementation Status Update (A19/0800)

MOTION / DECISION

Mover: Elizabeth Gavey

Seconder: John Gordon

That the Committee:

1. Receives and notes the updated implementation status of the external and internal audit recommendations as set out in the attached "*Outstanding Audit Recommendations May 2021*".
2. Requests that all the recommendations relevant to Waverley from reports of external regulators be included in this report so it becomes the one place where all audit recommendations are recorded.

DISCUSSION

The Committee asked for clarification on the process for granting extensions of time to agreed implementation dates stating that its understanding is that previously the General Manager would sign off on extensions. The General Counsel confirmed that the Report comes before the General Manager and the other members of the Executive Leadership Team for oversight and review including the monitoring of target dates.

The Committee noted the revised target date for the implementation of the recommendations from the Councillor Expenses and Payments Review has been extended significantly from the original target date. The Executive Manager, Governance and Risk responded that he is planning to present an amended policy document to the new Council after the election in September 2021 that addresses the recommendations and makes other changes, adding that this was a preferred approach to putting the policy to Council twice in 12 months.

The Executive Manager, Governance and Risk confirmed that the draft Fraud and Corruption Control Policy has been completed in the interim since the implementation status update report had been prepared for the Committee.

The Committee requested that recommendations from other agencies' reports that are relevant to Waverley be included in this report so that it becomes "a one stop shop for audit recommendations". Management and the Internal Auditor agreed that this would be done.

ARIC/5.11/21.05 ARIC Work Program 2021 (SF21/530)

MOTION / DECISION

Mover: Elizabeth Gavey

Seconder: John Gordon

That the Committee notes the updates to the ARIC Work Program 2021 as outlined in the report.

6 Other Business**MOTION / DECISION**

Mover: Elizabeth Gavey

Seconder: John Gordon

That the schedule of meeting dates for the rest of the year be included on each agenda under Other Business.

7. Meeting Closure**THE MEETING CLOSED AT 12.03pm.**

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SIGNED AND CONFIRMED
CHAIR
29 JULY 2021

**REPORT
CM/7.6/21.09**

Subject: COVID-19 - Community and Business Support Initiatives Update

TRIM No: A20/0258

Author: John Coudounaris, Manager, Economic Development
Teena Su, Executive Manager, Finance

Director: Evan Hutchings, Director, Finance and Governance

RECOMMENDATION:

That Council:

1. Publicly exhibits for 28 days the approved delay in the increase to the Early Education Centre fees from 5 October 2021 to 27 October 2021, in accordance with section 610F(3) of the *Local Government Act 1993*.
2. Officers prepare a report to Council following the public exhibition period should any submissions be received.
3. Notes that if no submissions are received, the changes to the Schedule of Fees and Charges referred to in clause 1 above will be effective from 5 October 2021 to 26 October 2021.
4. Notes that the fee waiver for construction zones and hoardings was concluded by the General Manager under delegation and in accordance with the Public Health Order that allowed construction work to resume.

1. Executive Summary

In conjunction with its COVID-19 support initiatives, Council, at its meeting on 20 July 2021, resolved to amend the Early Education Services Fees by delaying implementation of the fee increase from 1 July 2021 until 27 October 2021. Council previously provided public notification of the delay in this fee increase until 5 October 2021, and subsequently resolved accordingly. With this fee increase delay extending further, the extension to this support measure requires Council to again place on public exhibition the proposed changes to the Schedule of Fees and Charges for a period of 28 days in accordance with section 610F(3) of the *Local Government Act 1993*.

Separately, the fee waiver for construction zones and hoardings has been concluded earlier than anticipated, under delegation by the General Manager, as the relevant Public Health Order has since allowed work to resume on construction sites, and therefore the fee waiver is no longer applicable.

2. Introduction/Background

Council's current business and community support initiatives are scheduled to conclude on 26 October 2021, with the matter to be listed for consideration by Council at its meeting scheduled for that day.

Since the resolution of Council on 20 July 2021 to extend the COVID-19 Business and Childcare Support Measures to 26 October 2021, and in accordance with the authority granted, the General Manager has concluded the waiving of fees for construction zones and hoarding upon related work being permitted to recommence under the prevailing Public Health Order.

By resolution at the extraordinary Council meeting on 29 June 2021, Council advertised delaying implementation of the fee increase to Early Education Centre fees from 1 July 2021 until the commencement of school term 4 on 5 October 2021, with this variation to the Fees and Charges being formalised at the Council meeting on 17 August 2021.

