



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 at Waverley Council Chambers,
Cnr Paul Street and Bondi Road, Bondi Junction at:

7.00 PM, TUESDAY 27 JUNE 2023

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

Emily Scott
General Manager

Waverley Council
PO Box 9
Bondi Junction NSW 1355
DX 12006 Bondi Junction
Tel. 9083 8000
E-mail: info@waverley.nsw.gov.au

Statement of Ethical Obligations

Councillors are reminded of their oath or affirmation of office made under section 233A of the Act and their obligations under Council's code of conduct to disclose and appropriately manage conflicts of interest.

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.

- 1. Apologies/Leaves of Absence**
- 2. Declarations of Pecuniary and Non-Pecuniary Interests**
- 3. Obituaries 5**
- 4. Addresses by Members of the Public**
- 5. Confirmation and Adoption of Minutes**
 - CM/5.1/23.06 Confirmation of Minutes - Council Meeting - 16 May 20236
 - CM/5.2/23.06 Adoption of Minutes - Waverley Traffic Committee Meeting - 18 May 202323
- 6. Mayoral Minutes 31**
- 7. Reports**
 - CM/7.1/23.06 Pricing Policy, Fees and Charges 2023-24, Budget and Long Term Financial Plan 6.1 - Adoption32
 - CM/7.2/23.06 Operational Plan 2023-24 including Budget and Statement of Revenue Policy - Adoption40
 - CM/7.3/23.06 Investment Portfolio Report - May 202346
 - CM/7.4/23.06 Investment Policy - Adoption.....68
 - CM/7.5/23.06 Councillors' Fees - Local Government Remuneration Tribunal Determination 202389
 - CM/7.6/23.06 Council Meetings - Addresses by Members of the Public by Audio-Visual Link138
 - CM/7.7/23.06 Audit, Risk and Improvement Committee Meeting - 6 April 2023 - Minutes141
 - CM/7.8/23.06 Events Policy - Adoption154

CM/7.9/23.06	Access and Inclusion Advisory Panel Meeting - 11 May 2023 - Minutes.....	171
CM/7.10/23.06	Multicultural Advisory Committee Meeting - 1 February 2023 - Minutes	178
CM/7.11/23.06	Reconciliation Action Plan Advisory Committee Meeting - 28 November 2022 - Minutes	184
CM/7.12/23.06	Bus Driver Amenity Facilities - Licence to Transdev John Holland Buses - Post- Exhibition	189

8. Notices of Motions

CM/8.1/23.06	North Bondi Shops and Bus Terminus Upgrade - Consultation	193
CM/8.2/23.06	Bondi Pavilion - Strategic Plan for Events	196

9. Questions with Notice

Nil

10. Urgent Business..... 200

11. Closed Session 201

The following matters are proposed to be dealt with in closed session and have been distributed to Councillors separately with the agenda:

CM/11.1/23.06 CONFIDENTIAL REPORT - 74 Newland Street, Bondi Junction - Community
Tenancy Leases

CM/11.2/23.06 CONFIDENTIAL REPORT - 194-214 Oxford Street and 2 Nelson Street, Bondi
Junction - Use of Council Land

12. Resuming in Open Session 203

13. Meeting Closure

OBITUARIES

CM/3/23.06

Subject: Obituaries

Author: Emily Scott, General Manager



Joan O'Sullivan

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/5.1/23.06



WAVERLEY
COUNCIL

Subject: Confirmation of Minutes - Council Meeting - 16 May 2023

TRIM No: SF23/16

Manager: Richard Coelho, Executive Manager, Governance

RECOMMENDATION:

That the minutes of the Council meeting held on 16 May 2023 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 - 16 May 2023 .



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 16 MAY 2023**

Present:

Councillor Paula Masselos (Mayor) (Chair)	Lawson Ward
Councillor Elaine Keenan (Deputy Chair)	Lawson Ward
Councillor Sally Betts	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor Ludovico Fabiano	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Michelle Gray	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Steven Lewis	Hunter Ward
Councillor Tim Murray	Waverley Ward
Councillor Will Nemesh	Hunter Ward
Councillor Dominic Wy Kanak	Bondi Ward

Staff in attendance:

Emily Scott	General Manager
Sharon Cassidy	Director, Assets and Operations
Tara Czinner	Director, Corporate Services
Fletcher Rayner	Director, Planning, Sustainability and Compliance
Ben Thompson	Director, Community, Culture and Customer Experience

At the commencement of proceedings at 7.00 pm, those present were as listed above, with the exception of Crs Burrill and Wy Kanak who arrived at 7.03 pm and 7.05 pm respectively during items by exception.

Crs Burrill, Fabiano, Nemesh and Wy Kanak attended the meeting by audio-visual link.

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 were received:

- 2.1 Cr Nemesh declared a less than significant non-pecuniary interest in item CM/7.10/23.05 – Small Grants Program 2022-23 – Round 2 and informed the meeting that he knows a number of the applicants.
- 2.2 Cr Wy Kanak declared a less than significant non-pecuniary interest in item CM/7.9/23.05 – Festival of Bondi Filmmakers – Financial Assistance and informed the meeting that he knows the director of Smart St. Films through his involvement in the Bondi Beach Precinct.

3. Obituaries

There were no obituaries.

4. Addresses by Members of the Public

There were no addresses by members of the public.

ITEMS BY EXCEPTION**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

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

- CM/5.1/23.05 Confirmation of Minutes – Council Meeting – 18 April 2023.
- CM/5.2/23.05 Adoption of Minutes – Waverley Traffic Committee Meeting – 27 April 2023.
- CM/7.2/23.05 Investment Portfolio Report – April 2023.
- CM/7.4/23.05 Audit, Risk and Improvement Committee Meeting – Minutes – 24 November 2022.
- CM/7.10/23.05 Small Grants Program 2022-23 – Round 2.
- CM/7.11/23.05 Access and Inclusion Advisory Panel Meeting – Minutes – 24 November 2022.
- CM/11.3/23.05 CONFIDENTIAL REPORT – Shop 4, 276 Bronte Road, Waverley – Lease.

5. Confirmation and Adoption of Minutes**CM/5.1/23.05 Confirmation of Minutes - Council Meeting - 18 April 2023 (SF23/16)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That the minutes of the Council meeting held on 18 April 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

CM/5.2/23.05 Adoption of Minutes - Waverley Traffic Committee Meeting - 27 April 2023 (SF23/19)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Part 1 of the minutes of the Waverley Traffic Committee meeting held on 27 April 2023 be received and noted, and that the recommendations contained therein be adopted.

6. Mayoral Minutes

CM/6.1/23.05 Bondi Pavilion - 2023 National Trust Heritage Awards (A15/0272)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

That Council:

1. Notes that the Bondi Pavilion restoration project won the coveted National Trust Awards Judge's Choice Award, with the judges saying that the restoration was 'an absolutely brilliant project for an Australian heritage landmark'.
2. Requests the Mayor to write to:
 - (a) Tonkin Zulaikha Greer (TZG) Architects formally congratulating them for their winning restoration design, which 'aimed to protect and celebrate the heritage landmark whilst also giving locals and visitors a contemporary space that serves as an unofficial town hall' (National Trust NSW Media Release 12 May 2023).
 - (b) Buildcorp formally advising them of the TZG win and thanking them for their commitment and building excellence in realising the TZG vision so ably.
 - (c) All staff associated with the project thanking them for their commitment and professionalism in bringing this important project to completion and with such an outstanding result.
3. Undertakes a social media campaign to promote the win.

Background

The National Trust Heritage Awards is an annual celebration of outstanding practice in the field of heritage over the past year.

Many exciting projects scooped up this year's awards, from a historic Greek café to a restored 18th century gown. However, it was the spectacular Bondi Pavilion restoration by Tonkin Zulaikha Greer Architects (TZG) that caught the eyes of the judges and took out the prestigious Judge's Choice Award.

TZG aimed to protect and celebrate the heritage landmark while also giving locals and visitors a contemporary space that served as an 'unofficial town hall.'

Wolfgang Ripberger, Director of Projects at TZG, says it was a challenging project that took over seven years to complete.

'The biggest challenge when we started was to come up with an approach that would make the courtyard public rather than an enclosed space', he says.

'The original courtyard had over 1,000 changing sheds inside, so it was a private space with no connection to the park. The tricky bit was how much intervention we would need to do to the heritage building to allow for that new transformation and open it up to the park.'

As part of the restoration, more than 30,000 Spanish terracotta tiles were installed on the roof, along with 200 solar panels. The restoration also revealed old treasures, including original 1930s murals that have been restored and incorporated into the new space.

It's a thriving place in the heart of Bondi that is now enjoyed by locals and visitors. 'This is an absolutely

brilliant project for an Australian heritage landmark’, said the Heritage Award judges during the judging process. ‘It will now continue to serve local residents and visitors in a sustained and multi-purposeful way.’

CM/6.2/23.05 Local Government Excellence Awards (A02/0764)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

That Council:

1. Acknowledges the significant achievement of Council being a finalist in eight categories at the upcoming NSW Local Government Excellence Awards.
2. Congratulates all officers involved in the successful projects, and wishes them well for the award ceremony on 1 June 2023.

Background

Each year, the NSW Local Government Excellence Awards celebrate outstanding achievements and promote innovation and continuous improvement in NSW local government. Through these Awards, the excellent work being undertaken by councils has an opportunity to be showcased through the state and nationally.

The Awards aim to highlight projects that stand out from other initiatives across the State (special, different, new), with projects that are widely transferable and applicable across the sector well regarded.

It gives me great pleasure as Mayor that Council is a finalist in a total of eight categories at this year’s Awards. Council continues to ‘punch above our weight’ and lead the industry. Our community demands innovation, great public spaces, diversity and action on climate change and this demonstrates and celebrates our commitment.

Council is a finalist for the following projects:

- Bondi Pavilion Restoration and Conservation Project.
- Bondi Story Room – An innovative local heritage project co-curated with the Waverley community.
- Bondi Junction Cycleway and Streetscape Upgrade.
- Sharing Dharawal language in Waverley.
- The three-Council Regional Environment Program – A collaboration between Woollahra, Waverley and Randwick Councils.
- Float to Survive Campaign and research study.
- Waverley Innovation Roadmap 2025.
- Todd Fuller – Emerging Leader.

Congratulations to all officers involved in these projects and a special congratulations to Todd Fuller on his Emerging Leader nomination. Todd works in our Arts, Culture and Events team, and was instrumental in leading the Bondi Story Room project.

Go Team Waverley!

7. Reports

CM/7.1/23.05 Quarterly Budget Review (Q3) - March 2023 (A03/0346)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Notes that the Executive Manager, Finance, as the responsible accounting officer, advises that the projected financial position of Council is satisfactory.
2. Adopts the variations to the 2022–23 operating and capital budgets in accordance with the attachments to the report.

CM/7.2/23.05 Investment Portfolio Report - April 2023 (A03/2211)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Notes the Investment Summary Report for April 2023 attached to the report.
2. Notes that the Executive Manager, Finance, 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.

CM/7.3/23.05 Audit, Risk and Improvement Committee - Annual Report 2022 (SF23/1230)

MOTION / UNANIMOUS DECISION

Mover: Cr Murray
Seconder: Cr Wy Kanak

That Council notes the Audit, Risk and Improvement Committee's Annual Report to Council for 2022 attached to the report.

CM/7.4/23.05 Audit, Risk and Improvement Committee Meeting - Minutes - 24 November 2022 (SF23/1014)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council notes the minutes of the Audit, Risk and Improvement Committee meeting held on 24 November 2022 attached to the report.

CM/7.5/23.05 Community Engagement Policy and Strategy - Exhibition (A23/0196)**MOTION**

Mover: Cr Gray
Seconder: Cr Fabiano

That Council:

1. Publicly exhibits the draft Community Engagement Policy and Strategy attached to the report (Attachment 1) for 28 days.
2. Officers prepare a report to Council following the exhibition period.
3. Notes the Councillor Engagement Process for Capital Works Projects attached to the report (Attachment 2).

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 1.

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

UNANIMOUS DECISION

That Council:

1. Publicly exhibits the draft Community Engagement Policy and Strategy attached to the report (Attachment 1) for 28 days, subject to the following amendment:
 - (a) Page 136 of the agenda, 'Local transport and traffic matters', 'Lower impact' section – Add 'consult' to the 'Suggested engagement level' column and amend the second dot point in the 'Suggested communication' column to read as follows: 'Notification of, or consultation with, impacted stakeholders, as appropriate.'
2. Officers prepare a report to Council following the exhibition period.
3. Notes the Councillor Engagement Process for Capital Works Projects attached to the report (Attachment 2).

CM/7.6/23.05 Events Policy - Exhibition (A23/0269)**MOTION / UNANIMOUS DECISION**

Mover: Cr Lewis
Seconder: Cr Keenan

That Council:

1. Publicly exhibits the draft Events Policy attached to the report for 28 days.
2. Officers prepare a report to Council following the exhibition period.

CM/7.7/23.05**High Impact Events 2023-24 (A23/0271)****MOTION**

Mover: Cr Lewis

Seconder: Cr Keenan

That Council:

1. Approves the following program of High Impact 2 events scheduled for the period 1 July 2023 to 30 June 2024:
 - (a) Bondi Festival (including extended tenure of Ferris wheel).
 - (b) City2Surf and Beach Catering Program.
 - (c) Festival of the Winds.
 - (d) Sculpture by the Sea.
 - (e) Head On Photo Festival.
 - (f) Dudley Page New Year's Eve.
 - (g) Summer of Surf Series.
 - (h) Outdoor Cinema (Dolphin Court).
 - (i) Latin American Festival.
 - (j) Ocean Lovers Festival.
 - (k) North Bondi RSL ANZAC Day Dawn Service Ceremony.
2. Notes that all scheduled High Impact events outlined in Attachment 1 of the report are required to submit a COVID-19 Safety Plan and comply with Council's Events Policy and Event Management Guidelines.
3. Approves the event fee structure for Outdoor Cinema 2024, as set out in the report.
4. Approves the event fee for the City2Surf Marquee Beach Catering Program 2023 to be delivered by City2Surf event organisers, as set out in the report.
5. Authorises the General Manager, or delegate, to amend, finalise and execute licence agreements with event organisers as necessary and as noted in the report.

THE MOVER OF THE MOTION ACCEPTED THE ADDITION OF A NEW CLAUSE 6.

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

UNANIMOUS DECISION

That Council:

1. Approves the following program of High Impact 2 events scheduled for the period 1 July 2023 to 30 June 2024:

- (a) Bondi Festival (including extended tenure of Ferris wheel).
 - (b) City2Surf and Beach Catering Program.
 - (c) Festival of the Winds.
 - (d) Sculpture by the Sea.
 - (e) Head On Photo Festival.
 - (f) Dudley Page New Year's Eve.
 - (g) Summer of Surf Series.
 - (h) Outdoor Cinema (Dolphin Court).
 - (i) Latin American Festival.
 - (j) Ocean Lovers Festival.
 - (k) North Bondi RSL ANZAC Day Dawn Service Ceremony.
2. Notes that all scheduled High Impact events outlined in Attachment 1 of the report are required to submit a COVID-19 Safety Plan and comply with Council's Events Policy and Event Management Guidelines.
 3. Approves the event fee structure for Outdoor Cinema 2024, as set out in the report.
 4. Approves the event fee for the City2Surf Marquee Beach Catering Program 2023 to be delivered by City2Surf event organisers, as set out in the report.
 5. Authorises the General Manager, or delegate, to amend, finalise and execute licence agreements with event organisers as necessary and as noted in the report.
 6. Officers place a regularly updated table of dates for scheduled High Impact events on Council's website.

CM/7.8/23.05 Bondi Pavilion - Screenings (A23/0012)

MOTION

Mover: Cr Gray
Second: Cr Keenan

That Council:

1. Trials hosting public screenings of popular sporting, cultural and other events in the inner courtyard of Bondi Pavilion by showing the FIFA Women's World Cup in July/August 2023.
2. Officers prepare a report to Council following the trial.

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

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

UNANIMOUS DECISION

That Council:

1. Trials hosting public screenings of popular sporting, cultural and other events in the inner courtyard of Bondi Pavilion by showing the FIFA Women's World Cup in July/August 2023.
2. Officers provide an email update to Councillors prior to the event commencing.
3. Officers prepare a report to Council following the trial.

CM/7.9/23.05 Festival of Bondi Filmmakers - Financial Assistance (A23/0012)

Cr Wy Kanak declared a less than significant non-pecuniary interest in this item and informed the meeting that he knows the director of Smart St. Films through his involvement in the Bondi Beach Precinct.

MOTION

Mover: Cr Gray
Seconder: Cr Wy Kanak

That Council:

1. In accordance with section 356(2) of the *Local Government Act 1993*, publicly exhibits for 28 days the proposal to grant \$16,753 (including GST) in financial assistance to Smart St. Films Pty Ltd to support the cost of the Festival of Bondi Filmmakers.
2. Officers prepare a report to Council following the exhibition period should any submissions against the proposal be received.
3. Subject to no submissions against the proposal being received by the end of the exhibition period:
 - (a) Grants the financial assistance to Smart St. Films Pty Ltd.
 - (b) Authorises the General Manager or delegate to execute a memorandum of understanding with Smart St. Films Pty Ltd to deliver the Festival of Bondi Filmmakers.

FORESHADOWED MOTION (LAPSED)

Mover: Cr Betts

That Council defers this item until a Councillor briefing is held to establish priority projects for the Pavilion and where Council will be prepared to waive fees.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. In accordance with section 356(2) of the *Local Government Act 1993*, publicly exhibits for 28 days the proposal to grant \$16,753 (including GST) in financial assistance to Smart St. Films Pty Ltd to support the cost of the Festival of Bondi Filmmakers.

2. Officers prepare a report to Council following the exhibition period should any submissions against the proposal be received.
3. Subject to no submissions against the proposal being received by the end of the exhibition period:
 - (a) Grants the financial assistance to Smart St. Films Pty Ltd.
 - (b) Authorises the General Manager or delegate to execute a memorandum of understanding with Smart St. Films Pty Ltd to deliver the Festival of Bondi Filmmakers.

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

CM/7.10/23.05 Small Grants Program 2022-23 - Round 2 (A23/0009)

Cr Nemesh declared a less than significant non-pecuniary interest in this item and informed the meeting that he knows a number of the applicants.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council, under the Small Grants Program 2022–23 (Round 2), grants \$73,556 to the individuals and organisations as recommended in Table 1 of the report, subject to any conditions specified in Attachment 1 of the report.

CM/7.11/23.05 Access and Inclusion Advisory Panel Meeting - Minutes - 24 November 2022 (A21/0096)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council notes the minutes of the Access and Inclusion Advisory Panel meeting held on 24 November 2022 attached to the report.

CM/7.12/23.05 Voluntary Planning Agreement - 194-214 Oxford Street and 2 Nelson Street, Bondi Junction (SF21/3455)

MOTION / DECISION

Mover: Cr Masselos

Seconder: Cr Lewis

That Council:

1. Approves the planning agreement attached to the report applying to land at 194–214 Oxford Street and 2 Nelson Street, Bondi Junction, offering a total contribution of \$7.45 million, comprising a \$1.15 million in-kind contribution (a through site link and a public plaza on the development site) and a \$6.3 million cash contribution to be allocated to the items set out in schedule 1 of the planning agreement, in accordance with Council's Planning Agreement Policy.
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, Fabiano, Goltsman, Gray, Kay, Lewis, Masselos, Murray and Nemesh.

Against the Motion: Crs Keenan and Wy Kanak.

CM/7.13/23.05 Ausgrid Community Battery Pilot - Thomas Hogan Reserve - Submission (A22/0213)

MOTION / UNANIMOUS DECISION

Mover: Cr Murray

Seconder: Cr Fabiano

That Council:

1. Reconfirms its commitment to community batteries as an integral component of our pathway to net zero community emissions by 2035.
2. Notes the concerns raised by Waverley residents about the location of the proposed community battery in Thomas Hogan Reserve.
3. Looks forward to working with Ausgrid on finding an alternative suitable location.
4. Approves the submission to Ausgrid attached to the report (Attachment 1) on Ausgrid's community battery pilot at Thomas Hogan Reserve.

CM/7.14/23.05 Tamarama Kiosk - Lease - Exhibition (A23/0231)

MOTION

Mover: Cr Lewis

Seconder: Cr Fabiano

That Council:

1. In accordance with section 47A of the *Local Government Act 1993*, publicly notifies and exhibits for 28 days the proposal to grant a lease of up to five years for the Tamarama Kiosk at Tamarama Park.
2. Officers prepare a report to Council following the exhibition period should any submissions be received.
3. Subject to no submissions being received, approves in principle the granting of the lease.
4. Notes that a tender process will be undertaken to seek a lessee, with a report to be prepared to Council to grant the lease to the preferred tenderer.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO CLAUSES 2 AND 3.

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

UNANIMOUS DECISION

That Council:

1. In accordance with section 47A of the *Local Government Act 1993*, publicly notifies and exhibits for 28 days the proposal to grant a lease of up to five years for the Tamarama Kiosk at Tamarama Park.
2. Officers prepare a report to Council following the exhibition period should any submissions against the proposal be received.
3. Subject to no submissions against the proposal being received, approves in principle the granting of the lease.
4. Notes that a tender process will be undertaken to seek a lessee, with a report to be prepared to Council to grant the lease to the preferred tenderer.

8. Notices of Motion

There were no notices of motion.

9. Questions with Notice

There were no questions with notice.

10. Urgent Business

There was no urgent business.

11. Closed Session

CM/11/23.05 **Closed Session**

MOTION / UNANIMOUS DECISION

Mover: Cr Goltsman

Seconder: Cr Murray

That:

1. Council moves into closed session to deal with the matters listed below, which are classified as confidential under section 10A(2) of the *Local Government Act* for the reasons specified:

CM/11.1/23.05 CONFIDENTIAL REPORT – Monopoly – Bondi Edition

This matter is considered to be confidential in accordance with section 10A(2)(d)(i) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

CM/11.2/23.05 **CONFIDENTIAL REPORT – Boot Factory and Tamarama Surf Life Saving Club – Project Updates**

This matter is considered to be confidential in accordance with section 10A(2)(g) of the *Local Government Act*, and the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

2. Pursuant to sections 10A(1), 10(2) and 10A(3) of the *Local Government Act*, the media and public be excluded from the meeting on the basis that the business to be considered is classified as confidential under section 10A(2) of the *Local Government Act*.
3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the *Local Government Act*.

At 8.40 pm, Council moved into closed session.

CM/11.1/23.05 CONFIDENTIAL REPORT - Monopoly - Bondi Edition (A23/0246)

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis
Seconder: Cr Nemesh

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)(d)(i) of the *Local Government Act 1993*. The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Notes the report on the proposed Bondi Edition of Monopoly.
3. Does not support the officers' recommendation and does not enter into a contract with Winning Moves Australia to produce Monopoly – Bondi Edition and Bondi Top Trumps.

CM/11.2/23.05 CONFIDENTIAL REPORT - Boot Factory and Tamarama Surf Life Saving Club - Project Updates (A18/0375)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

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)(g) of the *Local Government Act 1993*. The report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

2. Approves the novation of the construction subcontracts for the Boot Factory and Tamarama Surf Life Saving Club projects to Council from Lloyd Group via the administrator, noting that Lloyd Group has entered voluntary administration.
3. Engages a construction manager under a contractor manager agreement (CMA) following a competitive request for quotation to manage the novated subcontractors for both projects.
4. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.
5. Officers prepare a project update report to Council in three months.

CM/11.3/23.05 CONFIDENTIAL REPORT - Shop 4, 276 Bronte Road, Waverley - Lease (A23/0242)

Council dealt with this item in open session.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

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)(c) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. Grants a lease to Life on the Inside Pty Ltd for Shop 4, 276 Bronte Road, Waverley, on the terms and conditions set out in Table 1 of the report.
3. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.