In view of the Council resolution of 20 July 2021 to extend the COVID-19 Business and Childcare Support Package measures until the Council meeting scheduled for 26 October 2021 or until such earlier time as determined by Council or the General Manager, and as the arrangements are not expected to conclude before 5 October 2021, the matter is required to be considered by Council.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 17 August 2021	CM/7.4/21.08	<p>That:</p> <ol style="list-style-type: none"> Council notes the submissions received on the proposed amendments to the Early Education Services Fees during the 28-day public exhibition period, which ended on 30 July 2021. Council adopts the amendments to the Early Education Services Fees for the 2021–22 financial year to: <ol style="list-style-type: none"> Delay the increase of Early Education Centres fees until the commencement of school Term 4 on 5 October 2021. Maintain the Family Day Care Educator Levy for 2021–22 at 12% to rectify an administrative oversight. In the event that it becomes evident that the component of Council's Community Support Initiatives to delay the increase in Early Education Centre fees is likely to extend beyond 4 October 2021, a further report be prepared and submitted to the September Council meeting, including a recommendation to advertise the associated change to the fees in accordance with section 610F(3) of the <i>Local Government Act 1993</i>.
Council 20 July 2021	CM/7.1/21.07	<p>That Council:</p> <ol style="list-style-type: none"> In relation to the COVID-19 – Council Response, Business Continuity and Community Support Initiatives report: <ol style="list-style-type: none"> Notes the business continuity arrangements put in place to ensure the continued delivery of

		<p>essential services during the current pandemic restrictions.</p> <p>(b) Notes the community support that continues to be provided through Council's Compliance, Community Programs and Library teams.</p> <p>(c) Extends the COVID-19 Business and Childcare Support Package measures outlined in Table 1 and 2 of the report until the Council meeting scheduled for 26 October 2021 or until such earlier time as determined by Council or the General Manager and in accordance with the prevailing public health orders.</p> <p>(d) Provides hand sanitiser at each of the outdoor fitness stations throughout the Waverley local government area.</p> <p>(e) Notes the financial impact of the COVID-19 Business Support Package, as outlined in Table 1 of the report.</p> <p>(f) Notes the financial impact of the COVID-19 Childcare Support, as outlined in Table 2 of the report.</p> <p>(g) Officers undertake a full assessment of the latest COVID-19 outbreak on Council's financial budget, taking into account changes in the latest public health orders, and a further report be prepared and submitted to Council as part of the Q1 budget review in October 2021.</p> <p>(h) Notes that the changes to the Schedule of Fees and Charges, as outlined in Table 2 of the report, are currently being publicly exhibited for a 28-day period in accordance with section 610F(3) of the <i>Local Government Act 1993</i>.</p> <p>2. In relation to the COVID-19 – Council Response, Business Continuity and Community Support Initiatives – Supplementary Report:</p> <p>(a) Approves the waiving of the childcare gap fee across Council's Early Education Centres in response to the Federal Government decision encouraging childcare service providers to waive gap-fees in cases where children are kept at home and are therefore not using the service due to the current COVID-19 restrictions.</p> <p>(b) Approves the waiving of construction zone and hoarding permit fees for construction sites across</p>
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		<p>the local government area in response to changes to the public health orders regarding construction sites in Greater Sydney.</p> <p>(c) Approves the fee waivers in clauses 2(a) and (b) above to continue until the Council meeting scheduled for 26 October 2021 or until such earlier time as determined by Council or the General Manager.</p>
Extraordinary Council 29 June 2021	CM/4.1/21.06E2	<p>That Council:</p> <ol style="list-style-type: none"> Notes that, along with all other councils in Greater Sydney, the Waverley local government area is subject to a revised Public Health Order issued by the NSW Government, with this Order imposing additional pandemic restrictions from 26 June 2021 until 9 July 2021. Adopts the COVID-19 Business Support Package (June–July 2021) detailed in the mayoral minute until the Council meeting scheduled for 20 July 2021 or until such earlier time as determined by the Council or the General Manager, with the business support measures being those: <ol style="list-style-type: none"> Outlined in Table 1 of the mayoral minute and adjusted in accordance with Council’s Schedule of Fees and Charges. Outlined in Table 2 of the mayoral minute subject to clause 3 below and subject to the Early Education Centres measure being amended to read as follows: <p>‘Delaying implementation of the fee increase from 1 July 2021 until the commencement of school term 4 on 5 October 2021.’</p> Publicly exhibits the proposed changes to the Schedule of Fees and Charges contained in Table 2 of the mayoral minute for a period of 28 days in accordance with section 610F(3) of the <i>Local Government Act 1993</i>. Officers, following the public exhibition period, prepare a further report to Council should any submissions be received in response to clause 3 above. Notes that if no submissions are received, the changes to the Schedule of Fees and Charges referred to in clause 2 above will be effective from 1 July 2021, with the fee relating to Early Education Centres to increase from the commencement of school term 4, being 5 October 2021, or such later date as the Business