12. Resuming in Open Session

CM/12/23.05 Resuming in Open Session

MOTION / UNANIMOUS DECISION

Mover: Cr Murray

Seconder: Cr Lewis

That Council resumes in open session.

At 9.09 pm, Council resumed in open session.

Resolutions from closed session made public

In accordance with clause 14.21 of the Waverley Code of Meeting Practice, when the meeting resumed in open session the chair announced the resolutions made by Council while the meeting was closed to members of the public and the media.

13. Meeting Closure

THE MEETING CLOSED AT 9.12 PM.

.....
SIGNED AND CONFIRMED
MAYOR
27 JUNE 2023

CONFIRMATION AND ADOPTION OF MINUTES CM/5.2/23.06



Subject: Adoption of Minutes - Waverley Traffic Committee Meeting - 18 May 2023

TRIM No: SF23/19

Manager: Richard Coelho, Executive Manager, Governance

RECOMMENDATION:

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 18 May 2023 be received and noted, and that the recommendations contained therein be adopted.

Introduction/Background

The Waverley Traffic Committee (WTC) is a committee of Council that operates guidelines 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 - 18 May 2023 .

**MINUTES OF THE WAVERLEY TRAFFIC COMMITTEE
MEETING HELD BY VIDEO CONFERENCE ON
THURSDAY, 18 MAY 2023**



Voting Members Present:

Cr P Masselos	Waverley Council – Chair
Sgt A Leeson	NSW Police – Eastern Suburbs Police Area Command – Traffic Services
Mr P Pearce	Representing Marjorie O’Neill, MP, Member for Coogee
Mr J Tukadra	Transport for NSW – Network and Safety Officer
Ms J Zin	Representing Kellie Sloane, MP, Member for Vaucluse

Also Present:

Mr B Gidies	Transdev John Holland – Traffic and Events Manager
Ms K Lewis	Transport for NSW – Manager, Communication and Stakeholder Engagement
Mr R Sritharan	Transport for NSW – Network and Safety Officer
Cr L Fabiano	Waverley Council – Deputy Chair
Cr T Kay	Waverley Council – Deputy Chair
Mr N Zervos	Waverley Council – Executive Manager, Infrastructure Services
Mr C Hutcheson	Waverley Council – Service Manager, Traffic and Transport
Mr K Magistrado	Waverley Council – Traffic Engineer

At the commencement of proceedings at 10.03, those present were as listed above, with the exception of Mr J Tukadra who arrived at 10.15 am.

Apologies

There were no apologies.

Declarations of Interest

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

Adoption of Previous Minutes by Council - 27 April 2023

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 27 April 2023 were adopted by Council at its meeting on 16 May 2023.

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.03/23.05 Evans Street and Violet Street, Bronte – 'No Stopping' Zone.
- TC/C.04/23.05 Sandridge Street, Bondi – 'No Stopping' Zone.
- TC/C.05/23.05 7 Calga Avenue, Bronte – 'No Parking' Zone Modification.
- TC/C.06/23.05 20 Philip Street, Bondi – Mobility Parking Space.
- TC/C.07/23.05 17 Dudley Street, Bondi – Mobility Parking Space Removal.
- TC/V.01/23.05 12 New Street, Bondi – Mobility Parking Space.

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.01/23.05 40 km/h Speed Limit Changes - Bennett Street, Bondi - Rubber Speed Cushions Review (A18/0579)**

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Replaces the rubber speed cushions at 27 Bennett Street, Bondi, with a concrete speed hump.
2. Delegates authority to the Executive Manager, Infrastructure Services, to modify the design should on-site circumstances warrant changes.

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. Replaces the rubber speed cushions at 27 Bennett Street, Bondi, with a 75 mm concrete speed hump.
2. Delegates authority to the Executive Manager, Infrastructure Services, to modify the design should on-site circumstances warrant changes.

Voting members present for this item: Representative of the Member for Coogee, NSW Police representative

and Waverley Council representative (Chair).

The TfNSW representative was not present for the vote on this item.

TC/C.02/23.05 York Road, Bondi Junction - Waverley Bus Depot - 'No Stopping' Zone Review (A14/0145)

COUNCIL OFFICER'S PROPOSAL:

That Council:

1. Retains the 20 metre 'No Stopping' zone on the western side of York Road, Bondi Junction, north to the signals at the Waverley Bus Depot entrance.
2. Replaces the 50 metre section of the 'No Stopping' zone on the western side of York Road immediately north of the signals at the Depot with a 20 metre 'No Stopping' zone and a 30 metre 'No Stopping 7 am–10 am, Monday to Friday' zone, as shown in Figure 2 of the report.
3. Reduces the length of the 'No Stopping' zone on the eastern side of York Road, south of Oxford Street, from 30.5 to 17.5 metres.

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.03/23.05 Evans Street and Violet Street, Bronte - 'No Stopping' Zone (A14/0145)

COUNCIL OFFICER'S PROPOSAL:

That Council installs a 10 metre 'No Stopping' zone on the eastern side of Evans Street, Bronte, south of Violet Street.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted.

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

The TfNSW representative was not present for the vote on this item.

TC/C.04/23.05 Sandridge Street, Bondi - 'No Stopping' Zone (A14/0145)**COUNCIL OFFICER'S PROPOSAL:**

That Council installs an 18.9 metre 'No Stopping' zone on the western side of Sandridge Street, Bondi, north of Fletcher Street, as shown in Figure 2 of the report.

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 and Waverley Council representative (Chair).

The TfNSW representative was not present for the vote on this item.

TC/C.05/23.05 7 Calga Avenue, Bronte - 'No Parking' Zone Modification (A14/0145)**COUNCIL OFFICER'S PROPOSAL:**

That Council shortens the 'No Parking' zone on the western side of Calga Avenue, Bronte, by 7.5 metres.

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 and Waverley Council representative (Chair).

The TfNSW representative was not present for the vote on this item.

TC/C.06/23.05 20 Philip Street, Bondi - Mobility Parking Space (A20/0534)**COUNCIL OFFICER'S PROPOSAL:**

That Council extends the 5.3 metre 'P Disability Only' zone in front of 22 Philip Street, Bondi, to 12 metres to accommodate two mobility parking spaces.

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 and Waverley Council representative (Chair).

The TfNSW representative was not present for the vote on this item.

TC/C.07/23.05 17 Dudley Street, Bondi - Mobility Parking Space Removal (A20/0534)**COUNCIL OFFICER'S PROPOSAL:**

That Council removes the mobility parking space in front of 17 Dudley Street, Bondi.

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 and Waverley Council representative (Chair).

The TfNSW representative was not present for the vote on this item.

TC/V STATE ELECTORATE OF VAUCLUSE**TC/V.01/23.05 12 New Street, Bondi - Mobility Parking Space (A20/0534)****COUNCIL OFFICER'S PROPOSAL:**

That Council installs a 6 metre mobility parking space in front of 12 New Street, Bondi.

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 and Waverley Council representative (Chair).

The TfNSW representative was not present for the vote on this item.

TC/CV ELECTORATES OF COOGEE AND VAUCLUSE**TC/CV.01/23.05 Electric Vehicle Charging Stations - Signage Modification (A17/0477)****COUNCIL OFFICER'S PROPOSAL:**

That Council:

1. Changes the signage for the following electric vehicle charging stations located in metered parking areas from 'No Parking, Electric Vehicles Excepted Only While Charging' to 'No Parking, Electric Vehicles Excepted Only While Charging, 2P, 8 am–6 pm, Electric Vehicles Only While Charging':
 - (a) Mill Hill Centre, Spring Street, Bondi Junction.
 - (b) 2 spaces in Queen Elizabeth Drive, Bondi Beach.
 - (c) 2 spaces in Grafton Street, Bondi Junction, opposite 55 Grafton Street.

- (d) 2 spaces on the southern side of Ebley Street, Bondi Junction, adjacent Clementson Park.
 - (e) 2 spaces on the eastern side of Calga Place, Bronte, south of Macpherson Street.
2. Changes the signage for the following electric vehicle charging stations located in non-metered parking areas from 'No Parking, Electric Vehicles Excepted Only While Charging' to 'No Parking, Electric Vehicles Excepted Only While Charging, 4P, 8 am–10 pm, Electric Vehicles Only While Charging':
- (a) 2 spaces on the eastern side of Craig Avenue, Vaucluse, east of Diamond Bay Road.
 - (b) 2 spaces on the southern side of Trafalgar Street, Bronte, south of Pembroke Street.
 - (c) 2 spaces on the eastern side of Castlefield Street, Bondi, in front of 15 Castlefield Street.

WTC RECOMMENDATION (UNANIMOUS SUPPORT):

That the Council Officer's Proposal be adopted subject to amendments to clauses 1 and 2 such that the recommendation now reads as follows:

That Council:

1. Changes the signage for the following approved electric vehicle charging stations located in metered parking areas from 'No Parking, Electric Vehicles Excepted Only While Charging' to '2P, 8 am–6 pm, Electric Vehicles Only While Charging':
- (a) Mill Hill Centre, Spring Street, Bondi Junction.
 - (b) 2 spaces in Queen Elizabeth Drive, Bondi Beach.
 - (c) 2 spaces in Grafton Street, Bondi Junction, opposite 55 Grafton Street.
 - (d) 2 spaces on the southern side of Ebley Street, Bondi Junction, adjacent Clementson Park.
 - (e) 2 spaces on the eastern side of Calga Place, Bronte, south of Macpherson Street.
2. Changes the signage for the following approved electric vehicle charging stations located in non-metered parking areas from 'No Parking, Electric Vehicles Excepted Only While Charging' to '4P, 8 am–10 pm, Electric Vehicles Only While Charging':
- (a) 2 spaces on the eastern side of Craig Avenue, Vaucluse, east of Diamond Bay Road.
 - (b) 2 spaces on the southern side of Trafalgar Street, Bronte, south of Pembroke Street.
 - (c) 2 spaces on the eastern side of Castlefield Street, Bondi, in front of 15 Castlefield Street.

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

THE MEETING CLOSED AT 10.21 AM.

.....
SIGNED AND CONFIRMED
MAYOR
27 JUNE 2023

:

MAYORAL MINUTES CM/6/23.06

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/7.1/23.06

Subject: Pricing Policy, Fees and Charges 2023-24, Budget and Long Term Financial Plan 6.1 - Adoption

TRIM No: SF22/3751

Manager: Teena Su, Executive Manager, Finance
Yvette Yao, Management and Systems Co-ordinator

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council:

1. Adopts the Pricing Policy, Fees and Charges 2023–24 attached to the report (Attachment 2).
2. Adopts the budget for 2023-24 attached to the report (Attachment 3).
3. Adopts the Long Term Financial Plan (LTFP) 6.1 attached to the report (Attachment 4), noting that the LTFP will be reviewed annually in line with the Operational Plan and annual budget development.

1. Executive Summary

For the 2023-24 financial year Council is forecasting a balanced budget, a positive 0% operating performance ratio, and a balanced Long Term Financial Plan (LTFP 6.1) for 11 years to 2033-34.

The LTFP 6.1 has been reviewed carefully to deliver on community expectations and the Council's priorities. The Council has forecasted sufficient income and reserve funds to implement the LTFP 6.1 program of works.

2. Introduction/Background

The draft Pricing Policy, Fees and Charges 2023-24, Budget and draft Long Term Financial Plan (LTFP 6.1) reported at the April 2023 Council meeting were publicly exhibited for 28 days finishing on 21 May 2023.

At the close of the public exhibition period, four comments were received from the public on the Pricing Policy, Fees and Charges, Operational Plan (including the Budget) and the LTFP 6.1. The external submissions did not change the Pricing Policy, Budget or LTFP 6.1. However, a number of internal amendments and submissions from Council officers were received to incorporate legislative fee setting and other new information, which have had a material impact on the April draft budget estimates, including the Emergency Services Levy, workers compensation, the new Award salary increases etc. Refer to Attachment 1 for detail.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 18 April 2023	CM/7.2/23.04	<p>That Council:</p> <ol style="list-style-type: none"> Publicly exhibits for 28 days the draft Pricing Policy, Fees and Charges 2023–24, draft Budget and draft Long Term Financial Plan 6.1 attached to the report, subject to the following amendment: <ol style="list-style-type: none"> The Capital Works Long Term Financial Plan be expanded to include the Capital Works Program Schedule as part of the exhibition documentation, excluding project level dollar figures. Notes that the Long Term Financial Plan (LTFP) 6.1: <ol style="list-style-type: none"> Will be reviewed annually in line with the Operational Plan and Annual Budget development. Sets out the projects and initiatives that Council intends to invest in and the associated resource requirements for the next 11 years. It considers and utilises a range of options for achieving balanced budgets over the life of LTFP 6.1 likely including realising efficiencies and cost reductions within Council operations, applying reserve funds earlier than forecast in LTFP 6.1, reducing or rescheduling the capital expenditure program and increasing revenue to fund specific programs and initiatives. Authorises the General Manager to make any necessary editorial and content changes to the draft Pricing Policy, Fees and Charges 2023–24, Budget and LTFP for public exhibition to give effect to Council's resolution. Officers prepare a report to Council following the exhibition period.

4. Discussion

Pricing Policy, Fees and Charges 2023-24 (Attachment 2)

Four submissions from the community were received: two were related to children's services fees increases; one was related to the first residential parking permit; and one was an acknowledgement that the fees and charges appear appropriate.

Staff reviewed and assessed the external submissions, and recommended the following in response to the community feedback:

- Maintain the draft children's services fee structure.

- Maintain the resident parking permit scheme. It is noted that the scheme will be reviewed in the following financial year 2024–25.

Five internal submissions were received in response to legislative changes. These changes are not anticipated to materially change the budget, as the draft Budget has factored in some Consumer Price Index (CPI) increases.

Legislative fees in the Pricing Policy, Fees and Charges are updated upon the Office of Local Government's (OLG) announcement. Assessment of the budget implications as a result of these announcements will be assessed in the budget reviews process.

Budget 2023-24 (Attachment 3)

Thirty-one internal submissions from Council officers were received, primarily from the 2022-23 Q3 budget review process, OLG announcements on legislative fees and charges, State Emergency Services Levy, workers compensation premium, and other new information that has a material impact on the April draft Budget estimates. Refer to Attachment 1 for further details.

After incorporating the budget submissions, the revised draft budget projects an operating income of \$150.8m and an operating expenditure before depreciation of \$131.3m for an operating result of \$19.5m. It also projects capital income of \$12.3m and capital expenses of \$42.6m (Capital Works Program at \$37.6m and other capital expense at \$4.9m). A \$11.2m reserve fund will be applied to fund the 2023-24 program.

The following table provides a high-level comparison between the revised draft budget and the original draft budget.

Table 1. Revised Budget compared to the original draft Budget.

Council Budget Statement - \$'000	Revised Draft Budget 2023/24 June 2023	Original Draft Budget 2023/24 April 2023	\$ change on Draft Budget 2023/24	% change on Draft Budget 2023/24
Operating Revenue				
Grants Subsidies & Contributions - Operational	5,705	5,705	(0)	(0.0%)
Investment Income	2,762	1,898	864	45.5%
Other Revenues	22,451	22,474	(23)	(0.1%)
Rates & Annual Charges	71,355	71,355	(0)	(0.0%)
User Charges	48,552	48,562	(10)	(0.0%)
Total Operating Revenue	150,825	149,994	831	0.6%
Operating Expense				
Borrowing Expenses	(40)	(40)	0	-
Employee Costs	(76,273)	(76,606)	333	(0.4%)
Materials & Contracts	(29,186)	(29,152)	(34)	0.1%
Operating Expenses	(24,703)	(23,573)	(1,130)	4.8%
Rates & Annual Charges	(1,123)	(1,123)	0	(0.0%)
Total Operating Expense	(131,325)	(130,494)	(831)	0.6%
Operating Surplus (incl. Depreciation)	(0)	0	(0)	-
Operating Surplus (ex. Depreciation)	19,500	19,500	(0)	(0.0%)
Capital Income				
Grants Subsidies & Contributions - Capital	11,147	12,397	(1,250)	(10.1%)
Net gains from the disposal of assets	1,154	881	273	31.0%
Capital Income Total	12,301	13,278	(977)	(7.4%)
Capital Expense				
Capital Purchases	(4,912)	(3,151)	(1,761)	55.9%
Capital Works Program	(37,640)	(37,640)	0	-
Capital Expense Total	(42,552)	(40,791)	(1,761)	4.3%
Net Capital Income/(Expense)	(30,251)	(27,513)	(2,738)	10.0%
Loan Repayment	(472)	(472)	0	-
Total Net Revenue/(Expense)	(11,223)	(8,485)	(2,738)	32.3%
Reserve transfer (to)/from	11,223	8,485	2,738	32.3%
Net Budget Surplus/(Deficit)	-	-	-	-

Note: depreciation is excluded from the above budget figure.

Operational budget

Compared to the April 2023 original draft budget, operating income has increased by \$831k:

- Increased by \$864k from interest on investment, offset slightly by reduction in other revenues and user charges due to delay in the opening of Mill Hill Boot Factory.

Operating expenses increased by \$831k:

- Decreased by \$332k from workers compensation based on the updated StateCover's premium estimate.
- Increased by \$120k from Sydney Region Development Fund (SRDF) levies to reflect the legislated 3.5% CPI adjustment.
- Increased by \$426k for the NSW State Emergency Services Levy (\$186k increase for NSW State Emergency Services Levy and \$240k increase for Fire and Rescue levy).
- Increased by \$583k in general expenses to manage potential variations and undertake agile and resilience activities that may arise during the year.

Fleet Replacement Program

The Q3 deferrals and ongoing supply chain disruptions were considered. The revised Fleet Replacement Program now reflects what is possible to deliver in FY 2023-24. Overall, there is a budget increase of \$1.8m, as illustrated in the following table.

Table 2. Revised Fleet Replacement Program compared to the original draft Fleet Replacement Program.

Fleet Categories	Revised Draft Budget 2023/24 Jun 2023 Qty	Original Draft Budget 2023/24 Apr 2023 Qty	Revised Draft Budget 2023/24 Jun 2023 \$	Original Draft Budget 2023/24 Apr 2023 \$	\$ change on original
Light Commercial	17	6	\$ 679,443	\$ 246,350	\$ 433,093
Passenger Vehicle	13	27	\$ 550,474	\$ 1,229,874	-\$ 679,400
Specialised Equipment	21	21	\$ 1,439,391	\$ 496,728	\$ 942,663
Truck Fleet	7	3	\$ 1,991,316	\$ 937,000	\$ 1,054,316
Small Plant	1		\$ 10,000		\$ 10,000
TOTAL	59	57	\$ 4,670,624	\$ 2,909,952	\$ 1,760,672

The following table indicates 29 items will be ordered during FY 2023-24 but are anticipated to be delivered in the following financial year 2024-25. Hence, no budget requirement for FY 2023-24. We will amend the budget during the quarterly reviews if delivery is earlier than anticipated.

Table 3. Fleet Replacement Program.

Fleet Categories	Proposed items to be ordered in 2023/24 Qty	Proposed items to be ordered in 2023/24 \$
Light Commercial	1	\$ 39,422
Passenger Vehicle	23	\$ 1,061,874
Specialised Equipment	5	\$ 36,779
TOTAL	29	\$ 1,138,075

Capital Works Program

There is no change in total capital expenses after considering the Q3 projects deferral and reassessment of 2023-24 program delivery timelines. The following table summarises the proposed amendments to the original draft capital works program for 2023-24.

Table 4. Revised Capital Works Program budget compared to the original draft Program budget

Capital Works Program - \$'000	Revised Draft Budget June 2023	Original Draft Budget April 2023	Change on Original Draft
Building Infrastructure	10,636	10,700	(64)
Living Infrastructure	1,082	1,082	
Public Domain Infrastructure	8,923	9,353	(430)
Recreational & Public Spaces Infrastructure	2,771	2,726	45
Road Infrastructure	13,699	13,250	449
Sustainability Infrastructure	530	530	
Total	37,640	37,640	

Reserve balance

\$100.1m is the projected balance for 30 June 2024, \$2.7m higher compared to the draft Budget presented to the April 2023 Council meeting. This is predominantly due to the 2022-23 Q3 budget review; using reserves for capital works; plant replacement programs deferrals and the reassessment of these programs' delivery timeframes.

Conclusion on 2023-24 Budget

In conclusion, the overall changes propose no net change to the budget bottom line and maintains the operating performance ratio at 0% for FY2023-24.

The figure below illustrates the allocations of Council's income and expenditure.

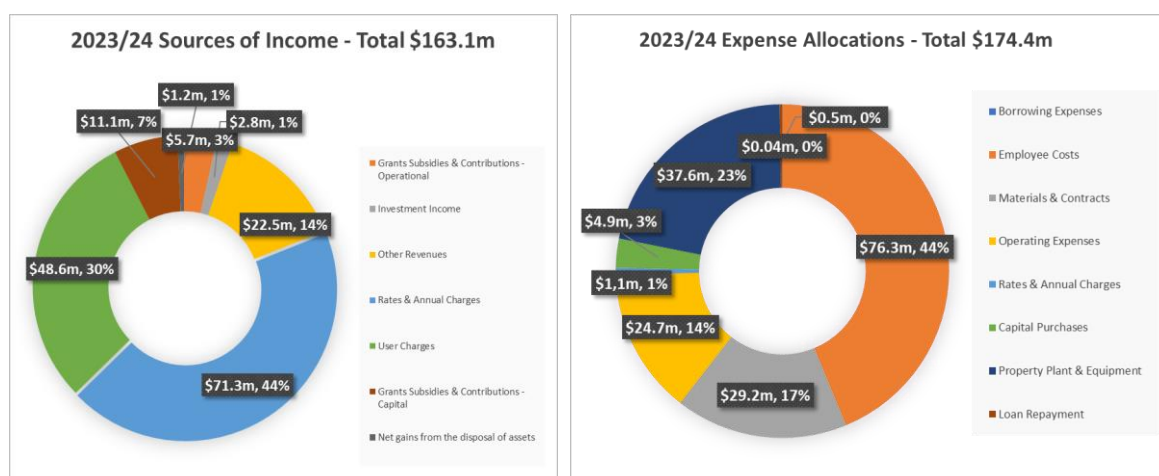


Figure 1. Income and expenditure.

Long Term Financial Plan (LTFP 6.1) (Attachment 4)

The flow-on effect from 2022-23 Q3 review, the 2023-24 budget changes and LTFP capital works program have been assessed and incorporated in the revised LTFP 6.1 forecasts.

The following table compares the revised LTFP 6.1 forecasts to the original draft forecasts presented at the April 2023 council meeting.

Table 5. LTFP 6.1 forecasts (\$'000).

Budget Statement	Revised LTFP 6.1 June 2023	Draft LTFP 6.1 April 2023	Changes
Total Income	2,060,980	2,058,654	2,327
Expense	(1,651,649)	(1,653,239)	1,590
Capital Works	(424,832)	(420,275)	(4,557)
Total Expenses	(2,076,481)	(2,073,514)	(2,967)
Loan Principle Payment	(1,581)	(1,581)	0
Reserve	17,081	16,441	640
Net Result	(0)	(0)	0
Balance Sheet			
NET ASSETS	1,582,852	1,573,920	8,932
Total Cash & Investment Securities	105,405	98,143	7,262
Reserve Balance	94,795	87,440	7,355

Internal borrowing schedule

The revised LTFP 6.1 forecasts a balanced budget for every individual year throughout this planning period to 2033-34. In some years of the LTFP 6.1 period, as previously advised, we will require additional funds to balance the budget, particularly while implementing the ICT Modernisation Project and significant Capital Works Program investment. The revised internal borrowing from the Bonds and Deposits Reserve to bridge the funding shortfall reduced by \$2.8m to \$7.9m compared to the April 2023 draft \$10.7m. These internal borrowings will be repaid immediately within the LTFP 6.1 period, as illustrated in the following table.