		<p>Support Package (June–July 2021) may be extended to.</p> <ol style="list-style-type: none"> 6. Delegates authority to the General Manager to suspend or modify any measures in the COVID-19 Business Support Package detailed in this mayoral minute in response to changes in the status of the COVID-19 pandemic restrictions up to 20 July 2021. 7. Officers prepare a report to Council on the status and financial impacts of the COVID-19 Business Support Package at the Council meeting scheduled for 20 July 2021. 8. Authorises the Mayor to sign, on behalf of Council, the letter to the NSW Premier, the Hon. Gladys Berejiklian, attached to the mayoral minute, calling on the NSW Government to provide support for businesses and individuals at financial risk from the latest COVID stay at home orders. 9. Notes the operational measures in support of vulnerable residents reported by the General Manager to Council as part of this resolution, as part of Council's response to the latest outbreak of the pandemic.
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4. Discussion

As resolved at the Council meeting on 20 July 2021, the COVID-19 Business and Childcare Support Package measures are to continue until the Council meeting scheduled for 26 October 2021 or until such earlier time as determined by Council or the General Manager and in accordance with the prevailing public health orders.

The fee waiver for construction zones and hoardings, was introduced due to the NSW Public Health Order closing down the operation of construction sites across Great Sydney Metropolitan Area. Upon this restriction being lifted, the General Manager, under the authority granted by Council, concluded this fee waiver on 31 July 2021. It should be noted, however, that consideration to the waiving of fees has subsequently been given on a case-by-case basis, if the contractor is able to demonstrate that they were unable to recommence construction due to lack of workforce under the updated Public Health Order.

In relation to the delay in the increase to Early Education Centre fees, at the Council meeting on 17 August 2021 it was resolved that:

'In the event that it becomes evident that the component of Council's Community Support Initiatives to delay the increase in Early Education Centre fees is likely to extend beyond 4 October 2021, a further report be prepared and submitted to the September Council meeting, including a recommendation to advertise the associated change to the fees in accordance with section 610F(3) of the Local Government Act 1993.'

As it is not anticipated that the General Manager will have cause to conclude the arrangements that delay the increase in these fees before 5 October 2021, to formalise this arrangement and align this measure to the other initiatives up to 26 October 2021, it is necessary that the amendments to the Schedule of Fees and Charges be publicly exhibited, in accordance with section 610F(3) of the *Local Government Act 1993*.

Should Council resolve accordingly, a report will be prepared and submitted to the Council meeting on 26 October 2021 subsequent to the conclusion of the public exhibition period should any submissions be received.

5. Financial impact statement/Time frame/Consultation

The financial implications of delaying implementation of the Early Education Centre fee increase until 27 October 2021 have been outlined in previous Council reports. In this instance, approval is sought from Council to place on public exhibition a further delay to the increase in Early Education Centre fees from 5 October to 26 October 2021.

6. Conclusion

In order to align the duration of the Early Education Centre fee increases with other COVID-19 support initiatives of Council, it is recommended that the delay to the fee increases from 5 October to 26 October 2021 be placed on public exhibition.

7. Attachments

Nil.

NOTICE OF MOTION CM/8.1/21.09



Subject: New Resident Parking Schemes

TRIM No: A02/0750

Submitted by: Councillor Kay
Councillor Betts
Councillor Burrill

MOTION:

That Council:

1. Officers investigate areas/streets with unrestricted parking within the Waverley Ward of the Waverley local government area to determine whether they are suitable for a Resident Parking Scheme (RPS), commencing with, but not limited to, the following streets:
 - (a) The western part of Area 11, including Silva Street, Carlisle Street and Fletcher Street.
 - (b) The eastern part of Area 22, including Paul Street (south of Bondi Road), Dalley Street and Council Street (between Bondi Road and Birrell Street).
 - (c) The north-eastern part of Area 25, including Henrietta Street (north of Victoria Street), Langlee Avenue and Seaview Street.
2. Officers survey the areas/streets in Waverley Ward that are deemed suitable for a new or extended RPS and report to the Waverley Traffic Committee on the survey results, with a recommendation to Council.
3. Receives a brief report on the estimated schedule for surveying unrestricted areas/streets within Waverley Ward so that residents and Precincts can be informed on the approach being taken.
4. Notes that representations have been received from residents in the RPS areas mentioned above, with residents reporting that parking occupancy rates have increased to undue proportions over the last few years, especially during COVID-19 restrictions and the daylight saving period.
5. Notes that in October 2013, Council unanimously resolved that Council officers have discretion to conduct RPS resident surveys where an on-street parking problem is identified.

Background

Over the last few years, and especially during these times of COVID-19 lockdowns, I have received resident representations about high levels of on-street parking occupancy in unrestricted streets within the Waverley Ward area of the Waverley LGA.

Residents tell me that they experience high levels of anxiety when they move their car, knowing that when they return to their home, they will need to search for a parking space for some time and may only find a parking space some distance away from where they live.

These residents live in areas and streets with unrestricted parking that are close to Resident Parking Schemes (RPS). They allege that their streets need to also have a RPS installed so that long-term out-of-area visitors do not take up the valuable parking spaces all day or leave their vehicles for many weeks.

Creating a petition in support of Council doing a survey of 50% of the premises in an area/street where there are many unit blocks is extraordinarily time consuming and considered unduly onerous by interested residents. For residents to create a hard copy petition (as required by Council's Petitions Policy) right now does not follow public health orders or an abundance of caution health-wise approach under current COVID-19 restrictions, but for Council to conduct a survey is relatively straightforward and acceptable.

When I have been lobbied by residents living in the RPS areas identified in the motion, my response has generally been that a petition is preferable. That petition rarely gets done for the reasons already outlined, and I have therefore concluded that it is important right now for Council officers to consider the next few areas to survey under their discretion.

This approach has recently been taken for the western half of Area 15 (between Park Parade and Watson Street), where Council officers distributed a formal survey in July 2021 without any petition being lodged with Council after:

- Residents requested the introduction of a RPS for improved parking.
- Council staff conducted a parking assessment of the area in accordance with Transport for NSW guidelines, which concluded that the area was suitable for an RPS.

It is therefore not a precedent for Council officers to use their discretion to determine whether a survey should be distributed asking whether residents support the introduction of a new RPS.

As a new RPS policy, process and procedures review is not scheduled until next year, recommendations may only be endorsed and then implemented by 2023, at the earliest, due to the complex nature of the system and the duration of the review.

This motion aligns with the resolution passed at the Operations and Community Services Committee meeting in May 2019, which states that 'until the review is undertaken, all requests for changes to resident parking schemes be considered in accordance with current process approved by Council in 2013.'

It is important that we urgently respond to resident anxiety and pleas for assistance. This motion addresses the present situation by moving for an officer investigation into new Resident Parking Schemes based on endorsed processes and Transport for NSW guidelines to ensure suitability of any surveys performed.

General Manager's comment

The motion supports what Council's Traffic team have in progress.

Following a long history of requests for resident parking without petitions, Council officers have determined to conduct surveys to identify the level of support for resident parking (see the figure below). This is being done area by area where issues are common to that area. The size of each area surveyed is also limited so that the survey can focus on not only the support for resident parking but also other issues that arise from the survey.

The three locations nominated for assessment of resident parking are included in the roll-out of surveys currently underway. These areas are:

- A. The western part of Area 11 (Silva, Carlisle, Fletcher, Denham, Illawong, Carlisle, Gaerloch, Alexander).

- B. The eastern part of Area 22 (Paul, Dalley, Council), noting that Transport for NSW is the determining authority for parking on Council Street, as it is a State Road.
- C. The north-eastern part of Area 25 (Henrietta, Langlee, Seaview).
- D. The eastern part of Area 15 (Jackaman, Avoca, Tasman, Philip, Imperial, Tamarama, Boonara, Farrellys).
- E. Streets within Areas 26 and 12 that do not already have resident parking.

Areas A, B, and C are those referred to in this notice of motion.