Table 6. Internal borrowing schedule.

Internal Borrowing from Bonds & Deposits reserve in \$:											
	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	TOTAL
Borrowed	226,695	3,135,902		1,723,532	1,238,023		1,589,063				7,913,215
Repayment			(3,362,597)			(2,594,613)		(1,956,005)			(7,913,215)
Borrowing balance	226,695	3,362,597	0	1,723,532	2,961,555	366,942	1,956,005	0	0	0	0

Council meets the OLG's operating performance ratio most of the years except for 2024-25 and 2025-26 while Council implements the ICT Modernisation Project. The revised LTFP 6.1 forecasts a cash and cash investments balance to be \$105 million and a reserve balance of \$95 million at the end of this planning period ending 30 June 2034.

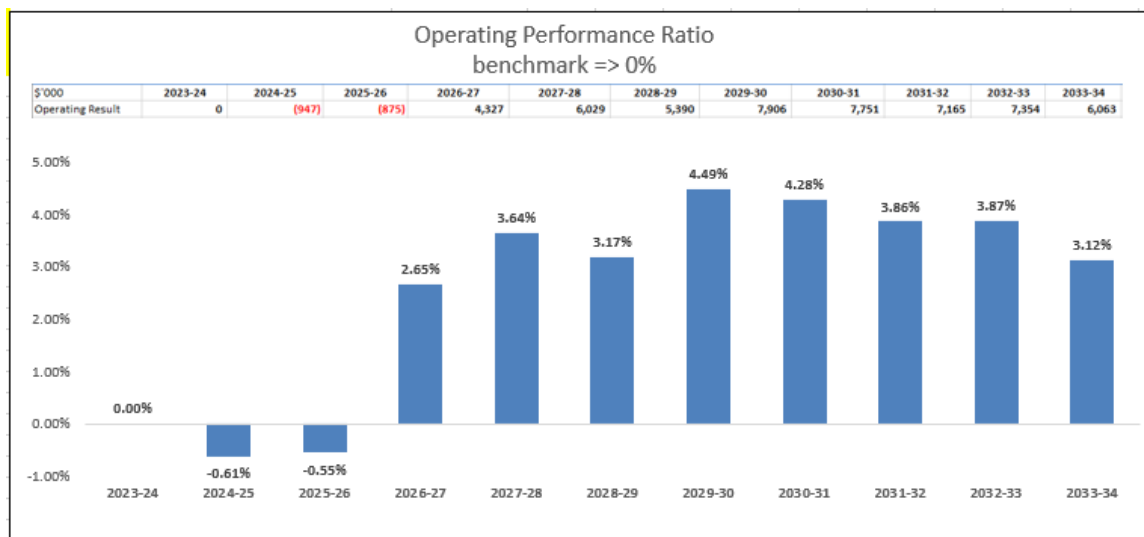


Figure 2. Operating performance ratio.

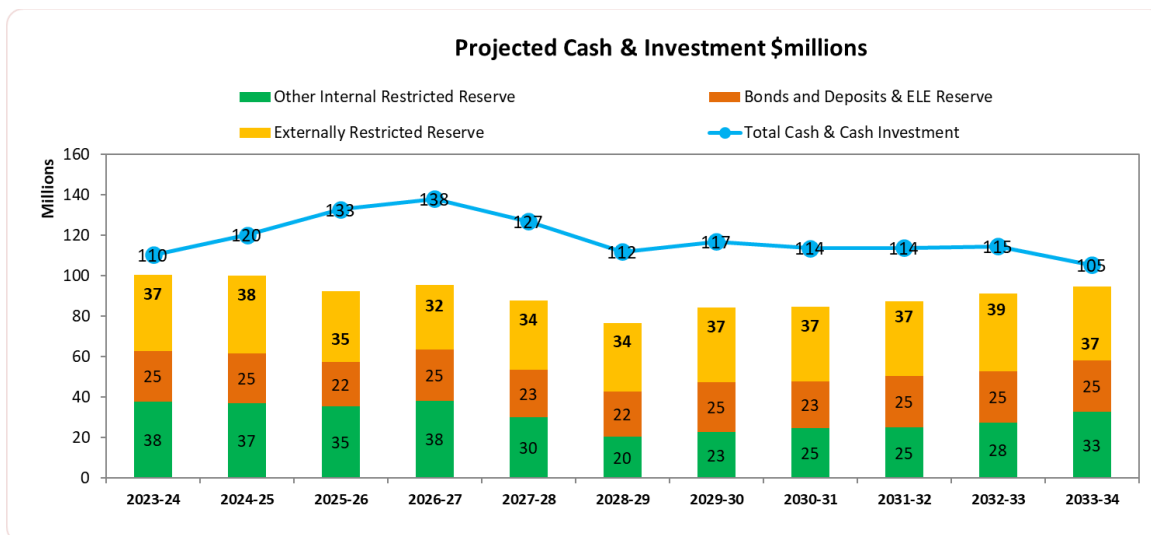


Figure 3. Projected cash and cash investment and reserves balance.

5. Financial impact statement/Time frame/Consultation

The draft Pricing Policy, Fees and Charges 2023-24, Budget and Long Term Financial Plan were publicly exhibited for 28 days for community feedback. The public exhibition closed on 21 May 2023.

Council is forecasting a balanced budget through the period until 2033-34 in supporting the current services level and Council's key strategic priorities.

6. Conclusion

This report is seeking approval of the Pricing Policy, Fees and Charges 2023-24, Budget 2023-24 and Long Term Financial Plan 6.1 (2023-2033), considering submissions received during the public exhibition period.

7. Attachments

1. Submissions (under separate cover)
2. Pricing Policy, Fees and Charges 2023-24 (under separate cover)
3. Budget 2023-24 (under separate cover)
4. Long Term Financial Plan (LTFP 6.1) 2023-33 (under separate cover) .

REPORT CM/7.2/23.06



Subject: Operational Plan 2023-24 including Budget and Statement of Revenue Policy - Adoption

TRIM No: A22/0557

Manager: Meredith Graham, Executive Manager, Organisational Strategy and Improvement

Director: Emily Scott, General Manager

RECOMMENDATION:

That Council:

1. Adopts the Operational Plan 2023–24, incorporating the Budget and Statement of Revenue Policy, attached to the report, including:
 - (a) The rating structure for 2023–24 contained on page 83 of the Operational Plan 2023–24. In accordance with sections 497, 516, 518, 529(2)(d), 534, 535 and 548(3) of the *Local Government Act 1993* (the Act), it is proposed that the following rates and charges be set for every parcel of rateable land within the local government area for the period 1 July 2023 to 30 June 2024:
 - (i) An ordinary rate of 0.076000 cents in the dollar subject to a minimum rate in accordance with section 548(3) of the Act per assessment on all rateable land categorised Residential in accordance with section 516 of the Act and sub-categorised Ordinary in accordance with section 529(2)(b) of the Act.
 - (ii) An ordinary rate of 0.385566 cents in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub-categorised Ordinary in accordance with section 529(2)(d) of the Act.
 - (iii) An ordinary rate of 0.784942 cents in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub-categorised Bondi Junction in accordance with section 529(2)(d) of the Act.
 - (c) The Domestic Waste Management Service Charge being set at \$616 per service per annum for the financial year 2023–24 in accordance with section 496 of the Act.
 - (e) The Stormwater Management Service Charge contained on page 86 of the Operational Plan 2023–24 in accordance with section 496A of the Act for the financial year 2023–24 as follows:

Stormwater Management Service Charge		
Category	Unit	Fee or charge (\$)
Residential property	per property	25.00
Residential strata property	per property	12.50
Business property	per 350 m2 (or part thereof)	25.00
Business strata property	per 350 m2 (or part thereof) levied	25.00

	equally to strata unit entitlement with a minimum of \$5	
--	--	--

2. Authorises the General Manager to make any necessary editorial and content changes to the Operational Plan and Budget in order to give effect to Council's resolution and to update data for performance measures where baseline data is not currently available.

1. Executive Summary

This report is seeking Council to adopt the Operational Plan 2023–24 (including the Budget and Statement of Revenue Policy), Domestic Waste Management Service Charge and Stormwater Management Service Charge, considering submissions received during the public exhibition period. Budget submissions are discussed as part of the Budget report. Only one external submission and two internal submissions were received on the operational activity section.

2. Introduction/Background

The Integrated Planning and Reporting (IP&R) Framework consists of an inter-related hierarchy of plans which aims to ensure a more sustainable local government sector. Council has in place a hierarchy of integrated plans consisting of a Community Strategic Plan (Community Strategic Plan 2022–2032), a Delivery Program (Delivery Program 2022–26) and an Operational Plan.

Every year, Council is required to develop an Operational Plan (which is a sub-plan of the Delivery Program) setting out the specific activities (services and projects) it will undertake in that year. Council is also required to prepare an annual budget and update its Long Term Financial Plan.

The Operational Plan 2023–24 sets out the key activities (deliverables), actions, budgets and performance measures Council will employ during the 2023–24 financial year. The Operational Plan includes the Stormwater Management Service charge and the Statement of Revenue Policy, which sets out Council's rating policy. Accompanying this plan is the proposed Pricing Policy, Fees and Charges 2023–24, which sets out the fees and charges Council is proposing to levy over the coming financial year. This document will be discussed in a separate report.

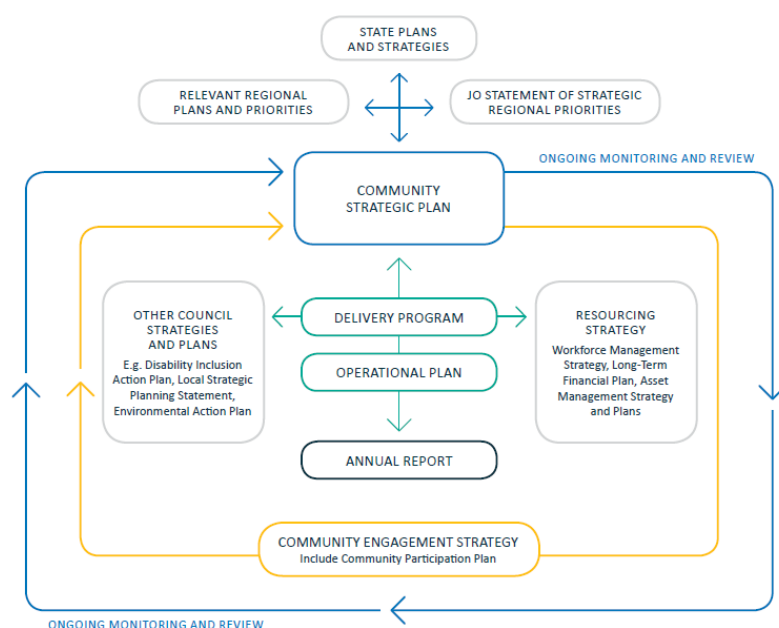


Figure 1. Integrated planning and reporting framework.

The Integrated Planning and Reporting suite of documents including the Operational Plan were placed on public exhibition for a period of 28 days from 24 April 2023 to 21 May 2023.

3. Relevant Council Resolutions

Meeting Date	Item No.	Resolution									
Council 18 April 2023	CM/7.1/23.04	<p>That Council:</p> <ol style="list-style-type: none"> 1. Publicly exhibits for 28 days: <ol style="list-style-type: none"> (a) The draft Operational Plan 2023–24, including the Budget and Statement of Revenue Policy, attached to the report. (b) The rating structure for 2023–24 contained on page 80 of the draft Operational Plan 2023–24. In accordance with sections 497, 516, 518, 529 (2)(d), 534, 535 and 548(3) of the <i>Local Government Act 1993</i> (the Act), it is proposed that the following rates and charges be set for every parcel of rateable land within the local government area for the period 1 July 2023 to 30 June 2024: <ol style="list-style-type: none"> (i) An ordinary rate of 0.076000 cents in the dollar subject to a minimum rate in accordance with section 548(3) of the Act per assessment on all rateable land categorised Residential in accordance with section 516 of the Act and sub-categorised Ordinary in accordance with section 529(2)(b) of the Act. (ii) An ordinary rate of 0.385566 cents in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub-categorised Ordinary in accordance with section 529 (2)(d) of the Act. (iii) An ordinary rate of 0.784942 cents in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub-categorised Bondi Junction in accordance with section 529(2)(d) of the Act (c) The Domestic Waste Management Service Charge being set at \$616 per service per annum for the financial year 2023–24 in accordance with section 496 of the Act. (e) The Stormwater Management Service Charge contained on page 83 of the draft Operational Plan 2023–24 in accordance with section 496A of the Act for the financial year 2023–24 as follows: <table border="1" data-bbox="746 1937 1444 2049"> <thead> <tr> <th colspan="3">Stormwater Management Service Charge</th></tr> <tr> <th>Category</th><th>Unit</th><th>Fee or charge (\$)</th></tr> </thead> <tbody> <tr> <td> </td><td> </td><td> </td></tr> </tbody> </table> 	Stormwater Management Service Charge			Category	Unit	Fee or charge (\$)			
Stormwater Management Service Charge											
Category	Unit	Fee or charge (\$)									

			Residential property	per property	25.00
			Residential strata property	per property	12.50
			Business property	per 350 m2 (or part thereof)	25.00
			Business strata property	per 350 m2 (or part thereof) levied equally to strata unit entitlement with a minimum of \$5	25.00
			2. Authorises the General Manager to make any necessary editorial and content changes to the draft Operational Plan and Budget for public exhibition in order to give effect to Council's resolution.		
			3. Officers prepare a report to Council following the exhibition period.		

4. Discussion

Operational Plan

In accordance with section 406 of the *Local Government Act 1993*, the Office of Local Government (OLG) has published Guidelines and a Manual to support the administration of integrated planning and reporting. The Community Strategic Plan 2022-2032, the Delivery Program 2022-2026 and the Operational Plan 2023-24 were developed in accordance with the OLG Guidelines and Manual.

The Operational Plan has a one-year time frame. The OLG suggests that the Operational Plan be defined as a sub-plan of the Delivery Program that spells out the 'actions' to be undertaken in a particular year.

The IPR manual also requires that actions identified in the Delivery Program be carried through to the Operational Plan. Our Operational Plan carries forward the four-year actions from our Delivery Program and includes the action required to 'deliver' on stated targets and commitments. The Operational Plan is also required to include a budget for the year as well as our Statement of Revenue Policy. This includes our rating information as well as the Pricing policy, Fees and Charges (discussed separately).

Public exhibition – 24 April 2023 to 21 May 2023

During the public exhibition period, advertisements were placed in the *Wentworth Courier*, notifications were sent to Precincts informing them about the exhibition, feedback options were made available through the Have your Say section of the website, and Facebook and Twitter updates on exhibition were posted.

Of the three submissions received during the public exhibition period on the Operational Plan section, one was external and two were internal.

Table 1. Submissions.

Nature of submission	Submission details	Staff response
External	Operational Plan is comprehensive	Noted
Internal	<p>Performance measure target data for the following indicators are now available.</p> <ol style="list-style-type: none"> 1. Road renewed/treated program (m2) – 15,000 m2 (June 2024 target) 2. Footpath renewed (m2) – 5,000m2 (June 2024 target) 	At the time of public exhibition, these datasets were not available. They are now included in the document on page 52. The baseline data will be generated as part of the capitalisation process in August 2023. The baseline data will be updated based on actual data.
Internal	Staff Training Plan is to be incorporated into the Operational Plan	In the April public exhibition version of the Operational Plan, it was stated that the Staff Training Plan will be included following Consultative Committee engagement. The Consultative Committee was engaged in June 2023 and the finalised Plan is now included on page 69

Budget-related submissions are addressed in the separate report on the Budget.

5. Financial impact statement/Time frame/Consultation

The key deliverables, projects and activities in the Operational Plan 2023-24 are costed in the Budget 2023-24 and Long Term Financial Plan (LTFP) 6.1.

The Operational Plan 2023-24, incorporating the Budget and Statement of Revenue Policy, was placed on public exhibition from 24 April 2023 to 21 May 2023 for a period of 28 days, as per statutory requirements. The submissions received from the community were considered by Council officers to inform the finalisation of the document. The submissions on the Budget and the other IPR documents will be discussed as part of the Budget report. The operational activity section of the Plan received one external and two internal submissions.

Time frame

- Council meeting – 18 April 2023.
 - Council approved the exhibition of the integrated planning and reporting suite of documents.
- Public exhibition – 24 April 2023 to 21 May 2023.
 - The integrated planning and reporting suite of documents was placed on public exhibition for a period of at least 28 days, as per statutory requirements.
- Council meeting – 27 June 2023.

- Council adopts the integrated planning and reporting suite of documents, as required under the Integrated Planning and Reporting framework.

6. Conclusion

This report is seeking Council adoption of the Operational Plan 2023–24, including the Budget and Statement of Revenue Policy, as required under the Integrated Planning and Reporting framework considering submissions received during the public exhibition period.

7. Attachments

1. Operational Plan 2023-24 (under separate cover) .

REPORT CM/7.3/23.06



Subject: Investment Portfolio Report - May 2023

TRIM No: A03/2211

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

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council:

1. Notes the Investment Summary Report for May 2023 attached to the report.
2. Notes that the Executive Manager, Finance, 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 the month of May 2023, Council's investment portfolio generated \$318,413 in interest.

The interest income for year to date achieved 92.19% (\$3,061,176) of the current approved budget forecast of \$3,320,445.

2. Introduction/Background

Section 212 of the *Local Government (General) Regulation 2021* 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 interest on investment budget for the 2022-23 financial year was adopted by Council at this meeting on 21 June 2022 and was set at \$955,782. The interest income was revised to \$3,320,445 in the Q3 budget review.

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

Table 1. Monthly interest income received by Council.

Table 1. Monthly interest income received by Council				
Month	Actual Monthly (\$)	Actual YTD (\$)	Tracking YTD Original Budget %	Tracking YTD Current Approved Budget %
July	101,473	101,473	7.31%	3.06%
August	125,200	226,673	16.34%	6.83%
September	291,440	518,113	37.35%	15.60%
October	253,797	771,910	55.64%	23.25%
November	234,308	1,006,218	72.53%	30.30%
December	409,540	1,415,758	102.05%	42.64%
January	297,538	1,713,295	123.49%	51.60%
February	259,480	1,972,775	142.20%	59.41%
March	444,549	2,417,324	174.24%	72.80%
April	325,709	2,743,033	197.72%	82.61%
May	318,143	3,061,176	220.65%	92.19%

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 16 May 2023	CM/7.2/23.05	<p>That Council:</p> <ol style="list-style-type: none"> Notes the Investment Summary Report for April 2023 attached to the report. Notes that the Executive Manager, Finance, 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

4. Discussion

As at 31 May 2023, Council's cash investment portfolio for the financial year, generated interest earnings of \$3,061,176 representing 92.19% of the current approved budget of \$3,320,445.

Council's investment portfolio posted a marked-to-market return of 3.18% pa for the month against the bank bill index benchmark return of 3.53% pa. Without marked-to-market influences, Council's investment portfolio yielded 4.09% pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the securities/deposits.

Over the last 12 months, Council's investment portfolio had a 3.11% return, versus the bank bill index benchmark of 2.64%.

During May, Council's portfolio had a \$3m five-month term deposit mature, which had been paying 4.06%pa. Council invested \$6m among two 11-month deposits paying an average of 5.06%pa. Council also took advantage of a newly issued senior ranked bond from a non-fossil fuel bank for its long-term portfolio,

investing \$1m in a three-year Bendigo/Adelaide Bank floating rate note paying quarterly interest of three-month Bank Bill Swap rate +1.25% pa.

As at 31 May 2023, Council's investment portfolio has a current market value of \$132,142,362, which represents a gain of \$1,272,317 on the \$130,870,045 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	\$13,206,730	\$13,206,730
Floating Rate Note	\$24,800,000	\$24,665,006
Managed Funds	\$13,863,315	\$13,863,315
Term Deposit	\$79,000,000	\$80,407,311
Total	\$130,870,045	\$132,142,362

Table 3. Portfolio value – Summary by investment (reserve) type.

Reserves	Value
External Restriction Reserves	\$ 49,610,975
Internal Restriction Reserves	\$ 74,684,534
Unrestricted fund	\$ 6,574,536
Total	\$ 130,870,045

Analysis

Attached to this report are the summaries of the investment portfolio for the month of May. These reports are prepared by Council's independent financial advisor, Prudential Investment Services Corp.

The table below compares Council's portfolio return to the bank bill index benchmark.

Table 4. Portfolio return.

Month	Portfolio return %	Ausbond BB index %	Variance %
July-22	5.31	1.45	3.86
Aug-22	1.71	1.84	-0.13
Sep-22	-0.72	1.79	-2.51
Oct-22	5.84	2.89	2.95
Nov-22	6.09	3.07	3.02
Dec-22	-0.06	2.98	-3.04
Jan-23	7.42	3.18	4.24
Feb-23	2.68	3.18	-0.50
Mar-23	4.66	3.39	1.27
Apr-23	5.21	3.77	1.44
May-23	3.18	3.53	-0.35
Average % return over the last 12 months	3.11	2.64	0.47

Council has a well-diversified portfolio invested predominantly among a range of term deposits and senior ranked floating rate notes from highly rated Australian bank issuers. Council also has exposure to growth classes, including listed property and international and domestic shares, via NSW TCorpIM's Long Term Growth Fund. It is expected that Council's portfolio will achieve above benchmark returns over the medium/long term with prudent investment selection and holding the securities for the recommended time horizons of their asset classes.

As at the end of May 2023, 72% of Council's portfolio was invested in non-fossil-fuel-lending authorised deposit-taking institutions (ADIs) and socially responsible investments, while fossil-fuel-lending ADIs (including the daily operation fund) accounted for 17% of the portfolio. The remaining 11% is invested with TCorp.

Over the period of 60 months, from June 2018 to May 2023, Council has reduced its investment in fossil-fuel-lending ADIs from 59% to 17%, as shown in Figure 1 below.

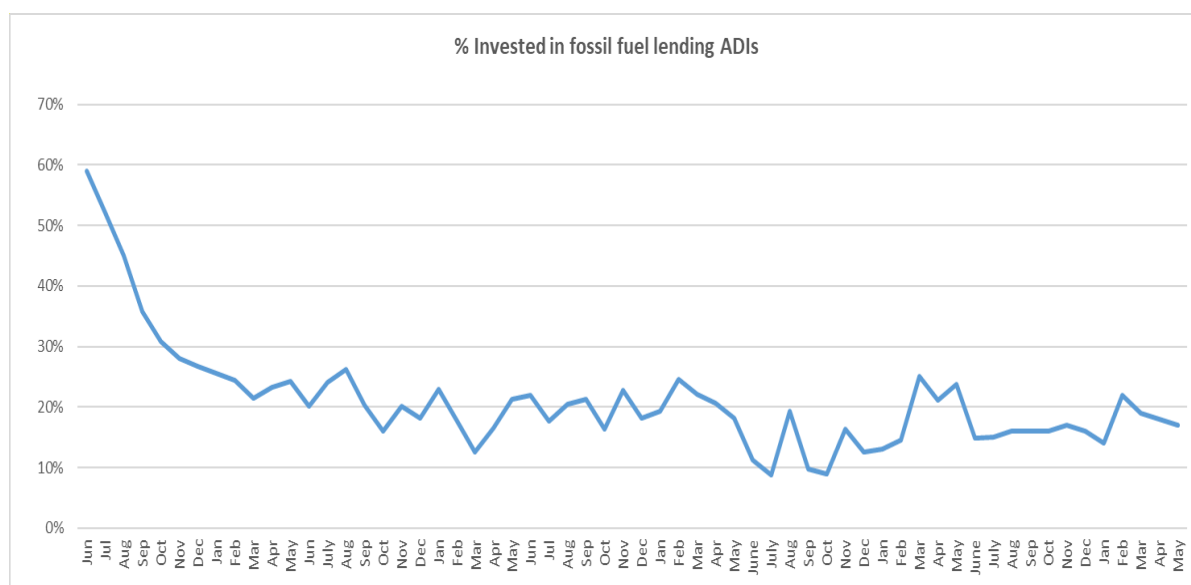


Figure 1. Investments in fossil-fuel-lending ADIs.