Prior to this time, resident parking in Anglesea Street was approved by Council in May 2021. The team is currently working on an assessment of resident parking in the western part of Area 15 (referred as Area X in the figure below). A report will be submitted to the September 2021 traffic committee regarding this assessment.

A lag is required between surveys. This is required to allow parking patterns to adjust to newly imposed restrictions. The planned sequence is:

1. Surveys of Area A will occur after installation of resident parking in the western part of Area 15/ Area X (September Traffic Committee report), assuming Council resolves to introduce the scheme.
2. Surveys of Area B would follow after installation of Area A restrictions assuming Council determines to introduce the scheme in Area A.
3. And so on.

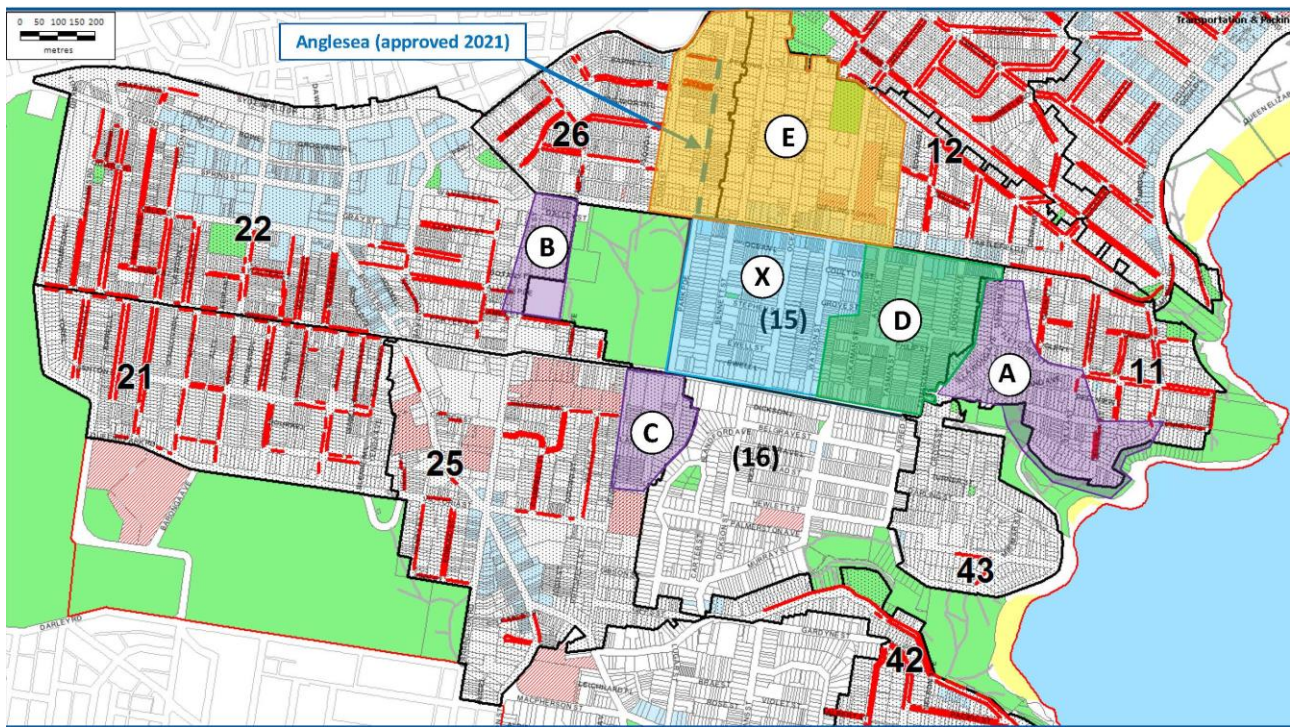
Note that this does not assume that resident parking will be approved for all streets.

Two months have been allowed for installation of an approved area. This includes resident notification, sign installation, time for residents to obtain permits etc. Two months are required for surveys to be conducted and assessed.

The survey will not be conducted during the December–January period.

Assuming that the assessment of Area X is approved in whole or part at the October Council meeting, then the following are timetabled to commence:

- Area A – November 2021.
- Area B – April 2022.
- Area C – August 2022.
- Area D – February 2023.
- Area E – June 2023.
- Area F – October 2023.