The following table compares rates on offer during May 2023 between the non-fossil/green investments and the fossil fuel ADIs. During May, Council invested in non-fossil/green ADIs only.

Table 5. Non-fossil fuel vs fossil fuel ADI deposit rates.

Date	Amount	Term (months)	Non-Fossil/Green Deposit Rates	Fossil Fuel ADI Deposit Rates
15-May-23	1,000,000	36	BBSW+1.25%	N/A
23-May-23	3,000,000	11	4.95%	4.85%
25-May-23	3,000,000	11	5.17%	4.97%

When excluding the working capital funds held in the Commonwealth Bank account (a fossil-fuel-lending bank) to meet day-to-day operating requirements, 80.57% of Council's investment portfolio was invested in non-fossil-fuel-lending ADIs and socially responsible investments, while fossil-fuel-lending ADIs accounted for 7.65% of the portfolio. The remaining 11.78% is invested with TCorp as displayed in Figure 2 below.

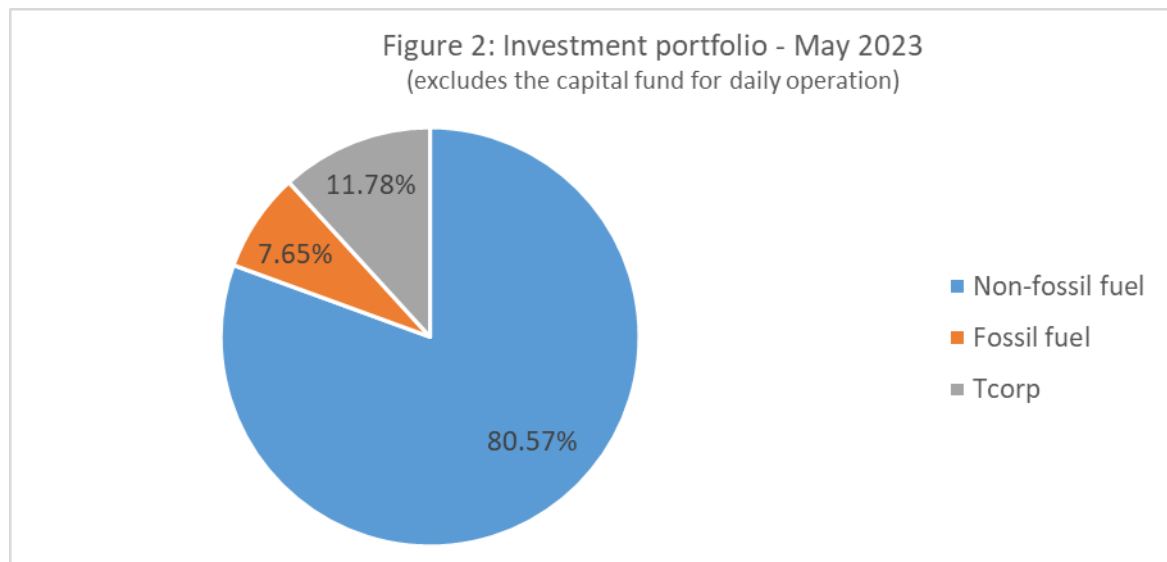


Figure 2. Investment portfolio.

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 \$3,061,176 for the year to date, representing 92.19% of the current approved budget of \$3,320,445.

7. Attachments

1. Investment Summary Report - May 23 [↓](#) .



Investment Summary Report May 2023

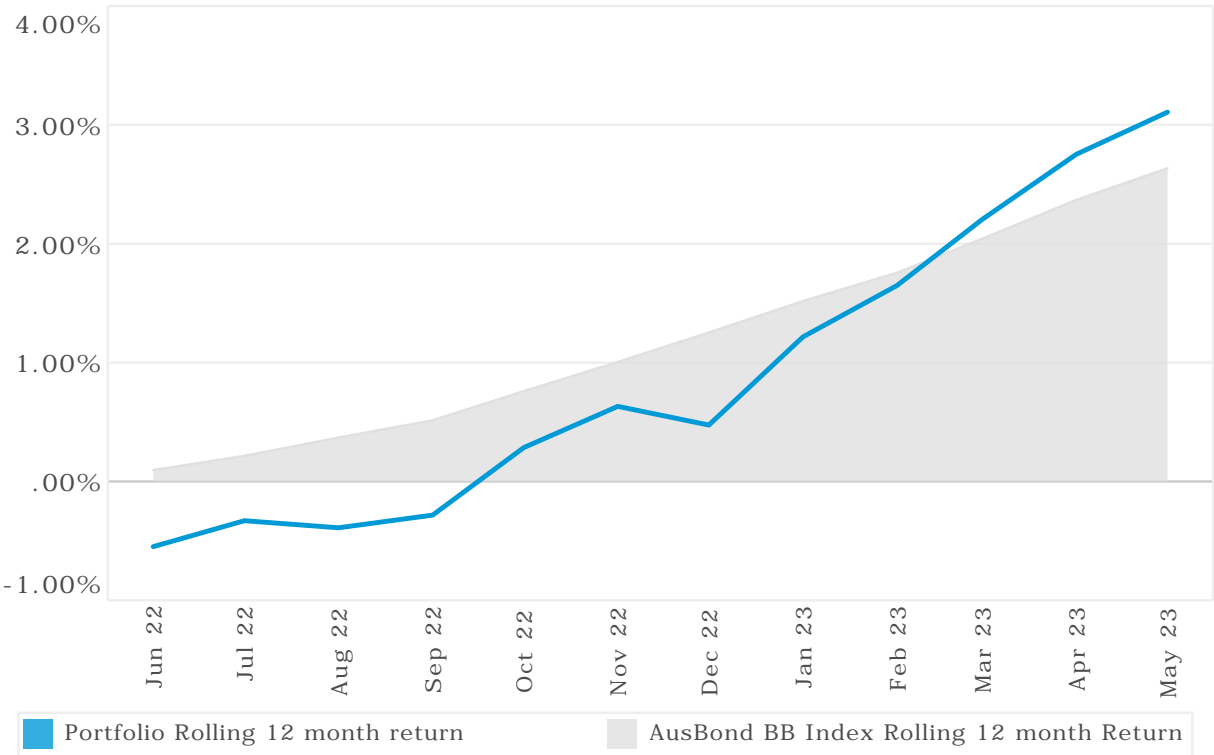
Waverley Council
Executive Summary - May 2023



Investment Holdings

Investment Performance

	Face Value (\$)	Current Value (\$)
Cash	13,206,730	13,206,730
Floating Rate Note	24,800,000	24,665,006
Managed Funds	13,863,315	13,863,315
Term Deposit	79,000,000	80,407,311
	130,870,045	132,142,362

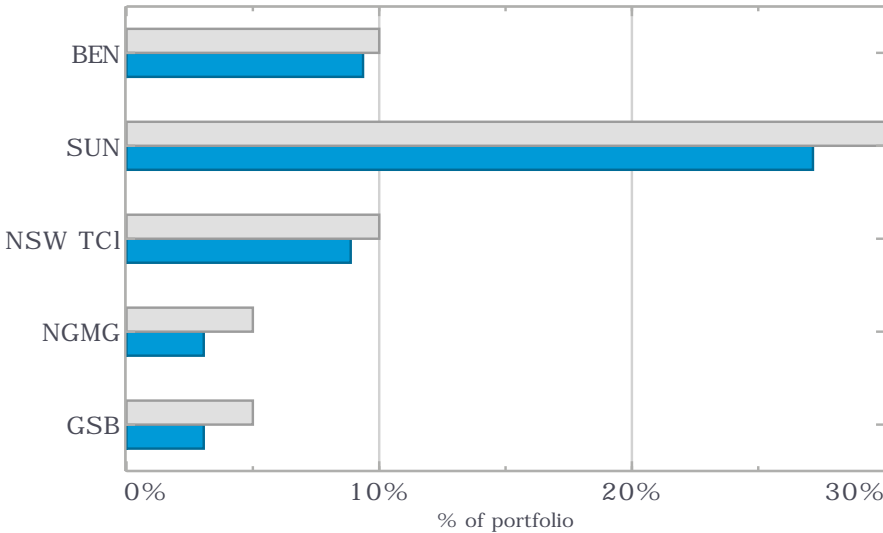
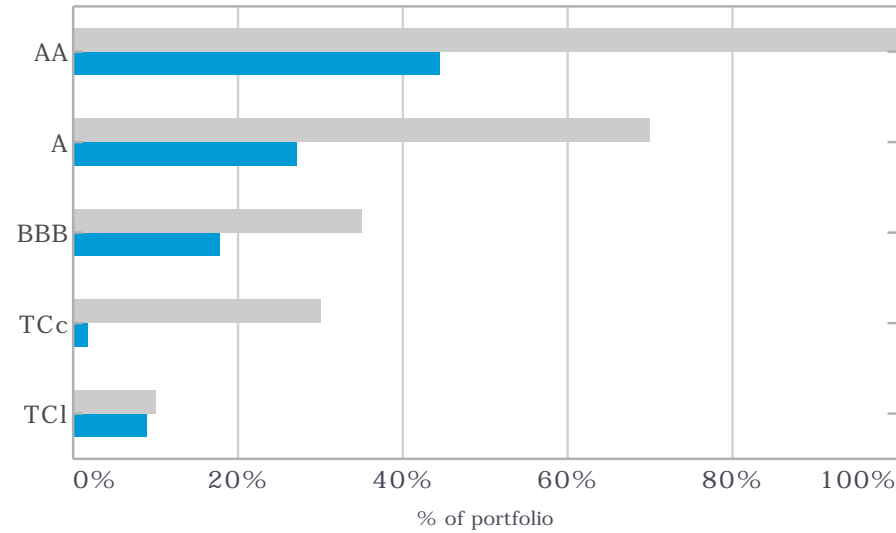


Investment Policy Compliance

Total Credit Exposure

Individual Institutional Exposures

Term to Maturities



	Face Value (\$)		Policy Max	
Between 0 and 1 years	100,070,045	76%	100%	a
Between 1 and 10 year:	30,800,000	24%	70%	a
	130,870,045			

Specific Sub Limits				
Between 3 and 10 year:	12,750,000	10%	50%	a
Between 5 and 10 year:	0	0%	25%	a

Portfolio Exposure

Investment Policy Limit

Waverley Council

Investment Holdings Report - May 2023



Cash Accounts

Face Value (\$)	Current Rate (%)	Institution	Credit Rating		Current Value (\$)	Deal No.	Reference
4,739.30	0.0000%	Commonwealth Bank of Australia	AA-		4,739.30	120800	Eastgate CP
8,160.07	0.0000%	Commonwealth Bank of Australia	AA-		8,160.07	120801	Hollywood Av CP
10,030.00	0.0000%	Commonwealth Bank of Australia	AA-		10,030.00	120796	Cemetery Funds
23,834.24	0.0000%	Commonwealth Bank of Australia	AA-		23,834.24	120795	Trust Funds
52,359.06	0.0000%	Commonwealth Bank of Australia	AA-		52,359.06	370151	Library Gift
162,311.91	0.0000%	Commonwealth Bank of Australia	AA-		162,311.91	120799	Library CP
276,589.96	0.0000%	Commonwealth Bank of Australia	AA-		276,589.96	120797	Depositor Funds
1,855,642.48	0.0000%	Commonwealth Bank of Australia	AA-		1,855,642.48	120794	General Funds
10,813,063.15	3.9500%	Commonwealth Bank of Australia	AA-		10,813,063.15	120789	24hr Call
13,206,730.17	3.2341%				13,206,730.17		

Managed Funds

Face Value (\$)	Monthly Return (%)	Institution	Credit Rating	Funds Name	Current Value (\$)	Deal No.	Reference
2,251,744.66	0.3803%	NSW T-Corp (Cash)	TCc	Short Term Income Fund	2,251,744.66	411310	Builder Deposits
11,611,570.65	-0.3040%	NSW T-Corp (LT)	TCI	Long Term Growth Fund	11,611,570.65	538089	
13,863,315.31	-0.1928%				13,863,315.31		

Term Deposits

Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
6-Jun-23	2,000,000.00	3.6500%	Bendigo and Adelaide Bank	BBB+	2,000,000.00	10-Jun-22	2,071,200.00	542860	71,200.00	At Maturity	
13-Jun-23	3,000,000.00	3.6500%	Bendigo and Adelaide Bank	BBB+	3,000,000.00	10-Jun-22	3,106,800.00	542861	106,800.00	At Maturity	
20-Jun-23	5,000,000.00	4.1500%	Commonwealth Bank of Australia	AA-	5,000,000.00	21-Jun-22	5,196,130.14	542878	196,130.14	At Maturity	ESGTD
11-Jul-23	3,000,000.00	4.4700%	Suncorp Bank	A+	3,000,000.00	10-Jan-23	3,052,170.41	543686	52,170.41	At Maturity	
18-Jul-23	2,000,000.00	4.4700%	Suncorp Bank	A+	2,000,000.00	10-Jan-23	2,034,780.27	543687	34,780.27	At Maturity	
8-Aug-23	3,000,000.00	3.9300%	Suncorp Bank	A+	3,000,000.00	10-Aug-22	3,095,289.04	543165	95,289.04	At Maturity	
15-Aug-23	3,000,000.00	3.9000%	Commonwealth Bank of Australia	AA-	3,000,000.00	15-Aug-22	3,092,958.90	543178	92,958.90	At Maturity	ESGTD

Waverley Council

Investment Holdings Report - May 2023



Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
22-Aug-23	3,000,000.00	3.9400%	Suncorp Bank	A+	3,000,000.00	18-Aug-22	3,092,940.82	543194	92,940.82	At Maturity	
23-Aug-23	3,000,000.00	3.9700%	Commonwealth Bank of Australia	AA-	3,000,000.00	23-Aug-22	3,092,016.99	543208	92,016.99	At Maturity	Green
24-Aug-23	3,000,000.00	4.0400%	Commonwealth Bank of Australia	AA-	3,000,000.00	26-Aug-22	3,092,643.29	543240	92,643.29	At Maturity	Green
5-Sep-23	3,000,000.00	3.9600%	Suncorp Bank	A+	3,000,000.00	22-Aug-22	3,092,110.68	543202	92,110.68	Annually	
19-Sep-23	3,000,000.00	4.0500%	Suncorp Bank	A+	3,000,000.00	2-Sep-22	3,030,291.78	543280	30,291.78	Quarterly	
26-Sep-23	2,000,000.00	4.1900%	Westpac Group	AA-	2,000,000.00	21-Mar-23	2,016,530.41	543947	16,530.41	At Maturity	Green
3-Oct-23	3,000,000.00	4.6200%	Westpac Group	AA-	3,000,000.00	30-Sep-22	3,023,922.74	543451	23,922.74	Quarterly	
31-Oct-23	3,000,000.00	4.6200%	Suncorp Bank	A+	3,000,000.00	28-Apr-23	3,012,910.68	544049	12,910.68	At Maturity	
7-Nov-23	3,000,000.00	4.4200%	Westpac Group	AA-	3,000,000.00	9-Nov-22	3,074,110.68	543532	74,110.68	At Maturity	Green
14-Nov-23	2,000,000.00	4.4300%	Suncorp Bank	A+	2,000,000.00	15-Nov-22	2,048,062.47	543558	48,062.47	At Maturity	
20-Feb-24	2,000,000.00	1.5800%	Westpac Group	AA-	2,000,000.00	9-Feb-22	2,001,991.23	542328	1,991.23	Quarterly	Green
5-Mar-24	4,000,000.00	1.8300%	Westpac Group	AA-	4,000,000.00	9-Mar-22	4,016,846.03	542424	16,846.03	Quarterly	Green
12-Mar-24	3,000,000.00	4.8500%	Westpac Group	AA-	3,000,000.00	3-Mar-23	3,035,876.71	543890	35,876.71	At Maturity	Green
13-Mar-24	3,000,000.00	4.8000%	Auswide Bank	Baa2	3,000,000.00	14-Mar-23	3,031,167.12	543961	31,167.12	At Maturity	
19-Mar-24	3,000,000.00	4.7200%	Suncorp Bank	A+	3,000,000.00	13-Mar-23	3,031,035.62	543932	31,035.62	At Maturity	
16-Apr-24	3,000,000.00	4.9500%	Suncorp Bank	A+	3,000,000.00	23-May-23	3,003,661.64	544113	3,661.64	At Maturity	
23-Apr-24	3,000,000.00	5.1700%	Great Southern Bank	BBB	3,000,000.00	25-May-23	3,002,974.52	544129	2,974.52	At Maturity	
1-May-24	3,000,000.00	4.4600%	Westpac Group	AA-	3,000,000.00	28-Apr-23	3,012,463.56	544048	12,463.56	At Maturity	Green
4-Sep-24	4,000,000.00	4.4000%	Westpac Group	AA-	4,000,000.00	2-Sep-22	4,043,879.45	543279	43,879.45	Quarterly	
4-Mar-25	2,000,000.00	2.0200%	Westpac Group	AA-	2,000,000.00	9-Feb-22	2,002,545.75	542329	2,545.75	Quarterly	Green
79,000,000.00		4.0748%			79,000,000.00		80,407,310.93		1,407,310.93		

Floating Rate Notes

Maturity Date	Face Value (\$)	Current Rate (%)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date	Reference
30-Jul-24	2,500,000.00	4.4581%	SUN Snr FRN (Jul24) BBSW+0.78%	A+	2,500,000.00	30-Jul-19	2,510,856.88	538331	10,381.88	31-Jul-23	
24-Oct-24	1,000,000.00	4.8032%	GSB Snr FRN (Oct24) BBSW+1.12%	BBB	1,000,000.00	24-Oct-19	1,005,770.59	538604	5,000.59	24-Jul-23	
2-Dec-25	2,250,000.00	4.1437%	BEN Snr FRN (Dec25) BBSW+0.52%	BBB+	2,250,000.00	2-Dec-20	2,242,689.45	540603	23,244.45	2-Jun-23	

Waverley Council
Investment Holdings Report - May 2023



Maturity Date	Face Value (\$)	Current Rate (%)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date	Reference
24-Feb-26	1,300,000.00	4.3730%	SUN Snr FRN (Feb26) BBSW+0.45%	A+	1,300,000.00	24-Feb-21	1,284,606.01	540958	1,246.01	24-Aug-23	
4-Mar-26	4,000,000.00	4.2625%	NPBS Snr FRN (Mar26) BBSW+0.63%	BBB	4,000,000.00	4-Mar-21	3,951,279.73	540983	40,639.73	5-Jun-23	
15-May-26	1,000,000.00	5.1459%	BEN Snr FRN (May26) BBSW+ 1.25%	BBB+	1,000,000.00	8-May-23	1,003,896.72	544084	2,396.72	15-Aug-23	
18-Jun-26	4,000,000.00	4.3385%	BEN Snr FRN (Jun26) BBSW+0.65%	BBB+	4,000,000.00	11-Jun-21	3,971,908.00	541523	34,708.00	19-Jun-23	
15-Sep-26	3,750,000.00	4.1383%	SUN Snr FRN (Sep26) BBSW+0.48%	A+	3,750,000.00	9-Sep-21	3,721,325.59	541877	33,163.09	15-Jun-23	
23-Dec-26	5,000,000.00	4.1060%	CBA Green Snr FRN (Dec26) BBSW+0.41%	AA-	5,000,000.00	21-Sep-21	4,972,672.60	541916	39,372.60	23-Jun-23	
24,800,000.00		4.2966%			24,800,000.00		24,665,005.57		190,153.07		



Waverley Council

Accrued Interest Report - May 2023



Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
Floating Rate Note									
SUN Snr FRN (Jul24) BBSW+0.78%	538331		2,500,000.00	30-Jul-19	30-Jul-24	0.00	31	9,465.83	4.46%
GSB Snr FRN (Oct24) BBSW+ 1.12%	538604		1,000,000.00	24-Oct-19	24-Oct-24	0.00	31	4,079.43	4.80%
BEN Snr FRN (Dec25) BBSW+0.52%	540603		2,250,000.00	2-Dec-20	2-Dec-25	0.00	31	7,918.44	4.14%
SUN Snr FRN (Feb26) BBSW+0.45%	540958		1,300,000.00	24-Feb-21	24-Feb-26	12,563.44	31	4,492.75	4.07%
NPBS Snr FRN (Mar26) BBSW+0.63%	540983		4,000,000.00	4-Mar-21	4-Mar-26	0.00	31	14,480.83	4.26%
BEN Snr FRN (May26) BBSW+ 1.25%	544084		1,000,000.00	15-May-23	15-May-26	0.00	17	2,396.72	5.15%
BEN Snr FRN (Jun26) BBSW+0.65%	541523		4,000,000.00	18-Jun-21	18-Jun-26	0.00	31	14,739.01	4.34%
SUN Snr FRN (Sep26) BBSW+0.48%	541877		3,750,000.00	15-Sep-21	15-Sep-26	0.00	31	13,180.20	4.14%
CBA Green Snr FRN (Dec26) BBSW+0.41%	541916		5,000,000.00	23-Sep-21	23-Dec-26	0.00	31	17,436.44	4.11%
						12,563.44		88,189.65	4.26%
Managed Funds									
NSW T-Corp Defensive Cash Funds	505262				1-Oct-22	0.00	0	0.00	
NSW T-Corp Defensive Cash Funds	411310				1-Aug-23	0.00	0	8,530.55	4.57%
						0.00		8,530.55	4.57%
Term Deposits									
Suncorp Bank	543574		3,000,000.00	22-Nov-22	2-May-23	53,725.48	1	333.70	4.06%
Bendigo and Adelaide Bank	542860		2,000,000.00	10-Jun-22	6-Jun-23	0.00	31	6,200.00	3.65%
Bendigo and Adelaide Bank	542861		3,000,000.00	10-Jun-22	13-Jun-23	0.00	31	9,300.00	3.65%
Commonwealth Bank of Australia	542878		5,000,000.00	21-Jun-22	20-Jun-23	0.00	31	17,623.29	4.15%
Suncorp Bank	543686		3,000,000.00	10-Jan-23	11-Jul-23	0.00	31	11,389.31	4.47%
Suncorp Bank	543687		2,000,000.00	10-Jan-23	18-Jul-23	0.00	31	7,592.87	4.47%
Commonwealth Bank of Australia	543178		3,000,000.00	15-Aug-22	15-Aug-23	0.00	31	9,936.98	3.90%
Commonwealth Bank of Australia	543208		3,000,000.00	23-Aug-22	23-Aug-23	0.00	31	10,115.35	3.97%
Commonwealth Bank of Australia	543240		3,000,000.00	26-Aug-22	24-Aug-23	0.00	31	10,293.70	4.04%
Suncorp Bank	543165		3,000,000.00	10-Aug-22	8-Aug-23	0.00	31	10,013.42	3.93%
Suncorp Bank	543194		3,000,000.00	18-Aug-22	22-Aug-23	0.00	31	10,038.90	3.94%

Waverley Council

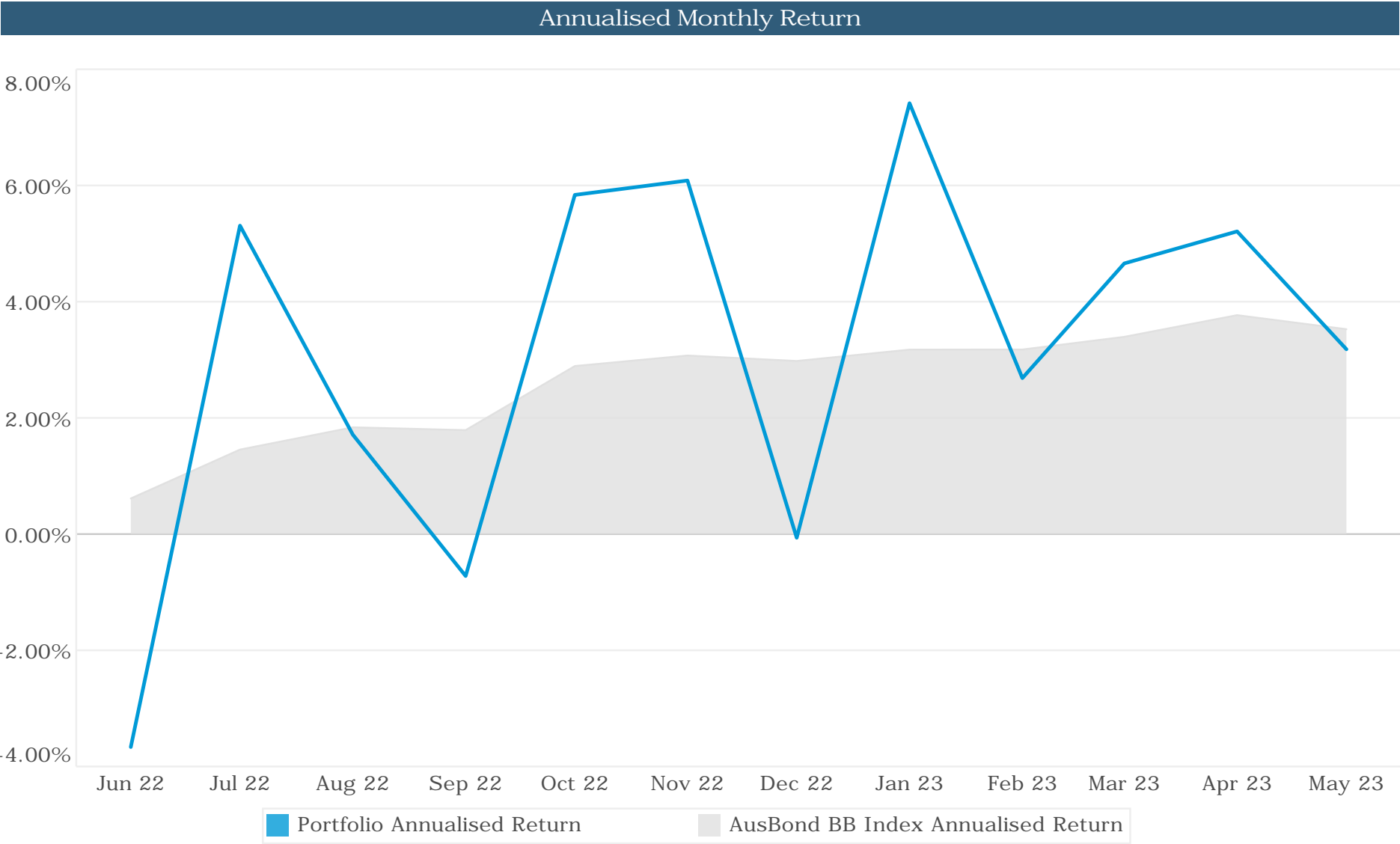
Accrued Interest Report - May 2023



Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Yield Accrued (\$)	(% pa)
Suncorp Bank	543202		3,000,000.00	22-Aug-22	5-Sep-23	0.00	31	10,089.86	3.96%
Suncorp Bank	543280		3,000,000.00	2-Sep-22	19-Sep-23	0.00	31	10,319.18	4.05%
Westpac Group	543947		2,000,000.00	21-Mar-23	26-Sep-23	0.00	31	7,117.26	4.19%
Suncorp Bank	544049		3,000,000.00	28-Apr-23	31-Oct-23	0.00	31	11,771.50	4.62%
Westpac Group	543451		3,000,000.00	30-Sep-22	3-Oct-23	0.00	31	11,771.51	4.62%
Suncorp Bank	543558		2,000,000.00	15-Nov-22	14-Nov-23	0.00	31	7,524.94	4.43%
Westpac Group	543532		3,000,000.00	9-Nov-22	7-Nov-23	0.00	31	11,261.91	4.42%
Westpac Group	542328		2,000,000.00	9-Feb-22	20-Feb-24	7,705.21	31	2,683.84	1.58%
Auswide Bank	543961		3,000,000.00	14-Mar-23	13-Mar-24	0.00	31	12,230.13	4.80%
Suncorp Bank	543932		3,000,000.00	13-Mar-23	19-Mar-24	0.00	31	12,026.30	4.72%
Westpac Group	542424		4,000,000.00	9-Mar-22	5-Mar-24	0.00	31	6,216.99	1.83%
Westpac Group	543890		3,000,000.00	3-Mar-23	12-Mar-24	0.00	31	12,357.53	4.85%
Great Southern Bank	544129		3,000,000.00	25-May-23	23-Apr-24	0.00	7	2,974.52	5.17%
Suncorp Bank	544113		3,000,000.00	23-May-23	16-Apr-24	0.00	9	3,661.64	4.95%
Westpac Group	544048		3,000,000.00	28-Apr-23	1-May-24	0.00	31	11,363.83	4.46%
Westpac Group	543279		4,000,000.00	2-Sep-22	4-Sep-24	0.00	31	14,947.94	4.40%
Westpac Group	542329		2,000,000.00	9-Feb-22	4-Mar-25	9,850.96	31	3,431.23	2.02%
						71,281.65		254,587.63	4.02%
Grand Totals						83,845.09		351,307.83	4.09%

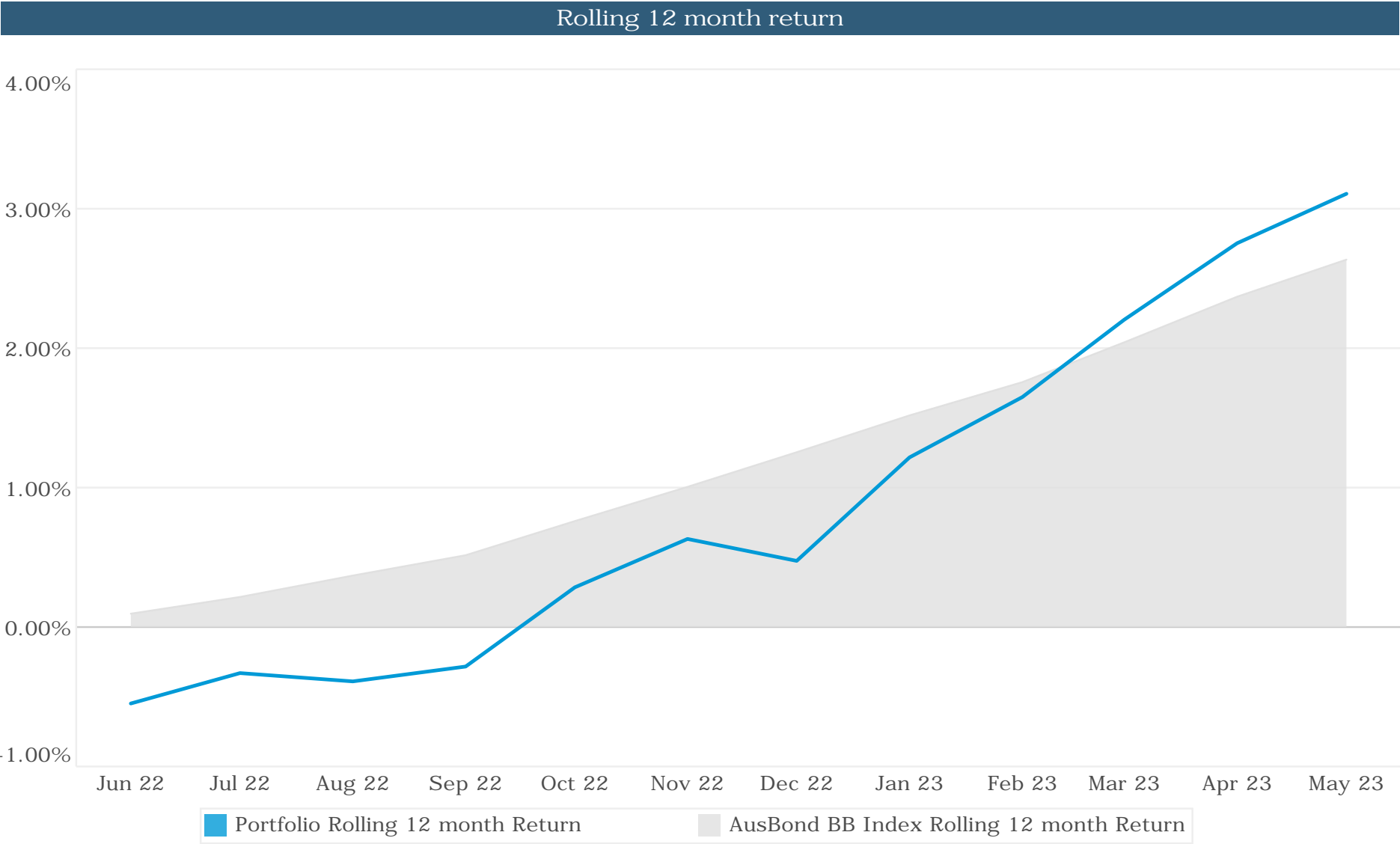
Waverley Council

Investment Performance Report - May 2023



Historical Performance Summary (% pa)			
	Portfolio	Annualised BB Index	Outperformance
May 2023	3.18%	3.53%	-0.35%
Last 3 months	4.34%	3.56%	0.78%
Last 6 months	3.83%	3.34%	0.49%
Financial Year to Date	3.74%	2.82%	0.92%
Last 12 months	3.11%	2.64%	0.47%

Waverley Council
Investment Performance Report - May 2023



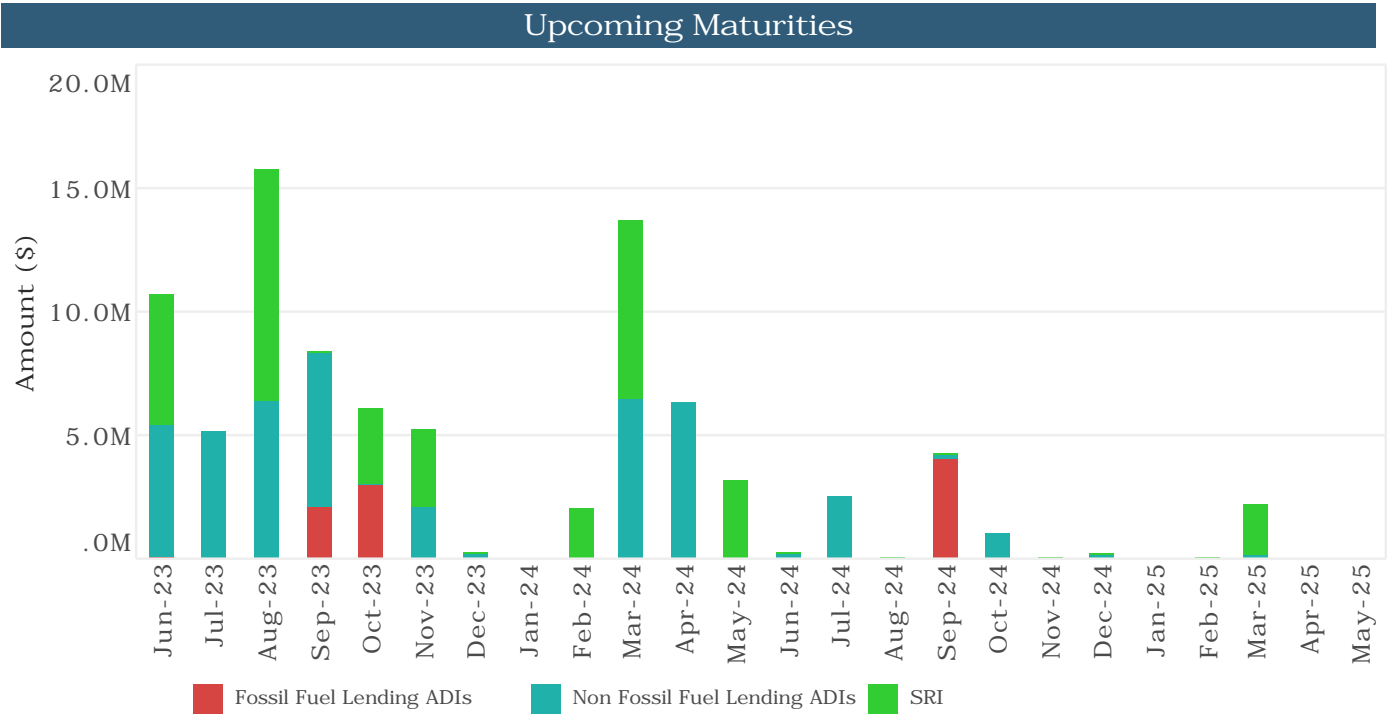
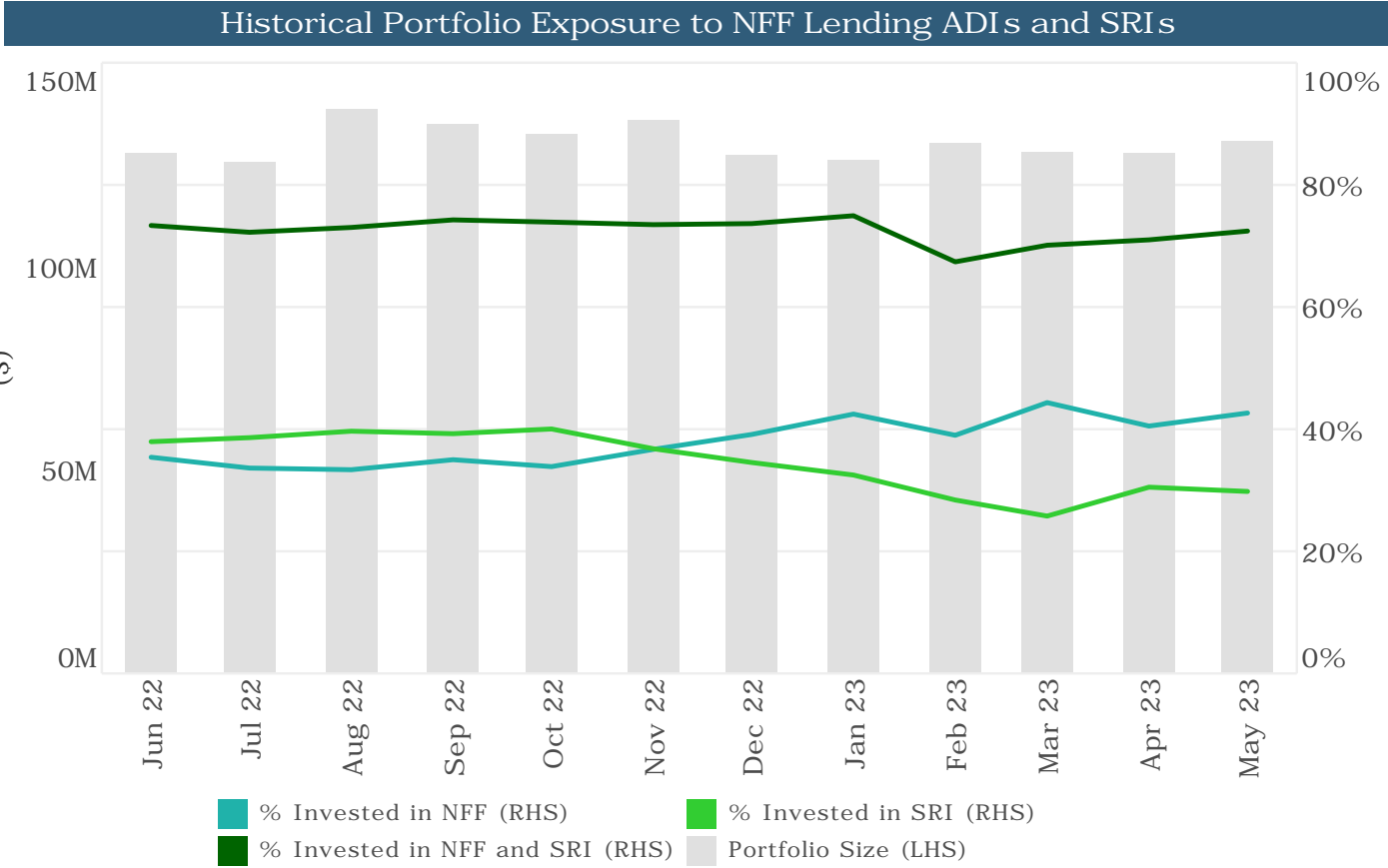
Historical Performance Summary (% actual)			
	Portfolio	Annualised BB Index	Outperformance
May 2023	0.27%	0.29%	-0.02%
Last 3 months	1.08%	0.89%	0.19%
Last 6 months	1.89%	1.65%	0.24%
Financial Year to Date	3.42%	2.58%	0.84%
Last 12 months	3.11%	2.64%	0.47%

Waverley Council
Environmental Commitments Report - May 2023

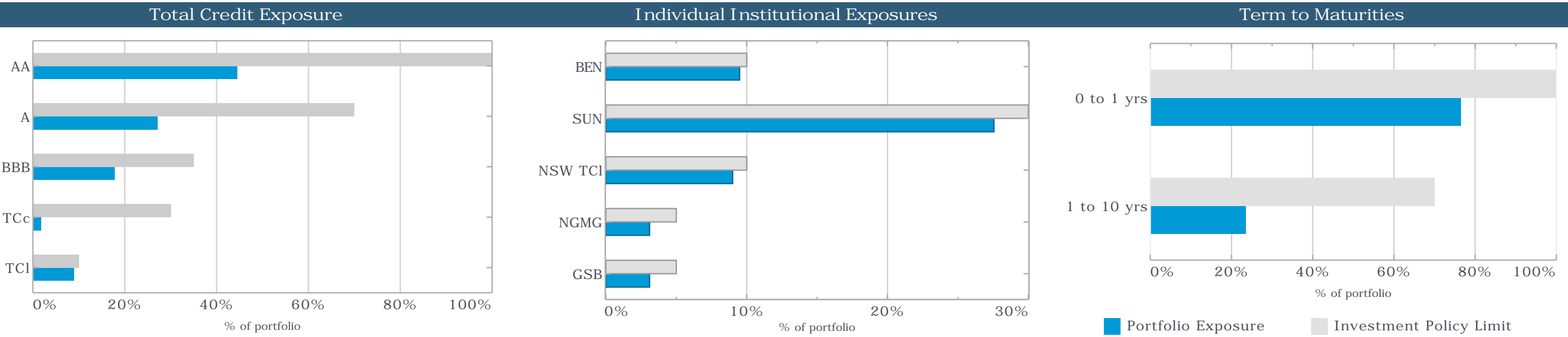


Current Breakdown				
ADI Lending Status *	Current Month (\$)		Previous Month (\$)	
Fossil Fuel Lending ADIs				
Commonwealth Bank of Australia	13,206,730		14,193,205	
Westpac Group	9,000,000		9,000,000	
	22,206,730	17%	23,193,205	18%
Non Fossil Fuel Lending ADIs				
Auswide Bank	3,000,000		3,000,000	
Bendigo and Adelaide Bank	12,250,000		11,250,000	
Great Southern Bank	4,000,000		1,000,000	
Newcastle Greater Mutual Group	4,000,000		4,000,000	
Suncorp Bank	32,550,000		32,550,000	
	55,800,000	43%	51,800,000	41%
Other				
NSW T-Corp (Cash)	2,251,745		2,243,214	
NSW T-Corp (LT)	11,611,571		11,646,973	
	13,863,315	11%	13,890,187	11%
Socially Responsible Investment				
CBA (Green)	19,000,000		19,000,000	
Westpac Group (Green TD)	20,000,000		20,000,000	
	39,000,000	30%	39,000,000	30%
	130,870,045		127,883,392	

* source: Marketforces
Percentages may not add up to 100% due to rounding



Waverley Council
Investment Policy Compliance Report - May 2023



Credit Rating Group	Face Value (\$)		Policy Max	
AA	58,206,730	44%	100%	a
A	35,550,000	27%	70%	a
BBB	23,250,000	18%	35%	a
TCc	2,251,745	2%	30%	a
TCI	11,611,571	9%	10%	a
130,870,045				

Specific Sub Limits				
BBB+	12,250,000	9%	35%	a
BBB	11,000,000	8%	15%	a

Institution	% of portfolio	Investment Policy Limit	
Bendigo and Adelaide Bank (BBB+)	9%	10%	a
Suncorp Bank (A+)	27%	30%	a
NSW T-Corp (TCI)	9%	10%	a
Great Southern Bank (BBB)	3%	5%	a
Newcastle Greater Mutual Group (BBB)	3%	5%	a
Commonwealth Bank of Australia (AA-)	25%	50%	a
Auswide Bank (Baa2)	2%	5%	a
Westpac Group (AA-)	20%	50%	a
NSW T-Corp (TCc)	2%	30%	a

	Face Value (\$)		Policy Max	
Between 0 and 1 years	100,070,045	76%	100%	a
Between 1 and 10 years	30,800,000	24%	70%	a
130,870,045				