Sharon Cassidy
Acting Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.2/21.09



Subject: BreastScreen Clinic Closure

TRIM No: A20/0245

Submitted by: Councillor Keenan
Councillor Copeland

MOTION:

That:

1. Council notes that the BreastScreen clinic at Myer in Bondi Junction has been closed as part of the NSW Health Department's decision to temporarily suspend all routine breast screening services in NSW due to COVID-19.
2. Council notes that one in seven women in NSW will develop breast cancer in their lifetime and that it is the most common cancer affecting women in our State.
3. Council notes that regular screening mammograms are the best way to find breast cancer early in women over 50, and that early screening saves women's lives.
4. Council requests the Mayor to write urgently to the NSW Premier, Gladys Berejiklian, and NSW Health Minister, Brad Hazzard, requesting that the decision to close the BreastScreen clinics in Bondi Junction and across NSW be reversed immediately.
5. The letter outline the serious concerns of Council that closing screening clinics will result in women not having the option of early detection and early treatment of breast cancer, and this will have life-threatening consequences for these women and their families.
6. The Mayor's letter also note that in 2020, 19,974 women were diagnosed with breast cancer and 3,031 women died, and that this is much more serious than the impacts of COVID-19.
7. Council also writes to the Shadow Minister for Health, Ryan Park, The Greens NSW health spokesperson, Cate Faehrmann, and the Local Government NSW President, Linda Scott, informing them of the grave concerns of Council and asking that they, too, request the State Government to reverse its decision.

Background

Closing the BreastScreen clinic in Bondi Junction and those across NSW is completely unacceptable and will result in women in our community dying unnecessarily. Women with breast cancer should not be the unseen victims of the NSW COVID-19 response. All lives are important.

Early intervention is vital in the detection and treatment of women, and men, with breast cancer. It is not clear how long this suspension is intended to last; regardless, the outcome from this poor decision is that there are women who will die.

The State Government should be ashamed of this decision and it should be reversed immediately.

Breast cancer statistics:

- Estimated number of new cases of breast cancer diagnosed in 2020: 19,974 = 19,807 females and 167 males.
- Estimated number of deaths from breast cancer in 2020: 3,031 = 2,997 females and 33 males.
- Estimated % of all new cancer cases diagnosed in 2020: 14%.
- Estimated % of all deaths from cancer in 2020: 6.3%.
- Chance of surviving at least five years (2012–2016): 91%.

General Manager's comment

The temporary closure of the BreastScreen clinic in Bondi Junction could have significant consequences for women living in the Waverley local government area if they are unable to access these routine screening services. If resolved by Council, officers will undertake the advocacy work as detailed in the motion.

Emily Scott
General Manager

NOTICE OF MOTION CM/8.3/21.09



Subject: Varna Park - Removal of Seesaw

TRIM No: A06/0739

Submitted by: Councillor Keenan
Councillor Copeland

MOTION:

That Council:

1. Removes the steel seesaw from the playground at Varna Park, as it poses a risk to children.
2. Replaces the seesaw with a safer and more suitable piece of equipment.

Background

Several parents in Varna Park have approached me while in the park concerned about the seesaw (photo below), as they have all witnessed children being injured on this equipment.

The seesaw in is made of steel and bounces all the way to the ground when the children play on it. Because of this mechanism, parents have complained that several children have had their legs caught under the seat of the seesaw and hurt themselves.



General Manager's comment

Varna Park playground is a neighbourhood play space in Waverley and was refurbished this year. The playground has a mixture of older and new equipment. The play equipment in question is one of the older pieces called the 'hip hop' manufactured by the company Proludic. The 'hip hop' requires two children to sit on seats to spin and bounce, providing play experiences such as balancing, spinning and interacting with others. This particular equipment caters to slightly older children being over six years old who are able to get themselves on the equipment and have the co-ordination and balance to bounce and swing. It's important that our playgrounds present graduated challenges to children to extend their abilities as they grow. Not all equipment is suitable for all ages, as it must be challenging and fun. The equipment in question is available to purchase today and complies with current Australian Standards for play equipment design.

Council regularly inspects and audits our playgrounds to ensure they are safe, and the equipment is in good repair. In the recent audit of Varna Park playground was completed in July 2021 by an independent playground certifier. On auditing Varna Park, the 'hip hop' equipment was reported in good condition with no repairs required. Officers have also inspected the equipment and have not reported any defects. There are very strict standards around the design of play equipment to ensure safety. Of course, there are some calculated risks of minor falls (for example, from a swings or ladders), and risks of scrapes and bruising in playgrounds. These risks are calculated risks and deemed acceptable.