Specific Sub Limits				
Between 3 and 10 years	12,750,000	10%	50%	a
Between 5 and 10 years	0	0%	25%	a

a = compliant

r = non-compliant

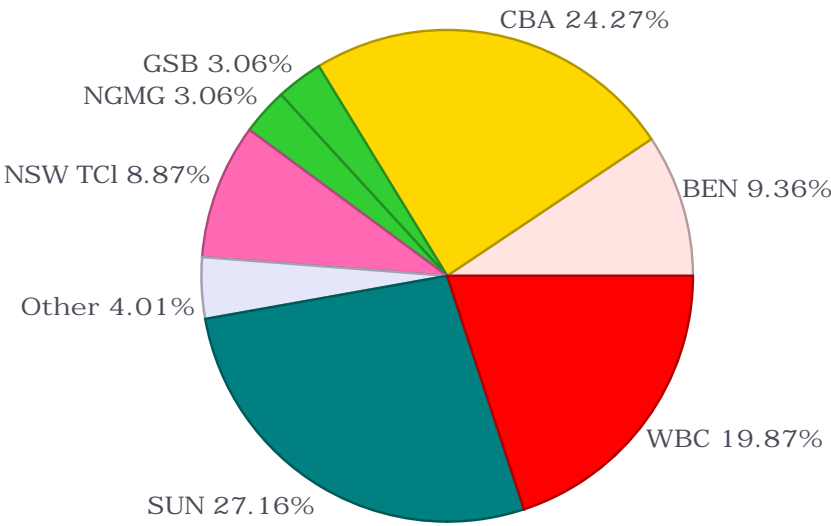
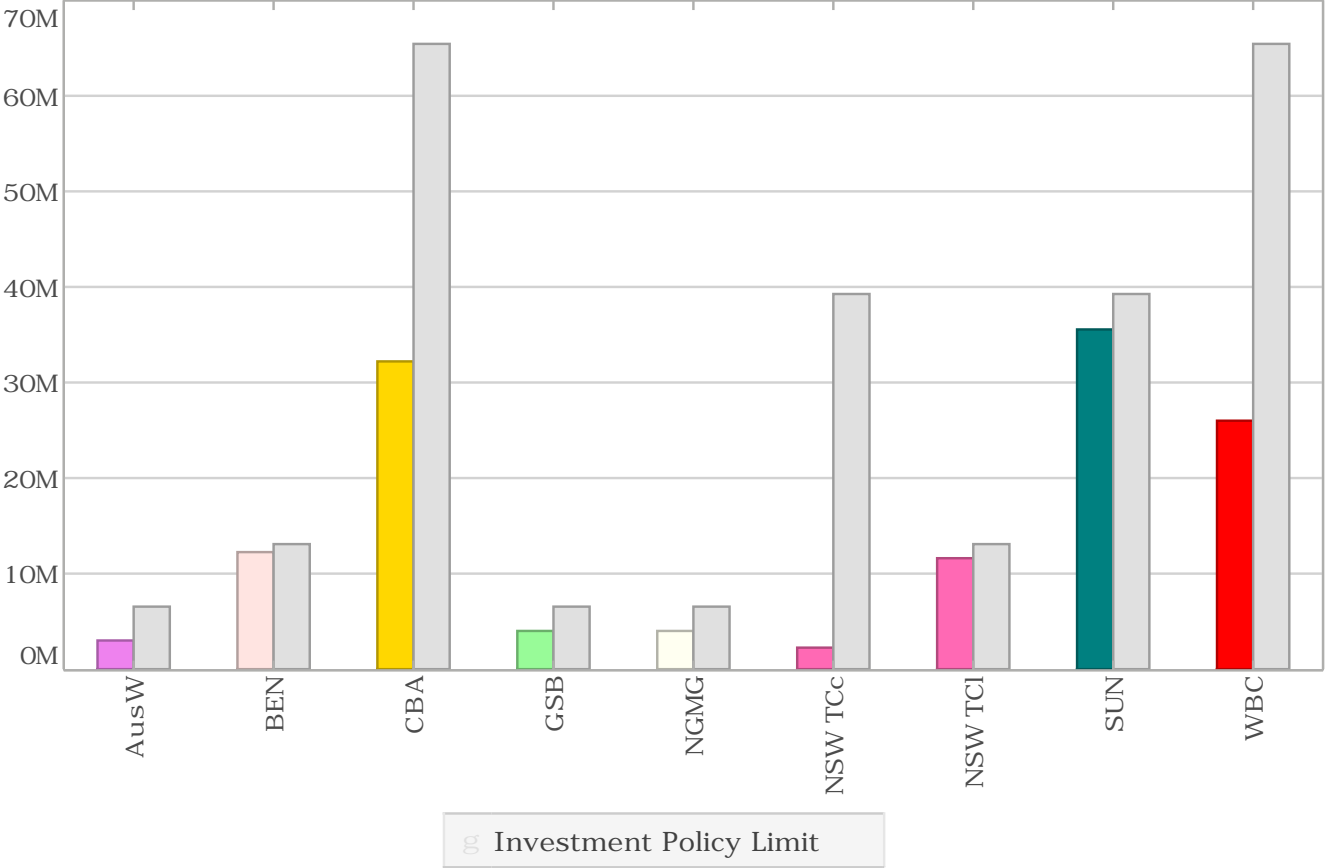
Waverley Council
Individual Institutional Exposures Report - May 2023



Individual Insitutional Exposures

Individual Insitutional Exposure Charts

	Current Exposures		Policy Limit		Capacity
Auswide Bank (Baa2)	3,000,000	2%	6,543,502	5%	3,543,502
Bendigo and Adelaide Bank (BBB+)	12,250,000	9%	13,087,005	10%	837,005
Commonwealth Bank of Australia (AA-)	32,117,638	25%	65,435,023	50%	33,317,386
Great Southern Bank (BBB)	4,000,000	3%	6,543,502	5%	2,543,502
Newcastle Greater Mutual Group (BBB)	4,000,000	3%	6,543,502	5%	2,543,502
NSW T-Corp (TCc)	2,251,745	2%	39,261,014	30%	37,009,269
NSW T-Corp (TCI)	11,611,571	9%	13,087,005	10%	1,475,434
Suncorp Bank (A+)	35,550,000	27%	39,261,014	30%	3,711,014
Westpac Group (AA-)	26,000,000	20%	65,435,023	50%	39,435,023
	130,780,953				



Waverley Council

Cashflows Report - May 2023



Actual Cashflows for May 2023

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
2-May-23	543574	Suncorp Bank	Term Deposit	Maturity: Face Value	3,000,000.00
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	53,725.48
		<u>Deal Total</u>			<u>3,053,725.48</u>
Day Total					3,053,725.48
9-May-23	542328	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	7,705.21
					<u>Deal Total</u>
9-May-23	542329	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	9,850.96
					<u>Deal Total</u>
Day Total					17,556.16
15-May-23	544084	BEN Snr FRN (May26) BBSW+ 1.25%	Floating Rate Note	Settlement: Accrued Coupon at Purchase	0.00
		BEN Snr FRN (May26) BBSW+ 1.25%	Floating Rate Note	Settlement: Face Value	-1,000,000.00
		BEN Snr FRN (May26) BBSW+ 1.25%	Floating Rate Note	Settlement: Premium / Discount on Purchase	0.00
<u>Deal Total</u>					<u>-1,000,000.00</u>
Day Total					-1,000,000.00
23-May-23	544113	Suncorp Bank	Term Deposit	Settlement: Face Value	-3,000,000.00
					<u>Deal Total</u>
Day Total					-3,000,000.00
24-May-23	540958	SUN Snr FRN (Feb26) BBSW+ 0.45%	Floating Rate Note	Coupon Date	12,563.44
					<u>Deal Total</u>
Day Total					12,563.44
25-May-23	544129	Great Southern Bank	Term Deposit	Settlement: Face Value	-3,000,000.00
					<u>Deal Total</u>
Day Total					-3,000,000.00
<u>Total for Month</u>					<u>-3,916,154.92</u>

Forecast Cashflows for June 2023

Waverley Council

Cashflows Report - May 2023



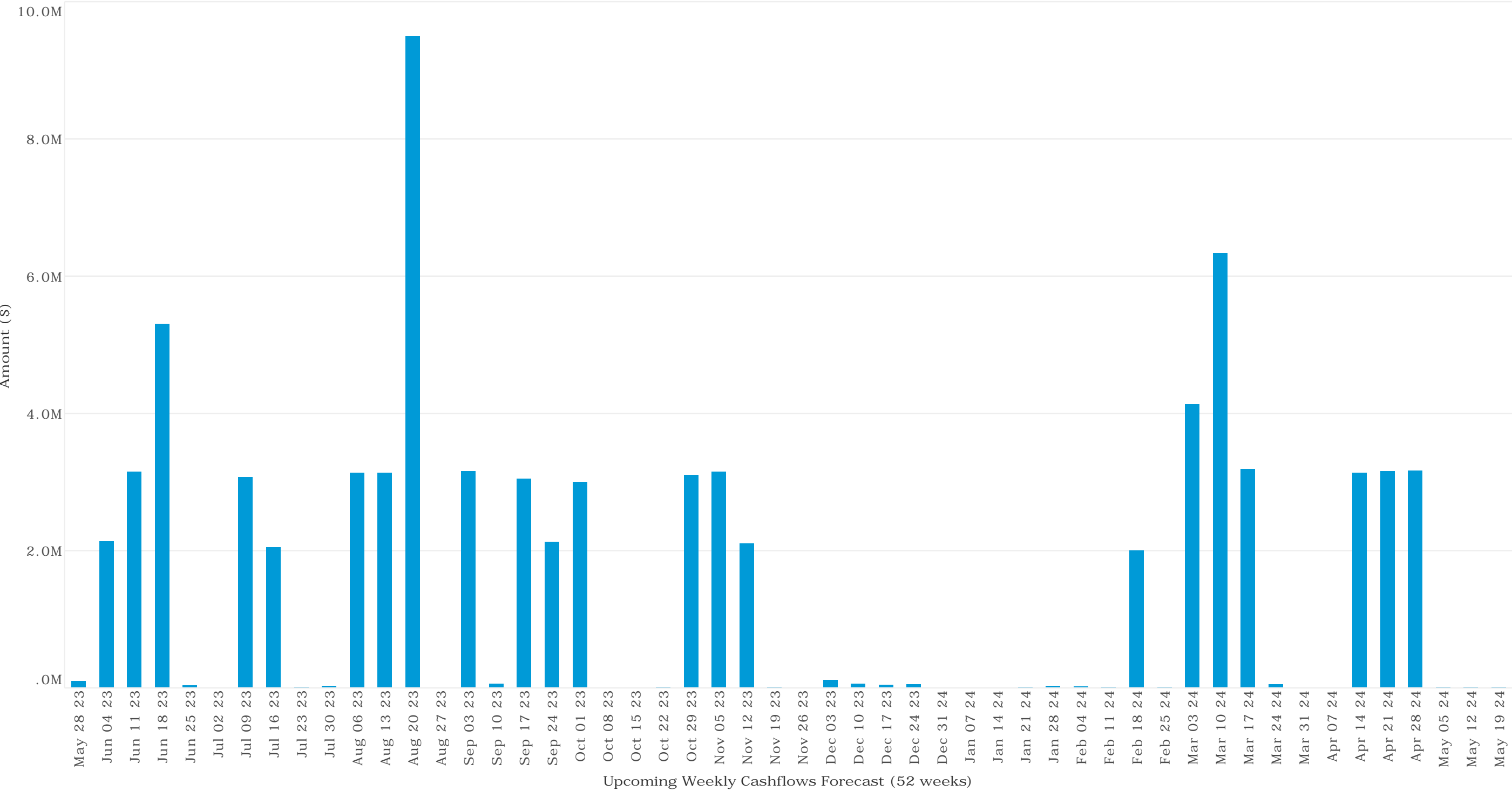
Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
2-Jun-23	540603	BEN Snr FRN (Dec25) BBSW+0.52%	Floating Rate Note	Coupon Date	23,499.89
				<u>Deal Total</u>	<u>23,499.89</u>
2-Jun-23	543279	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	44,361.64
				<u>Deal Total</u>	<u>44,361.64</u>
2-Jun-23	543280	Suncorp Bank	Term Deposit	During: Interest Received/Paid Dates	30,624.66
				<u>Deal Total</u>	<u>30,624.66</u>
				Day Total	98,486.19
5-Jun-23	540983	NPBS Snr FRN (Mar26) BBSW+0.63%	Floating Rate Note	Coupon Date	42,508.22
				<u>Deal Total</u>	<u>42,508.22</u>
				Day Total	42,508.22
6-Jun-23	542860	Bendigo and Adelaide Bank	Term Deposit	Maturity: Face Value	2,000,000.00
		Bendigo and Adelaide Bank	Term Deposit	Maturity: Interest Received/Paid	72,200.00
				<u>Deal Total</u>	<u>2,072,200.00</u>
				Day Total	2,072,200.00
9-Jun-23	542424	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	18,450.41
				<u>Deal Total</u>	<u>18,450.41</u>
				Day Total	18,450.41
13-Jun-23	542861	Bendigo and Adelaide Bank	Term Deposit	Maturity: Face Value	3,000,000.00
		Bendigo and Adelaide Bank	Term Deposit	Maturity: Interest Received/Paid	110,400.00
				<u>Deal Total</u>	<u>3,110,400.00</u>
				Day Total	3,110,400.00
15-Jun-23	541877	SUN Snr FRN (Sep26) BBSW+0.48%	Floating Rate Note	Coupon Date	39,115.44
				<u>Deal Total</u>	<u>39,115.44</u>
				Day Total	39,115.44
19-Jun-23	541523	BEN Snr FRN (Jun26) BBSW+0.65%	Floating Rate Note	Coupon Date	43,266.14
				<u>Deal Total</u>	<u>43,266.14</u>
				Day Total	43,266.14

Waverley Council
Cashflows Report - May 2023

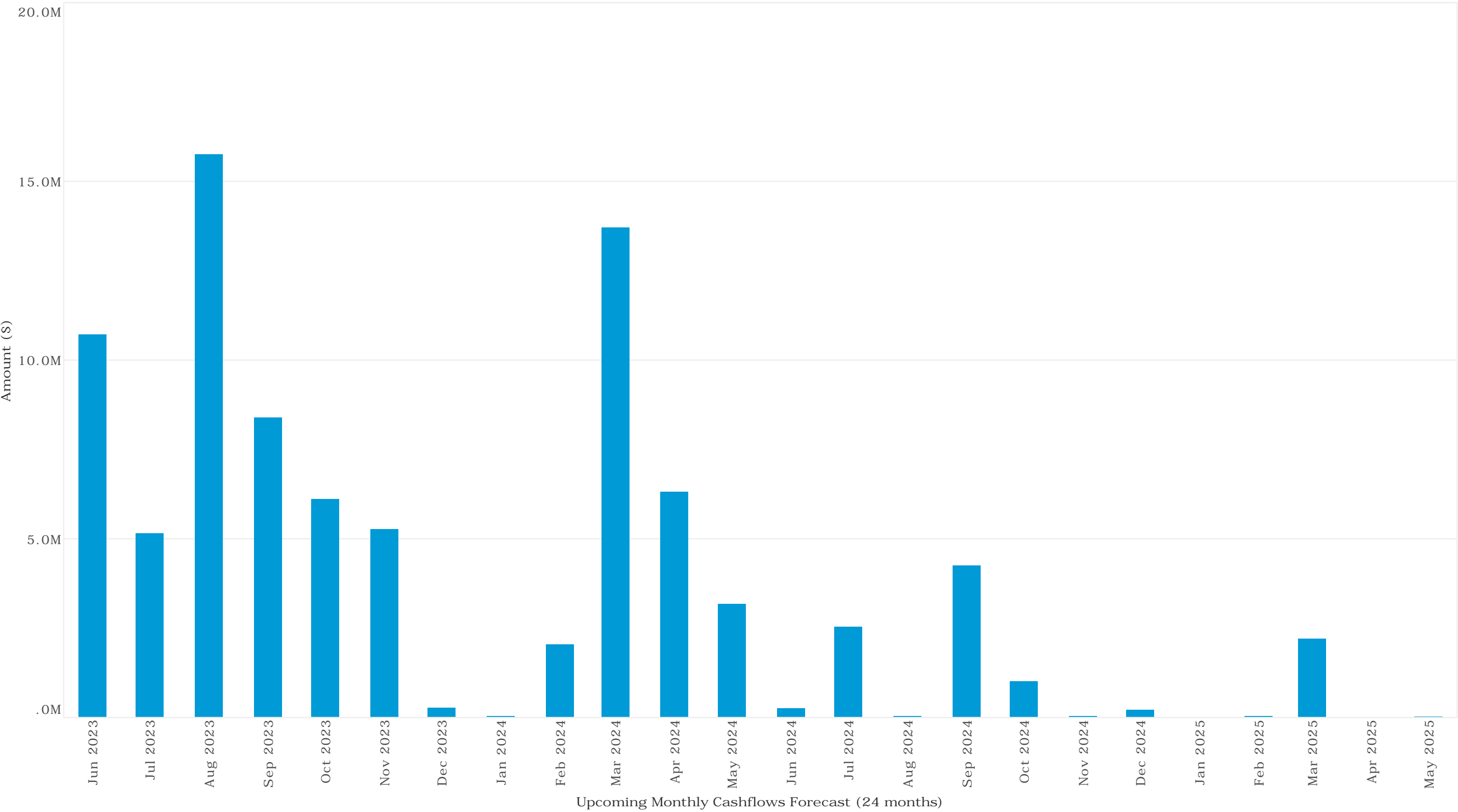


Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
20-Jun-23	542878	Commonwealth Bank of Australia	Term Deposit	Maturity: Face Value	5,000,000.00
		Commonwealth Bank of Australia	Term Deposit	Maturity: Interest Received/Paid	206,931.50
				Deal Total	5,206,931.50
				Day Total	5,206,931.50
23-Jun-23	541916	CBA Green Snr FRN (Dec26) BBSW+ 0.41%	Floating Rate Note	Coupon Date	51,746.85
				Deal Total	51,746.85
				Day Total	51,746.85
30-Jun-23	543451	Westpac Group	Term Deposit	During: Interest Received/Paid Dates	34,934.79
				Deal Total	34,934.79
				Day Total	34,934.79
				Total for Month	10,718,039.53

Waverley Council
Cashflows Report - May 2023



Waverley Council
Cashflows Report - May 2023



REPORT CM/7.4/23.06



Subject: Investment Policy - Adoption

TRIM No: A05/0197

Manager: Teena Su, Executive Manager, Finance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council adopts the Investment Policy attached to the report.

1. Executive Summary

The Investment Policy sets the framework to safeguard Council's cash and investment portfolio and manage Council's cash resources to ensure sufficient liquidity to meet Council's business objectives over the long-, medium-, and short-term.

The 2023 review proposed lowering the overall exposure allowed in the NSW TCorpIM Funds from 60% to 30% to manage risk better and provide flexibility to allow for the most prudent investment choice when green, environmental, social, and governance (ESG) or socially responsible investment options are unavailable.

2. Introduction/Background

Ministerial Investment Order 2011, the Office of Local Government's (OLG) Investment Policy Guidelines and s 625 of the *Local Government Act 1993* state that councils may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- Any public funds or securities issued by or guaranteed by, the Commonwealth, and any State of the Commonwealth or a Territory.
- Any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993*).
- Interest-bearing deposits with, or any debentures or bonds issued by, an authorised deposit taking institution (as defined in the *Banking Act*), but excluding subordinated debt obligations.
- Any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an unauthorised deposit-taking institution by the Australia Prudential Regulation Authority.
- A deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation.

Since 2007, Council has been performing annual reviews of its Investment Policy to ensure that the policy meets the legislative and council requirements. Council reviews the policy annually in June.

Council last adopted the Investment Policy on 21 June 2022. The June 2022 review was a comprehensive review and amendments to the policy that provided the clarity of detail, the prudent credit and term to

maturity limits and the sound risk management framework required to achieve Council's stated policy objectives of optimising its return on investment of surplus funds, in accordance with its prevailing investment strategy in a prudent and measurable manner whilst having due consideration of risk and security for that investment type and ensuring that its liquidity requirements are being met. It also aligns the Council's credit framework compliance with NSW TCorp's loan covenant requirements as Council may consider to borrowing from TCorp in the future.

3. Relevant Council Resolutions

Nil.

4. Discussion

During this year, in September 2022, we have reported to the Council the need to suspend the non-fossil-fuel and green investment direction for three months due to a very limited supply of non-fossil fuel and green investment options on the market. The market has improved when Westpac re-opened its green TD program. It may further improve with the Bank of Queensland's commitment to cease funding equipment directly involved in the extraction of fossil fuels by 2024.

We have 80% of the portfolio invested in non-fossil fuel and green investment as of 31 May 2023. Increasing the non-fossil and green investments further will be challenging until the 'green' market improves.

In the 2023 review, officers considered the limited availability of non-fossil-fuel and green investments in the current market, the proposed changes to the Investment Policy are primarily aimed at sourcing the most prudent investment choice in highly rated investment grade banks when there is no availability of Green, ESG, or socially responsible investment options compliant with legislation and investment policy guidelines.

Officers are proposing the following changes:

- Amendment to the Investments in ethically, socially and environmentally beneficial alternatives.
 - Page 7 – Section 4.2e – Added a new paragraph to allow for the most prudent investment choice when there is no availability of green, ESG, or socially responsible investment options compliant with legislation and investment policy guidelines or exposures to non-fossil fuel banks are at policy limits.
- Administrative changes.
 - Page 14 – Updated changes to the TCorp funds by removing the TCorpIM Cash Fund to reflect its current product ranges.
- Credit Framework changes.
 - Page 6 – lowered the overall exposure allowed in the NSW TCorpIM Funds from 60% to 30% and reduced the individual limits allowed in any single NSW TCorpIM Fund to 10%. This reflects the unlikelihood of ever having such high exposures with the NSW TCorp products which are unrated and do not fit in the non-fossil fuel category. Council's current exposures to the TCorp funds are below these proposed limits.

A marked-up version of the policy showing the changes is attached to this report.

The policy has also been discussed and reviewed by our financial advisors, Erik Gates (Director at Prudential) and Sheridan Hopkins (Senior Manager of Local Government Services at NSW TCorp).

To minimise risk and maximise capital protection while meeting TCorp's loan covenant requirements, we recommend maintaining the current framework and not investing in any product with an S&P long-term rating of BBB- or lower.

The policy continues compliance with legislation and aligns with the NSW TCorp investment framework, as well as the commitment to invest in ethically, socially, and environmentally beneficial alternatives that have been made.

The tables below show that our investment portfolio is operated within the policy framework as of 31 May 2023.

Table 1. Portfolio exposures.

Long Term Credit Ratings	Portfolio Max %	Exposures as of 31 May 2023
AAA	100%	0%
AA+, AA, AA-	100%	45%
A+, A, A-	70%	27%
BBB+ and BBB combined	35%	17%
BBB+	Up to 35%	9%
BBB	Up to 15%	8%
BBB- and lower & Unrated (excluding NSW TCorpIM Funds)	0%	0%
Specific Ministerial Approved Forms of Investment	Portfolio Max %	
NSW TCorpIM Funds	30% (proposed to reduce from 60%)	11%

Table 2. Individual institution exposure.

Long Term Credit Ratings	Institution	Institution Max %	Exposures as of 31 May 2023	Bank not lending to fossil fuel
AAA	N/A	50%	0%	
AA+, AA, AA-	Commonwealth Bank of Australia	50%	25%	Offers green TD
	Westpac Group	50%	20%	Offers green TD
A+, A, A-	Suncorp Bank	30%	27%	Y
BBB+	Bendigo and Adelaide Bank	10%	9%	Y
BBB	Newcastle Greater Mutual Group	5%	3%	Y
	Auswide Bank	5%	2%	Y
	Great Southern Bank	5%	3%	Y
BBB- and lower & Unrated (excluding NSW TCorpIM Funds)	N/A	0%	0%	

Table 3. NSW TCorpIM Managed funds exposures.

NSW TCorpIM Funds	Product Max %	Exposures as of 31 May 2023
TCorpIM Short Term Income Fund	30%	2%
TCorpIM Medium Term Growth Fund		0%
TCorpIM Long Term Growth Fund		9%

In summary, the revised Investment Policy is:

- Consistent with the Ministerial Investment Order 2011 and OLG Investment Policy Guidelines.
- Supports Council's ethical, social, environmental and financial sustainability objectives.
- Aligns with the TCorp's investment framework for borrowing criteria.

5. Financial impact statement/Time frame/Consultation

The 2023 review amendments have been discussed with ELT on 25 May 2023, followed by the Audit, Risk and Improvement Committee meeting discussion on 8 June 2023.

6. Conclusion

The Investment Policy is consistent with the Ministerial Investment Order and the OLG Investment Policy Guidelines, and aligns with TCorp's investment framework.

7. Attachments

1. Investment Policy [↓](#) .



WAVERLEY
COUNCIL

Investment Policy

Investment Policy

Policy owner	Executive Manager Finance
Approved by	Council
Date approved	21 June 2022 27 June 2023
Commencement date	22 June 2022 28 June 2023
TRIM Reference	A05/0197
Next revision date	June 2023 2024
Relevant legislation/codes	Local Government Act 1993 - Section 412 & 625; Trustee Act 1925 – Section 14A(2) and 14C(1) & (2); Local Government (General) Regulation 2005 2021 – Clause 212; Prevailing Ministerial Investment Order.
Related policies/procedures/guidelines	N/A
Related forms	N/A

Table of Contents

1. Background 4

2. Purpose..... 4

3. Scope 4

4. Policy Content 4

5. Review of Policy 1312

6. Definitions..... 1312

DRAFT

1. Background

The Policy provides the framework in which council funds are to be invested. Council developed this policy to ensure it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing council funds.