Following reports from Councillors on safety, further investigation was done. However, there have not been any reports regarding the 'hip hop' equipment through the Merit system or through the recent community consultation in improving the park.

Understanding that the equipment complies with Australian Standards, is installed correctly and is not broken the question raised regarding safety may be due to use of the equipment by younger children who may not have the height or co-ordination required to use the equipment as intended. Carers do need to watch out for younger children trying out new equipment to make sure they are up for the challenge.

It is recommended that the equipment in Varna Park remain in place. As this report of safety has been raised, if there are any further complaints regarding the equipment it will be investigated to establish the circumstances under which the equipment was used and if further action needs to be taken.

If Council resolves to remove the equipment and replace it with an alternative piece, the cost is likely to range from \$5,000 to \$10,000 for the supply and installation of the new play equipment, depending on the equipment selected. It is not uncommon for new play equipment to take up to three months to be supplied.

Sharon Cassidy
Acting Director, Community, Assets and Operations

NOTICE OF MOTION CM/8.4/21.09



Subject: Weonga Reserve - Removal of Buddleja

TRIM No: A14/0059

Submitted by: Councillor Nemesh
Councillor Betts

MOTION:

That Council:

1. Notes resolution CM/8.1/20.09 passed at the Council meeting on 15 September 2020.
2. Commences the removal of buddleja in Weonga Reserve within six weeks and commits to its full removal within six months.
3. Further notes that the removal of this plant is specified in the Weonga, Rodney and Raleigh Reserve Biodiversity Action Plan 2014–2020.

Background

See resolution CM/8.1/20.09 passed at the Council meeting on 15 September 2020 and motion 6 passed at the Dover Heights Precinct meeting on 24 August 2021.

General Manager's comment

The current Biodiversity Action Plan: Remnant Sites 2014–2020 identifies this location to establish mosaic plantings of low-growing buffer vegetation in this habitat corridor. In 2016, Council undertook this activity immediately south of this location and it was wholly unsuccessful due to the density of the weed salpichroa. Council can undertake this in a staged approach and will remove approximately half the buddleja first, ensuring that this can be done safely. This would assist in ensuring that the work is successful and if a change in methodology is required for the second half of the removal works. This methodology will likely involve initial pruning and removal followed by approximately three herbicide treatments, with planting and mulching in autumn with low-growing vegetation. A staged approach would also assist in limiting any geotechnical issues that may arise from clearing the whole. It is unclear what the geotechnical stability of the area is, although it is identified as having a geotechnical risk.

It is possible that all of the buddleja could be removed this financial year, but this will depend on the density of the buddleja, the ground conditions and any requirements for slope stabilisation. While the work will be prioritised, it is unlikely the works will commence in the next six weeks due to COVID-19 resourcing impacts and the requirement to get specialist staff with fall-arrest rope control qualifications.

Tony Pavlovic
Director, Planning, Environment and Regulatory

NOTICE OF MOTION CM/8.5/21.09



Subject: Citizenship Ceremonies

TRIM No: A16/0020

Submitted by: Councillor Betts
Councillor Nemesh

MOTION:

That Council:

1. Urgently recommences holding citizenship ceremonies online or in person, depending on the prevailing Public Health Orders.
2. Notes that online citizen ceremonies are already being undertaken by many councils, including our neighbour Woollahra.

Background

A few Councillors have received calls from residents who have been waiting to get their citizenship for some months. The Member for Wentworth's office has also been receiving inquiries.

Apparently, residents have been advised, when calling Waverley, that we don't have the facility to run citizenships online, which is quite strange as we run online Council meetings, and many other councils, including Woollahra Council, are all running online citizenship ceremonies.

The impact on our residents of Waverley not holding citizenship ceremonies is considerable, as they are unable to apply for passports, and of course cannot register to vote. I understand that there is already a very long backlog of people waiting for citizenship in Waverley.

General Manager's comment

At the time of preparing these comments, arrangements were being made for an online citizenship ceremony to be conducted on Monday, 27 September 2021, for approximately 10 residents. Representatives of Home Affairs recommended that Council's initial online ceremony cater for 10 residents, with consideration to increase numbers at subsequent ceremonies.

Evan Hutchings
Director, Finance and Governance

NOTICE OF MOTION CM/8.6/21.09



Subject: COVID-19 - Case Locations and Vaccination Campaign

TRIM No: A20/0245

Submitted by: Councillor Wy Kanak

MOTION:

That Council:

1. Officers confirm with NSW Health the details of the recent changes to processes on reporting casual contact venues or locations and determine if Council assistance is required to provide this information to the community.
2. Officers consult and work with NSW Health to develop a campaign to encourage the community to get vaccinated. The campaign should use existing resources and networks, such as Council's website, to inform the Waverley community about current NSW Health vaccination messaging, information and booking choices.

Background

The Waverley community requires effective information on COVID-19 to ensure they can make informed decisions to protect themselves.

NSW Health has recently announced that casual contact venues will no longer be published on its website. NSW Health has confirmed that the public will not be alerted to new venues if NSW Health has already obtained details of people potentially exposed to the virus through the venue or other records. Council understands that close and casual contact venues in regional NSW will continue to be published. Details on the NSW Health website confirm the revised processes and reasons outlining why it has changed its communications approach for venues of concern; see <health.nsw.gov.au/Infectious/covid-19/Pages/case-locations-and-alerts.aspx#caselocations>.

Council has well-established communication resources and networks that can support health authorities with communications relating to COVID-19. These resources have been recently used to promote mandatory requirements for masks in common areas in residential apartment buildings. NSW Health is now increasing the promotion for the community to get vaccinated to help stop the spread of COVID-19. Council should consider using these established communication resources to promote NSW Health messaging to encourage the community to get vaccinated.

General Manager's comment

Council is guided by the State health authorities to circulate approved communications and messaging. Council staff have contacted NSW Health staff to confirm the processes on reporting casual contact venues or locations. NSW Health confirmed that it has the relevant processes in place and that councils are not required assist in promoting these details.

NSW Health is boosting messaging to encourage the community to get vaccinated. If resolved by Council, officers will engage with NSW Health to identify suitable messaging and information to promote COVID-19 vaccinations. A promotion campaign is currently in design and will be rolled out over the coming weeks.

Emily Scott
General Manager

URGENT BUSINESS
CM/10/21.09**W A V E R L E Y**
COUNCIL**Subject:** Urgent Business**Author:** Emily Scott, General Manager

In accordance with clause 9.3 of the Waverley Code of Meeting Practice, business may be considered at a meeting of Council even though due notice of the business has not been given to councillors. However, this can happen only if:

1. The business to be considered is ruled by the chair to be of great urgency on the grounds that it requires a decision by Council before the next scheduled ordinary meeting of Council, and
2. A motion is passed to have the business considered at the meeting.

Such a motion can be moved without notice.

Only the mover of the motion can speak to the motion before it is put. A motion to have urgent business transacted at the meeting requires a seconder.

For business to be considered urgent, it must require a decision by Council before the next scheduled ordinary meeting of Council.

The mover of the motion must, when speaking to the motion, explain why he or she believes it requires a decision by Council before the next scheduled ordinary meeting of Council.

CLOSED SESSION
CM/11/21.09**WAVERLEY**
COUNCIL

Subject: Moving into Closed Session

Author: Emily Scott, General Manager

There are no confidential reports for consideration.

Introduction/Background

In accordance with section 10A(2) of the Act, Council may close part of its meeting to deal with business of the following kind:

- (a) Personnel matters concerning particular individuals (other than councillors).
- (b) Personal hardship of any resident or ratepayer.
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
- (d) Commercial information of a confidential nature that would, if disclosed:
 - (i) Prejudice the commercial position of a person who supplied it: or
 - (ii) Confer a commercial advantage on a competitor of Council;
 - (iii) Reveal a trade secret.
- (e) Information that would, if disclosed, prejudice the maintenance of law.
- (f) Matters affecting the security of Council, Councillors, Council staff and Council property.
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) Alleged contraventions of any Code of Conduct requirements applicable under section 440.

It is my opinion that the business listed in the recommendation is of a kind referred to in section 10A(2) of the *Local Government Act 1993* and, under the provisions of the Act and the *Local Government (General) Regulation 2005*, should be dealt with in a part of the meeting that is closed to members of the public and the media.

Pursuant to section 10A(4) of the Act and clauses 14.9–14.10 of the Waverley Code of Meeting Practice, members of the public may make representations to the meeting immediately after the motion to close part of the meeting is moved and seconded, as to whether that part of the meeting should be closed.