2. Purpose

This policy's objectives are to preserve capital, provide a framework to help Council optimise its return on investment of surplus funds, in accordance with its prevailing investment strategy, in a prudent and measurable manner, specifically by:

- entering into investment types which comply with prevailing Legislative and Accounting Code requirements;
- the establishment of risk management guidelines based upon overall credit rating of the portfolio, exposure limits to individual institutions and term to maturity limits; and
- the use of appropriate benchmarks for investment performance measurement.

When placing investments, cash flow considerations will be made to the time horizons of Council's liabilities to best match appropriate investments for the funds.

3. Scope

The policy applies to Council funds being invested for either short term or long term. The General Manager, Director Finance and Governance and Executive Manager Finance are responsible persons of council that can make such decisions. The General Manager can delegate the day-to-day management to Council officers and the same must be clearly stated in this Policy and noted in Council's Delegation Register.

4. Policy Content

4.1 Risk Appetite Statement

Waverley Council has low to moderate appetite for investment risk.

Acceptance of some investment risk is necessary to adhere to Council's preference for investments in ethically, socially and environmentally beneficial alternatives and the use of growth fund exposure for increased long term returns.

Banks in the non-fossil fuel lending arena predominantly have lower credit ratings than the large highly rated major banks. Likewise, in utilising the NSW TCorp Long Term Growth Fund, Council has accepted that the presence of growth assets in the fund will result in periods of negative returns, for that particular investment, with the goal of higher overall returns over the long term for the portfolio than solely cash and fixed interest exposures.

To manage investment risk, Council has implemented the following Investment Framework which has been developed to provide tighter exposure limits on lower rated institutions than those of

higher rated institutions as well as sound limits on the allowed exposure to the NSW TCorp growth asset funds.

In addition, along with Council's internal finance team, Council uses an independent investment adviser to assist with ensuring policy limits are adhered to and investment selections are appropriate for the risk appetite of Council.

4.2 Investment Framework

Investments are to comply with three key criteria relating to:

- **Portfolio Credit Framework:** limits the overall credit exposure of the portfolio;
- **Counterparty/Institution Credit Framework:** limits exposure to individual institutions based on their credit ratings, and;
- **Term to Maturity Framework:** limits based upon maturity of securities.

Credit ratings are based upon the Standard & Poor's Investment Rating, or equivalent from Moody's or Fitch ratings agencies, where a Standard & Poor's Investment Rating does not exist.

Rating agencies' comparison table:

Obligor's capacity to repay – Investment Grade Ratings	Standard & Poor's (long-term ratings)	Moody's (long-term ratings)	Fitch (long-term ratings)
Extremely strong	AAA	Aaa	AAA
Very strong	AA+, AA, AA-	Aa1, Aa2, Aa3	AA+, AA, AA-
Strong	A+, A, A-	A1, A2, A3	A+, A, A-
Weakened capacity under adverse conditions or changing conditions	BBB+, BBB, BBB-	Baa1, Baa2, Baa3	BBB+, BBB, BBB-

(a) Portfolio Credit Framework

The maximum available limits in each rating category are as follows:

Long Term Credit Ratings	Portfolio Max %
AAA	100%
AA+, AA, AA-	100%
A+, A, A-	70%
BBB+ and BBB combined	35%
BBB+	Up to 35%

<i>BBB</i>	<i>Up to 15%</i>
BBB- and lower & Unrated (excluding NSW TCorpIM Funds)	0%
Specific Ministerial Approved Forms of Investment	Portfolio Max %
NSW TCorpIM Funds	60% 30%

(b) Counterparty/Institution Credit Framework

Exposure to individual counterparties/financial institutions will be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

Long Term Credit Ratings	Institution Max %
AAA	50%
AA+, AA, AA-	50%
A+, A, A-	30%
BBB+	10%
BBB	5%
BBB- and lower & Unrated (excluding NSW TCorpIM Funds)	0%
NSW TCorpIM Funds	Product Max %
TCorpIM Cash Fund, TCorpIM Short Term Income Fund	30%
TCorpIM Medium Term Growth Fund	20%
Any individual NSW TCorpIM Long Term Growth Fund	10%

Notes:

- Investments are to be restricted to senior ranked obligations from Australian Authorised Deposit Taking Institutions (ADI's) such as banks, building societies and credit unions that are regulated by, and subject to the prudential standards of, the Australian Prudential Regulation Authority (APRA).
- Managed funds are restricted to the NSW TCorpIM Funds and have been given specific approval under the prevailing Ministerial Investment Order.
- Credit ratings are based upon the Standard & Poor's Investment Rating, or Moody's or Fitch equivalents, where a Standard & Poor's Investment Rating does not exist.
- If any of the Council's investments are downgraded such that they no longer fall within the investment policy limits, they will be divested as soon as practicable having regard to potential losses resulting from early redemption and subject to minimising any loss of capital that may arise from compliance with this provision.

(c) Term to Maturity Framework

The investment portfolio is to be invested within the following maturity constraints:

Term to Maturity Limits		
Portfolio % ≤1 year	Min 30%	Max 100%
Portfolio % >1 year ≤10 years	Min 0%	Max 70%
<i>Portfolio % > 3 years</i>	<i>Min 0%</i>	<i>Max 50%</i>
<i>Portfolio % > 5 years ≤ 10 years</i>	<i>Min 0%</i>	<i>Max 25%</i>
AA+, AA, AA- rating: 5 yrs maximum A+, A, A-, BBB+ rating: 3 yrs maximum BBB rating: 12 months maximum		

(d) Performance Benchmarks

The benchmark performance index for the portfolio is the **Ausbond Australian Bank Bill Index**.

(e) Investments in ethically, socially and environmentally beneficial alternatives.

Council invests in alternatives by observing quadruple bottom line accounting principles over both short-term and long-term outlooks—society, environment, economic/financial, civic leadership/governance—and where financial institutions are offering an equal or better return on investment, and within the prevailing legislation and current Investment Policy risk management guidelines.

More specifically, [our response to the Modern Slavery Amendment Act 2021](#) and a commitment to (including but not limited to): investments that provide for the ethical treatment of both shareholders and stakeholders, support development of co-operative ownership and control of the work place, high quality products and services, local ventures, appropriate technology, ecologically sustainable practices, social and economic justice, peace and non-violence and the use of renewable resources.

And avoiding investments that create pollution (such as fossil fuel industries), that are speculative, that exploit workers, customers and/or the environment, that are engaged in alcohol, tobacco and arms manufacture, that inhibit human rights and that damage non-renewable resources.

[While this section describes Council's long term aim, there are still limited investment options in the market that comply with NSW legislation and Council's investment policy guidelines. When there is no availability of Green, ESG, or socially responsible investment options compliant with legislation and investment policy guidelines or exposures to non-fossil fuel banks are at policy limits, Council will source the most prudent investment choice at the time regarding the time horizon of funds, the credit quality of the institution and overall investment return.](#)

4.2 DELEGATION OF AUTHORITY

Authority for implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the Local Government Act 1993.

The General Manager has in turn delegated the day-to-day management of Council's Investments as per the following:

Depending upon the size of the investment and its maturity profile the following Council officers are approved to authorise transactions. Each authorisation requires approval from **two** Council officers and where the investment is for greater than \$3 million, or for more than 3 years, the General Manager or Director Finance and Governance **must** be one of these officers.

	Short Term (0-1yr)	Medium Term (Over 1yr – 3yrs)	Long Term (Over 3yr– 10yrs max.)
\$0 - \$1m	<ul style="list-style-type: none"> Executive Manager Finance Revenue Coordinator Management & Systems Coordinator Expenditure Coordinator The General Manager or any Director 	<ul style="list-style-type: none"> The General Manager or any Director Executive Manager Finance Revenue Coordinator Management & Systems Coordinator Expenditure Coordinator 	<ul style="list-style-type: none"> General Manager and/or Director Corporate Services (mandatory) Any Director Executive Manager Finance
>\$1m - \$3m	<ul style="list-style-type: none"> Executive Manager Finance Revenue Coordinator Management & Systems Coordinator Expenditure Coordinator The General Manager or any Director 	<ul style="list-style-type: none"> The General Manager or any Director Executive Manager Finance Revenue Coordinator Management & Systems Coordinator Expenditure Coordinator 	<ul style="list-style-type: none"> General Manager and/or Director Corporate Services (mandatory) Any Director Executive Manager Finance

	Short Term (0-1yr)	Medium Term (Over 1yr – 3yrs)	Long Term (Over 3yr– 10yrs max.)
> \$3M	<ul style="list-style-type: none"> • General Manager and/or • Director Corporate Services (mandatory) • Any Director • Executive Manager, Finance 	<ul style="list-style-type: none"> • General Manager and/or • Director Corporate Services (mandatory) • Any Director • Executive Manager, Finance 	<ul style="list-style-type: none"> • General Manager and/or • Director Corporate Services (mandatory) • Any Director • Executive Manager Finance

4.3 PRUDENT PERSON STANDARD / ETHICS AND CONFLICTS OF INTEREST

Council's investments are to be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolio to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the General Manager.

Independent advisors utilised by Council are required to declare any actual or perceived conflicts of interest.

4.4 REPORTING & REVIEWING OF INVESTMENTS

All investments must be in the name of Waverley Council and documentary evidence held for each investment and details thereof maintained in an investment Register.

A monthly report will be submitted to Council, providing details of the investment portfolio in terms of performance and counterparty percentage exposure of total portfolio.

4.5 GENERAL

Due to the dynamic nature of the portfolio, it is possible that from time to time there may be breaches of the investment policy's limits for short periods. Should this occur it will be reported to Council at its next ordinary meeting.

4.6 APPLICABLE LEGISLATION

All investments are to be made in accordance with:

- Local Government Act 1993 - Section 412 & 625;
- Trustee Act 1925 – Section 14A(2) and 14C(1) & (2);
- Local Government (General) Regulation ~~2005-2021~~ – Clause 212;
- Prevailing Ministerial Investment Order

Refer to Schedule 1 for extracts relating to the above.

Furthermore, Council's investment management is to comply with:

Prevailing Local Government Code of Accounting Practice and Financial Reporting;

- Australian Accounting Standards; and
- Division of Local Government Circulars.

Following are relevant sections and clauses relating to the above.

Schedule 1: Extracts of Legislative Requirements

LOCAL GOVERNMENT ACT 1993 - SECT 412 & 625 Section 412 Accounting records

- 1) A council must keep such accounting records as are necessary to correctly record and explain its financial transactions and its financial position.
- 2) In particular, a council must keep its accounting records in a manner and form that facilitate:
 - a) the preparation of financial reports that present fairly its financial position and the results of its operations, and
 - b) the convenient and proper auditing of those reports.

Section 625 How may councils invest?

- 1) A council may invest money that is not, for the time being, required by the council for any other purpose.
- 2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.
Note: See Gazette No 152 of 24.11.2000, p 12041
- 3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.
- 4) The acquisition, in accordance with section 358, of a controlling interest in a corporation is not an investment for the purposes of this section.

TRUSTEE ACT 1925 – SECTIONS 14A(2), 14C (1) & (2)

14A (2) Duties of trustee in respect of power of investment

A trustee must, in exercising a power of investment:

- (a) if the trustee's profession, business or employment is or includes acting as a trustee or investing money on behalf of other persons, exercise the care, diligence and skill that a prudent person engaged in that profession, business or employment would exercise in managing the affairs of other persons, or
- (b) if the trustee is not engaged in such a profession, business or employment, exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

14C Matters to which trustee is to have regard when exercising power of investment

- (1) Without limiting the matters that a trustee may take into account when exercising a power of investment, a trustee must, so far as they are appropriate to the circumstances of the trust, if any, have regard to the following matters:
 - (a) the purposes of the trust and the needs and circumstances of the beneficiaries,
 - (b) the desirability of diversifying trust investments,
 - (c) the nature of, and the risk associated with, existing trust investments and other trust property,
 - (d) the need to maintain the real value of the capital or income of the trust,
 - (e) the risk of capital or income loss or depreciation,
 - (f) the potential for capital appreciation,
 - (g) the likely income return and the timing of income return,
 - (h) the length of the term of the proposed investment,
 - (i) the probable duration of the trust,
- (2) the liquidity and marketability of the proposed investment during, and on the determination of, the term of the proposed investment,

- (a) the aggregate value of the trust estate,
 - (b) the effect of the proposed investment in relation to the tax liability of the trust,
 - (c) the likelihood of inflation affecting the value of the proposed investment or other trust property,
 - (d) the costs (including commissions, fees, charges and duties payable) of making the proposed investment,
 - (e) the results of a review of existing trust investments in accordance with section 14A (4).
- (3) A trustee may, having regard to the size and nature of the trust, do either or both of the following:
- (a) obtain and consider independent and impartial advice reasonably required for the investment of trust funds or the management of the investment from a person whom the trustee reasonably believes to be competent to give the advice,
 - (b) pay out of trust funds the reasonable costs of obtaining the advice.

LOCAL GOVERNMENT (GENERAL) REGULATION ~~2005-2021~~ - CLAUSE 212

212 Reports on council investments

- (1) The responsible accounting officer of a council:
- (a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:
 - i if only one ordinary meeting of the council is held in a month, at that meeting, or
 - ii if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and
 - (b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.

- (4) The report must be made up to the last day of the month immediately preceding the meeting.

Note. Section 625 of the Act says how a council may invest its surplus funds.

5. Review of Policy

This Policy will be reviewed every year or as required in the event of legislative changes or requirements. The Policy may also be changed as a result of other amendments. Any amendments to the Policy must be way of a Council resolution or with the approval of the General Manager.

6. Definitions

11am Call Deposits: Cash invested on an overnight basis with an Australian Authorised Deposit-taking Institution (ADI). Funds can be recalled or re-invested prior to the bank's Real Time Gross Settlement cut-off each day.

Ausbond Bank Bill Index

This Index is the NSW Local Government industry standard benchmark formerly known as the UBS Australia Bank Bill Index. This is the generally accepted benchmark for short term, conservative cash and fixed income investors and allows benchmarking against a notional rolling parcel of thirteen 90 day bank bills with an averaging maturity of 45 days .

Australian Prudential Regulation Authority - APRA

APRA (Australian Prudential Regulation Authority) is the prudential regulator of the Australian financial services industry. APRA enforces prudential standards and practices (e.g. capital adequacy and other risk management issues) of banks, credit unions, building societies, insurance companies and friendly societies.

ADI issued Senior Debt Bonds:

Interest bearing securities which are high ranking debt obligations of the issuing ADI. Senior bonds are tradeable in the market. They can be either fixed rate or floating rate interest bearing and are typically issued with 3+ year maturities. Interest is paid at scheduled intervals based on the face value of the bond with repayment of capital paid upon maturity. In the case of a bank failure, senior bond holders rank above subordinated debt holders and shareholders but below covered bond holders and depositors.

Covered Bonds: interest bearing senior ranking debt obligations of an Authorised Deposit-taking Institution (ADI) which have specific bank assets, ie loans, backing the bond. Covered bonds are

market traded securities. They can be either fixed rate or floating rate interest bearing and typically are issued with 5+ year maturities. In the case of a bank failure, holders of covered bonds rank ahead of depositors and unsecured senior bond holders having first recourse to the underlying pool of assets backing the bond. If the pool's assets are not sufficient to meet the covered bond's obligations, holders then have recourse to the bank's total assets equal to other senior unsecured bondholders.

Term Deposits: interest bearing deposit held at an ADI for a specific contracted period. Term deposits are not tradeable in the market. They typically have a fixed rate for their life, but floating rate term deposits are also available. Prior to the introduction of Covered Bonds into the Australian market, in early 2012, term deposits ranked at the top of an ADI's capital structure.

Bank Bills and Negotiable Certificates of Deposits (NCDs): are similar types of interest bearing securities issued/accepted by ADIs, typically short dated. Unlike term deposits, these are tradeable in the market prior to maturity.

Authorised Deposit-Taking Institutions - ADI

Authorised Deposit-Taking Institutions (ADIs) are corporations that are authorised under the Banking Act 1959 to take deposits from customers.

T-Corp

New South Wales Treasury Corporation.

Commonwealth/State/Territory Government Securities (e.g. bonds):-

These are interest paying securities which are issued by one of the above Australian government bodies and are guaranteed by that issuer. As such, these securities carry the same credit rating as the issuing government body.

Deposits with NSW Treasury &/or Investments in NSW TCorpIM Funds

The only managed fund options available to NSW council are via NSW Treasury Corporation. The NSW TCorpIM Funds ~~comprise a number of~~ are three pooled managed funds options each set up as a unit trust. The current cash and fixed income only options available through the NSW TCorpIM Funds ~~are is~~ the ~~Cash Fund and the~~ Short Term Income Fund.

~~The Cash Fund provides the more transactional type option and is designed for investments ranging from overnight to 1.5 years, whilst~~ The Short Term Income Fund is designed for investments ranging from 1.5 years out to 3 years.

~~Both investments~~ The Short Term Income Fund will pay back the balance of the investment generally within 24 to 72 hours.

NSW TCorpIM Medium Term and Long Term Growth Funds: These are diversified funds that invest in a blend of growth assets (e.g. shares & property) and defensive assets (e.g. cash and fixed interest). These funds are designed for investors with longer term time horizons and are able to take additional investment risk in order to generate higher potential returns.

- The Medium Term Growth Fund has growth asset exposure of between 20%-40%. This fund aims to provide a return of CPI + 2%pa over 7 years with greater than 50% probability.
- The Long Term Growth Fund has growth asset exposure of between 60%-80%. This fund aims to provide a return of CPI + 3.5%pa over 10 years with greater than 50% probability.

These funds exhibit a higher degree of volatility in in monthly returns relative to cash and fixed floating rate investments and may have periods of negative returns depending upon market conditions.

Standard & Poor's Credit Ratings Description

Credit Ratings

Standard & Poor's (S&P) is a professional organisation that provides analytical services. An S&P rating is an opinion of the general creditworthiness of an obligor with respect to particular debt security or other financial obligation – based on relevant risk factors.

Credit ratings are based, in varying degrees, on the following considerations:

- Likelihood of payment.
- Nature and provisions for the obligation.
- Protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights.

The issue rating definitions are expressed in terms of default risk.

Long-Term Credit Ratings:

AAA

An obligation/obligor rated AAA has the highest rating assigned by S&P. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.

AA

An obligation/obligor rated AA differs from the highest rated obligations only in a small degree. The obligor's capacity to meet its financial commitment on the obligations is very strong.

A

An obligation/obligor rated A is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations/obligor in higher rated categories. However, the obligor's capacity to meet its financial commitment on the obligation is still strong.

BBB

An obligation/obligor rated BBB exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity to the obligor to meet its financial commitment on the obligation.

Plus (+) or Minus (-)

The ratings from “AA” to “CCC” may be modified by the addition of a plus or minus sign to show relative standing within the major rating categories.

CreditWatch

Highlights an emerging situation, which may materially affect the profile of a rated corporation and can be designed as positive, developing or negative. Following a full review the rating may either be affirmed or changed in the direction indication.

Rating Outlook

Assesses the potential direction of an issuer’s long-term debt rating over the intermediate-to-long term. In determining a Rating Outlook, consideration is given to possible changes in the economic and /or fundamental business conditions. An outlook is not necessarily precursor of a ratings change or future CreditWatch action. A “Rating Outlook – Positive” indicates that rating may be raised. “Negative” means a rating may be lowered. “Stable” indicates that ratings are not likely to change. “Developing” means ratings may be raised or lowered.



Circular No. 11-01
Date 17 February 2011
Doc ID. A232163

Contact Finance Policy Section
02 4428 4100
dlg@dlg.nsw.gov.au

REVISED MINISTERIAL INVESTMENT ORDER

A revised Investment Order pursuant to section 625 of the *Local Government Act 1993* has been issued. The Minister for Local Government signed the revised Order on 12 January 2011 and it was published in the NSW Government Gazette on 11 February 2011. It replaces the Order dated 31 July 2008. The revised Order is attached to this circular.

Changes to the Investment Order include:

- the removal of the ability to invest in the mortgage of land (part (c) of the Investment Order dated 31 July 2008)
- the removal of the ability to make a deposit with the Local Government Financial Services Pty Ltd (part (f) of the order dated 31 July 2008)
- the addition of "Key Considerations" in the revised Investment Order, which includes a comment that a council's General Manager, or any other staff, with delegated authority by a council to invest in funds on behalf of the council must do so in accordance with the council's adopted investment policy.

Councils are reminded that on 25 May 2010 the Division of Local Government issued Investment Policy Guidelines (Circular to Councils 10-11 refers). It is expected that all councils will by now have adopted an Investment Policy in accordance with the Guidelines.

A handwritten signature in blue ink, reading 'Ross Woodward', is positioned above the printed name and title.

Ross Woodward
Chief Executive, Local Government
A Division of the Department of Premier and Cabinet

Department of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E dlg@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 567 863 195

**REPORT
CM/7.5/23.06**

Subject: Councillors' Fees - Local Government Remuneration Tribunal Determination 2023

TRIM No: A03/1343

Manager: Richard Coelho, Executive Manager, Governance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council, in accordance with the Local Government Remuneration Tribunal's Annual Determination 2023 attached to the report, approves the annual fees payable to Councillors for the year 1 July 2023 to 30 June 2024 as follows:

1. All Councillors (including the Mayor) – \$21,730.
2. Mayor – \$47,390 in addition to the Councillor fee.
3. Deputy Mayor – \$4,194 in addition to the Councillor fee, and that this amount be paid from the fees paid to the Mayor.

1. Executive Summary

The Local Government Remuneration Tribunal reviews the fees to be paid to Mayors and Councillors on an annual basis. The Tribunal has released its determination for the 2023–24 financial year, recommending an increase of 3 per cent to commence on 1 July 2023.

This report recommends that Councillors' fees be increased to the amounts shown in Table 4 of the Tribunal's Annual Report and Determination 2023 attached to this report. If adopted, this will result in an increase in cost to Council of \$8,940 per annum.

2. Introduction/Background

In accordance with section 248 of the *Local Government Act*, Council must pay Councillors an annual fee and this fee must be fixed annually taking into consideration the determination of the Local Government Remuneration Tribunal. The annual fees fixed by Council must be the same for each Councillor and be paid by monthly instalments in arrears.

Under section 249 of the Act, Council must pay the mayor an annual fee, which is in addition to the fee paid to the Councillors.

The Tribunal's report outlining the results of the 2023 review is attached to this report. The Tribunal has awarded an annual fee increase of 3 per cent to commence on 1 July 2023.

3. Relevant Council Resolutions

Nil.

4. Discussion

The Tribunal sets a minimum and maximum fee based on the category of council, the policies of the Industrial Relations Commission and economic indicators. Consistent with previous years, officers recommend that Councillors be paid the maximum fee.

The Tribunal's determination will result in a \$630 per annum increase for each Councillor and a \$1,380 per annum increase for the Mayor. The total cost to Council of the increase in fees will be \$8,940 per annum.

In September 1998, Council set an annual fee for the Deputy Mayor which is set at 8.85% of the mayoral fee and this has been indexed in line with increases in the mayoral fee determined by the Tribunal. The Deputy Mayor's fees are deducted from the Mayor's annual fees, as the Act requires all fees payable to the Deputy Mayor to be deducted from the annual fee set for the Mayor.

5. Financial impact statement/Time frame/Consultation

The increase in Councillors' fees will result in a total increase in cost to Council of \$8,940 per annum. The increase has been included in Council's budget for 2023-24, and will take effect from 1 July 2023.

6. Conclusion

It is recommended that the annual Councillor fees for the year 1 July 2023 to 30 June 2024 be increased in accordance with the Local Government Remuneration Tribunal's determination.

7. Attachments

1. Local Government Remuneration Tribunal - Annual Determination 2023 [↓](#) .

Local Government Remuneration Tribunal

Annual Determination

Report and determination under sections
239 and 241 of the Local Government Act
1993

27 April 2023



Contents

Executive Summary	3
Categories	3
Fees	4
Section 1 – Introduction	5
Section 2 – 2022 Determination	6
Section 3 – 2023 Review	7
2023 Process	7
Categories	8
Submissions Received – Categorisation	12
Request for New Categories	12
Requests for Recategorisation	17
Section 4 – 2023 Fees	21
Time for Fresh Thinking	24
Conclusion	27
Section 5 – Determinations	29
Determination No. 1 – Allocation of councils into each of the categories as per section 239 of the LG Act effective 1 July 2023	29
Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2023	33
Appendices	36
Appendix 1 Criteria that apply to categories	36

Executive Summary

The *Local Government Act 1993* (the LG Act) requires the Local Government Remuneration Tribunal (the Tribunal) to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

Categories

Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years.

In accordance with the LG Act the Tribunal undertook a review of the categories and allocation of councils into each category as part of this review.

Accordingly, the revised categories of general purposes councils are determined as follows:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural
Metropolitan Small	Rural Large
	Rural

Fees

The Tribunal determined a 3 per cent per annum increase in the minimum and maximum fees applicable to each category.

For the new categories, the Tribunal has determined fees having regard to the relevant factors and relativities of remuneration ranges for existing categories.

Twenty six (26) councils are recategorised into a higher existing category or placed in a new category.

Section 1 – Introduction

1. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a significant review of the categories and the allocation of councils into each of those categories in 2020.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A(1) of the LG Act requires the Tribunal to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission.
4. The Tribunal can also determine that a council can be placed in another existing or new category with a higher range of fees without breaching the Government's Wages Policy as per section 242A (3) of the LG Act.
5. Natural disasters have a significant impact on the way mayors in particular work. There is an increase on time demands from the community, and media during these events as well as an increase in workloads. Whilst it is worth noting these issues, it is not within the Tribunal's authority to determine additional remuneration in recognition of the increasing demands on a mayor's time for these events.
6. The Tribunal's determination takes effect from 1 July each year.

Section 2 – 2022 Determination

7. In 2022, the Tribunal received eight (8) submissions, which included five (5) requests for recategorisation. Three of these requests sought the creation of new categories.
8. The Tribunal found that the current categories and allocation of councils to these categories remained appropriate but noted that some councils may have a case for recategorisation at the next major review of categories in 2023.
9. The Tribunal determined that fees would increase 2 per cent in the minimum and maximum fees applicable to each category from 1 July 2022.

Section 3 – 2023 Review

2023 Process

10. The Tribunal's annual review commenced in October when it wrote to all councils inviting submissions regarding fees, categorisation and any other general matters. The invitation noted that it is expected that submissions are endorsed by the respective council.
11. The Tribunal also wrote to the President of Local Government NSW (LGNSW) inviting a submission.
12. The Tribunal received 18 written submissions, of which 15 were from individual councils, 1 submission from LGNSW, 1 from Australian National University academic, Associate Professor Tanya Jakimow, and 1 from the United Services Union (USU).
13. The Tribunal notes that 12 of the 15 council submissions were endorsed by the representative councils.
14. The Tribunal acknowledges and thanks all parties for their submissions.
15. Noting its comments in its reports of 2021 and 2022, the Tribunal met Central NSW Joint Organisation member representatives in Orange, and Far South West Joint Organisation member representatives in Broken Hill. The Tribunal also gave an overview of its work to a meeting of the Country Mayors' Association in Newcastle. While in Broken Hill the Tribunal met with LGNSW representatives.
16. The Tribunal and Assessors met as required to discuss submissions, review category criteria and allocation of councils

Categories

17. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every three years. The Tribunal last reviewed the categories in 2020.
18. In determining categories, the Tribunal is required to have regard to the following matters that are prescribed in Section 240 of the LG Act:
- *the size of areas;*
 - *the physical terrain of areas;*
 - *the population of areas and the distribution of the population;*
 - *the nature and volume of business dealt with by each council;*
 - *the nature and extent of the development of areas;*
 - *the diversity of communities served;*
 - *the regional, national and international significance of the council;*
 - *such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government; and*
 - *such other matters as may be prescribed by the regulations.*
19. The 2020 Determination established the following categories:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Large	Regional Strategic Area
Metropolitan Medium	Regional Centre



Metropolitan Small	Regional Rural
Rural	


- 20. For its 2023 review, the Tribunal undertook an extensive examination of the categories, criteria and allocation of councils into each of the categories.
- 21. The Tribunal examined statistical and demographical data, with population data sourced from Australian Bureau of Statistics (ABS) 2021 Census (the latest available data).
- 22. Having regard to section 239 of the LG Act, information examined and provided through submissions, the Tribunal has determined the categories of general purpose councils as follows:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural
Metropolitan Small	Rural Large
Rural	

- 23. In reviewing the current model, the Tribunal sought to improve consistency of criteria.
- 24. In examining the criteria for each of the categories, the Tribunal is of the view that non-resident population criteria should also be included for consistency in the following categories:

- Major Strategic Area
- Regional Strategic Area
- Regional Centre
- Regional Rural

25. Three (3) councils will be reclassified as a result of meeting criteria thresholds into an existing category.
26. The Tribunal has determined the creation of two (2) new categories, being Metropolitan Major and Rural Large.
27. In determining the 2 new categories the Tribunal gave significant consideration to section 239 of the LG Act, statistical data, the existing categories and relativities between each category.
28. It was determined that the existing Rural category did not differentiate between large and small rural councils, in population, size, and terrain. Evidence demonstrated that a number of Rural councils are large in geographic area, requiring great distances to be covered. The Tribunal also examined a range of data that it believes goes to the delivery of efficient and effective local government.
29. Hence a new category Rural Large is created. The determination is amended to reflect the new category and criteria that includes a population greater than ten thousand, and a councillor to resident ratio of 1 to 1200. The Tribunal notes there are a number of Rural councils on the cusp of this new category.
30. The revised category also shows more clearly the differences for large rural and remote councils. It is becoming apparent these councils require



different considerations regarding the role Mayors and Councillors in servicing the community across such large distances.

31. Evidence reviewed established the need to differentiate between some Large Metropolitan councils. Comparison data reviewed included population, operating revenue, and submission evidence relevant to section 239 of the LG Act. This examination further exposed the gap between Metropolitan Large and Major CBD categories, thus resulting in the Tribunal establishing a new category to bridge the gap.
32. The determination is amended to reflect a new category, Metropolitan Major, with a population criteria threshold of 400,000 (including non-resident).
33. Accordingly, the Tribunal has identified a number of councils that will be recategorised into these new categories.
34. Given the relativities in population threshold criteria, the Tribunal is of the view that the population criteria for Regional Strategic Area be adjusted from 200,00 down to 100,000.
35. As a result, three (3) councils will be reclassified as Regional Strategic.
36. Whilst the Tribunal did explore additional criteria points that may go to efficient and effective local government, within the bounds of statutory provisions no further changes to the criteria could be determined in this review.
37. The category County Councils remain unchanged, retaining the categories of Water and Other.

38. **Appendix 1 Criteria that apply to categories** has been amended to reflect changes outlined above.


Submissions Received – Categorisation

39. Nine (9) submissions received from councils requested recategorisation and five (5) of these requested the creation of new categories.
40. A summary of matters raised in submissions and the Tribunal's consideration of those matters is outlined below

Request for New Categories


41. Requests were received for the creation of new categories namely, Metropolitan Large Growth Area, Metropolitan Major, Metropolitan Medium Growth and Regional Growth.
42. Blacktown City Council again requested the creation of a new category, Metropolitan Large - Growth Area. Council stated its current categorisation in Metropolitan Large “*does not reflect the complexities of servicing their rapid rate of growth and economic influence*”.
43. Blacktown City Council contends that a new category would allow a criteria to be set that reflects:
- Size
 - Rate of growth
 - Economic influence
 - Operational budget

- 
- Complexities of remaining financially sustainable whilst maintaining services and providing new infrastructure
44. Penrith Council reiterated previous submissions, again requesting the creation of a new category, Metropolitan Large Growth Centre. Council argues they are unique compared to other similar sized councils, providing significant regional services to Greater Western Sydney.
45. Penrith Council contends its claim for creation and inclusion in a new category is enhanced through their leading role in the region demonstrating the exponential growth that will occur in the Penrith Local Government area. Council submits they are playing a leading role in several significant city-shaping projects and initiatives such as:
- Western Sydney Airport
 - Western Sydney Priority Growth Area
 - Penrith Health and Education Precinct
 - The Greater Sydney Commission District planning process
 - National Growth Areas Alliance
 - Sydney Science Park
 - Defence Industries Precinct and
 - South Creek Corridor
46. While the Tribunal understands that areas of Western Sydney are developing rapidly, not least with the new airport and associated infrastructure it is not persuaded to create a new category, Metropolitan Large - Growth Area/Centre. These councils are experiencing growth and will in the future have populations of residents and non-residents that meet the thresholds for recategorisation. It is not within the Tribunal's legislative



remit to anticipate growth. However as dealt with earlier in this determination, the Tribunal acknowledges the need for a new Metropolitan category to reflect increasing population and bridge gap between current categories, Metropolitan Large and Major CBD.

47. Canterbury Bankstown Council proposed the creation of a new category, Metropolitan Major, that would sit in between current category of Metropolitan Large and Major CBD.
48. Council based its argument for a new category on the following grounds:
 - Categories need to have consistent criteria
 - A new category of Metropolitan Major would capture increased population and workloads post amalgamation process
 - New criteria should be based on population size and councillor to resident ratio
 - Councils size, with a current population of 372,322 across five wards
 - Population and distribution of population
 - Councils' area and physical terrain
 - Diversity of communities served
 - Nature and volume of business dealt with by Council
49. Council proposed a new criteria could include population threshold and councillor to resident ratio, with thresholds being 350,000 and 1 to 24,000.
50. The Tribunal considered the suggested criteria of a councillor to resident ratio for all categories. Whilst the Tribunal has included this criteria for



Rural Large category, it has not included it for all categories. It may warrant further consideration for other categories in future reviews.

51. The Tribunal is persuaded to include a new category, Metropolitan Major, with a population criteria threshold of 400,000 in the determination.
52. Camden Council's submission requests the creation of a growth category for Metropolitan Medium councils. They argue the proposed new category would allow criteria to be established to better reflect their growth rate, economic influence and complexities involved in servicing growth.
53. Council proposes the new category be called Metropolitan Medium – Growth Area. Council submits that its inclusion into this new category is based on the following:
 - Population growth
 - Development corridors
 - Growing assets and major infrastructure
 - Major services and institutions
54. The Tribunal has already determined a new metropolitan category, taking into account population and relatives in population between existing categories. It is not persuaded to include another new metropolitan category.
55. Maitland City Council requested the creation of a new category, Regional Growth Area to bridge the gap between Regional Centre and Regional Strategic.
56. Council based its argument for a new category on the following grounds:



- Maitland is the fastest growing regional city in NSW
 - significant role in accommodation growth
 - Council being an emerging health centre, with the \$470 million investment in the new Maitland Hospital
 - Significant role in delivery of state goals, including Greater Newcastle Metropolitan Plan 2036 and a state partner in infrastructure delivery including roads and facilities
57. Council also contends the current categorisation model for non-metropolitan is inadequate. It argues that the application of the population criteria is flawed as increments initially rise by 20,000 before leaping up by 160,000.
58. The current population criteria thresholds for non-metropolitan councils are outlined in the table below:

Category	Population Criteria
Rural	<20,000
Regional Rural	>20,000
Regional Centre	>40,000
Regional Strategic Area	>200,000
Major Strategic Area	>300,000

59. The Tribunal has considered the issues raised in Council’s submission but is not persuaded for reasons noted earlier for anticipation of growth versus actual population, to create a new category, Regional Growth Area.

60. The Tribunal acknowledges the point made in Council's submission regarding incremental increases for non-metropolitan categories population criteria.
61. As outlined earlier the Tribunal has determined to change the population criteria for Regional Strategic from 200,000 to 100,000. This will result in Maitland Council being reclassified.

Requests for Recategorisation

62. The Tribunal received four (4) requests for recategorisation. Liverpool, Byron, Tweed and Burwood Councils put forward individual cases for recategorisation for the Tribunal's consideration.
63. A summary of council's requests and the Tribunal's findings are outlined in the paragraphs below.
64. Liverpool Council requested to be reclassified from their current classification of Metro Large to Major CBD category. Liverpool Council's case to be included in Major CBD category is based on the following grounds:
- Population forecast to grow by 59.23% in the next 20 years from 242,817 to 386,646
 - A GDP estimated at \$13.03 billion, with 91,000 jobs in the LGA
 - Significant development in the LGA that includes new council offices and chambers, new city library, childcare facility, and the \$106 million Liverpool Quarter development consisting of retail, commercial, food and beverage spaces

- Liverpool being an integral part of Western Sydney Deal to deliver transformative change
- Liverpool being home to several significant infrastructure projects, including Western Sydney Airport, Western Sydney Infrastructure plan, Holsworthy Barracks and Liverpool Hospital upgrades
- Diversity of population

65. The Tribunal notes that the current criteria for Major CBD remains unchanged. It includes being a major provider of business and government services, and secondary CBD to metropolitan Sydney.
66. Having regard to section 239 of the LG Act, the criteria, the submission put forward, and for reasons outlined earlier in regard to anticipated growth versus actual growth, the Tribunal is not persuaded to include Liverpool Council in Major CBD category.
67. Byron Shire Council requested to be reclassified from their current category of Regional Rural into Regional Centre.
68. Council noted, based on ABS 2021 census data, with a population of 36,077, it is on the cusp of reaching the population threshold of 40,000 residents.
69. Council believes they meet several other additional criteria that supports their case for reclassification. Council's request is based on the following grounds:
 - Non-resident population of 4,817 travel from surrounding locations to work in the LGA

- A population growth increase of 7.2% over the last 5 years, which is above the state increase of 5.3%
- Proximity to Gold Coast and Ballina/Byron airports
- Byron being home to internationally renowned Hinterland region
- Byron being home to a large number of festivals and events

70. As outlined earlier in this determination, the criteria for Regional Centre has been amended to include non-resident population as a criteria point.


71. This result is Byron Shire Council will be reclassified to Regional Centre.

72. Tweed Shire Council once again requested reclassification from Regional Centre to Regional Strategic Area on the following grounds:

- Proximity to Sydney via Gold Coast airport
- Proximity to Brisbane and Gold Coast
- Tweed being a major city centre and population centre for Northern Rivers Joint Organisation
- Tweed being the largest employer and strongest growth area in the Northern Rivers
- The construction of new state of the art Tweed Valley Hospital due to open in late 2023

73. Tweed Shire Council will be reclassified as a result of changes to Regional Strategic Area criteria outlined earlier in this determination.

74. Burwood Council requested to be reclassified from their current classification of Metropolitan Small to Metropolitan Medium. Council acknowledged that they do not currently meet the population criteria to be




placed into the requested category. The criteria as outlined in the 2022 Determination, Appendix 1 of the criteria that apply to categories states

“Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.”

75. If Burwood Council’s non-resident working population was included, the total population would be 53,435 well short of exceeding the population threshold for Metropolitan Medium.
76. Further examination demonstrates that Burwood council does not meet the broader criteria for Metropolitan Medium. Accordingly, Burwood Council will remain in current classification of Metropolitan Small.
77. The matters raised generally in submissions of Berrigan, Cowra, Inner West, Kur-ring-gai, Singleton and Temora Councils are outside of the scope of the Tribunal statutory functions, but in the view of the Tribunal are worthy of further consideration. These matters relate to the current remuneration principles and structures that apply to mayors and councillors in NSW and the potential impacts of these constraints. These are discussed further below.

Section 4 – 2023 Fees

78. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required by section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
79. Pursuant to section 146C (1) (a) of the IR Act, the current government policy on wages is expressed in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 (IR Regulation). The IR Regulation provides that public sector wages cannot increase by more than 3 per cent per annum and the tribunal therefore has the discretion to determine an increase of up to 3 per cent per annum.
80. Four (4) submissions received addressed the issue of the fees quantum increase. These submissions sought an increase of 2.5% or greater.
81. The LGNSW submission requested that the Tribunal increase fees by the maximum 3 per cent, but further argued that the maximum increase is *“inadequate and does not address the historic undervaluation of work performed by elected representatives and the substantial responsibility associated with local government.”*
82. LGNSW used economic and wage data to support their argument, that included:
- Consumer Price Index (CPI)
 - National and State Wage cases
 - Market comparability

- 
-
83. LGNSW in their meeting with The Tribunal and Assessors, further emphasised that remuneration for Councillors and Mayors has been reduced in real terms due to impacts of inflation and capping of remuneration increases.
84. The Tribunal received a late submission from the USU, advocating for the maximum increase to be applied. The USU argued that all work carried out in local government needed to be fairly remunerated and reflect the rise in cost of living.
85. Whilst only five of the eighteen submissions received addressed the issue of quantum increase of fees, more than half of the submissions provided commentary on a range of remuneration issues.
86. Submissions suggested that the current remuneration structure is inadequate and requires further review. It has been suggested that the current remuneration structure does not adequately reflect:
- Role, responsibilities, and commitment required to perform functions successfully
 - Workloads
 - Complexity of role
 - Commitment and skills required
 - Fairness
87. Furthermore, it has been suggested that the low level of remuneration is a barrier to encouraging participation and diversity of candidates that reflects communities.

88. Associate Professor Jakimow of the Australian National University provided a detailed submission outlining the negative impacts of inadequate remuneration. The substance of the submission is that current remuneration levels do not adequately reflect the hours and complexity of work. Furthermore, low remuneration is a barrier to participation and diversity.

89. Associate Professor Jakimow argues that:

“inadequate pay has significant negative consequences: low quality local democracy, an unacceptable burden on councillors and their families, and poor councillor diversity.”


90. A number of submissions provided comparison data to demonstrate that the current remuneration principles and structure are not reflective of time, skills and competencies required to effectively perform the roles of councillor and mayor.
91. Comparisons were made to State and Federal parliamentary members, councillors and mayors in the Queensland and Victorian local government jurisdictions, average remuneration of a chairperson of a board, not for profit organisations and national minimum wage. The basis of the argument is that NSW mayor and councillors are paid below these organisations.
92. One submission noted that legislative change would be required to change remuneration model.
93. The Tribunal acknowledges issues raised in submissions regarding remuneration principles, structure and potential impacts. Many of these issues are worth serious consideration, they are however not currently

within the Tribunal's remit. The Tribunal concludes these matters should be given further investigation and consideration.

94. The Tribunal has considered key economic indicators, including the Consumer Price Index and Wage Price Index, and has determined that the full 3 per cent increase will apply to the minimum and maximum fees applicable to existing categories.
95. As an initial determination, the ranges for new categories are not subject to the wages policy. Future increases in those categories, as is the case for existing categories, will be subject to wages policy in accordance with section 242A(4) of the LG Act.
96. The minimum and maximum fees for the new categories have been determined having regard to the relativities of existing categories


Time for Fresh Thinking

97. Submissions made to the 2023 review and the Tribunals own conclusions from evidence it has examined, suggest that there are significant issues underlying the concerns raised about mayor and councillor remuneration. It is apparent to the Tribunal that those issues which include a lack of diversity in representation, changing nature of work required to be undertaken and changed community expectations cannot be easily resolved under the existing framework. In the Tribunal's view, there would be merit in a comprehensive review of the framework for mayor and councillor remuneration.
98. The criteria under which the Tribunal makes these determinations has




been in existence since 1994 and at that time NSW had 177 Councils. Much has changed over the past 30 years, but the criteria has not.

99. As noted earlier in this determination the Tribunal and Assessors met with two Joint Organisation member representatives. While much of what was discussed has been dealt with in this determination it is worthy for the record to restate the view of LGNSW of the *“need for major reform”*.
100. Key themes and issues raised during discussions by mayors, councillors and general managers with the Tribunal and Assessors include:
- Changes to ways of working including expectations of increased use of social media and online platforms (“always on” expectations from constituents)
 - Impacts of future development
 - Impact of changes to legislation and regulation on workload
 - Serving constituents in regional centres, country areas regional areas, rural and remote areas
 - Remuneration principles
 - Natural Disasters including floods, fires, mice, locusts and tragedies generally
 - Confusion in roles and responsibilities – need for compulsory and consistent training of candidates prior to election and induction of those elected

- 
- Popularly elected mayors and two-year mayoral terms and the role of the Deputy Mayor when a mayor is absent, as distinct from temporarily unavailable
 - Questioning whether the guidelines by the Office of Local Government for the payment of expenses and the provision of facilities for mayors and councillors that were issued in 2009 are still fit for purpose. There appears to be significant variation in the interpretation of the guidelines and subsequent council policies
 - The optional payment of superannuation being used for political purposes
 - Paid parental leave for councillors
 - Is remuneration holding back quality candidates or are behavioural issues – both in and out of meeting environment
 - Parity in the payment differential in existing categories between councillors and mayors
 - A possible alignment in categories of councillor to resident and ratepayer ratios and rateable property ratios
 - Clarity in the payment of fees for chairpersons and voting members of Joint Organisations for additional workloads

101. Diversity was a strong theme heard by the Tribunal, both diversity of communities served and diversity of representation. We heard that



younger people, women, Aboriginal and Torres Strait Islander people and members of culturally and linguistically diverse communities among others, are underrepresented in many councils.

102. The Tribunal acknowledges that it is not within its authority to address many of the issues that were raised in submissions.

103. The Tribunal is not suggesting a fundamental review of the role of councillors and notes that people enter local government representation from a sense of civic service rather than for remuneration.

Conclusion


104. The Tribunal is of the view that a broader consideration is required of the matters raised in this determination. If the Minister decided to refer these matters under section 238 (2) of the LG Act the Tribunal would be willing to assist noting that it would require considerable consultation with the sector and access to suitable resources from Government.

105. The Tribunal's determinations have been made with the assistance of the Assessors Ms Kylie Yates, Gail Connolly PSM (in her role as Acting Deputy Secretary) and Mr Brett Whitworth.

106. It is the requirement of the Tribunal that in the future all submissions have council endorsement.


107. Determination 1 outlines the allocation of councils into each of the categories as per section 239 of the LG Act.

108. Determination 2 outlines the maximum and minimum fees paid to



councillors and mayors and members and chairpersons of county councils
as per section 241 of the LG Act.

109. The Tribunal acknowledges and thanks the secretariat for their excellent
research and support in completing the 2023 determination.



Viv May PSM

Local Government Remuneration Tribunal

Dated 27 April 2023

Section 5 – Determinations

Determination No. 1 – Allocation of councils into each of the categories as per section 239 of the LG Act effective 1 July 2023

General Purpose Councils – Metropolitan

Principal CBD (1)

- Sydney

Major CBD (1)

- Parramatta

Metropolitan Major (2)

- Blacktown
- Canterbury-Bankstown

Metropolitan Large (10)

- Bayside
- Cumberland
- Fairfield
- Inner West
- Liverpool
- Northern Beaches
- Penrith
- Ryde
- Sutherland
- The Hills

Metropolitan Medium (8)

- Campbelltown
- Camden
- Georges River
- Hornsby
- Ku-ring-gai
- North Sydney
- Randwick
- Willoughby

Metropolitan Small (8)

- Burwood
- Canada Bay
- Hunters Hill
- Lane Cove
- Mosman
- Strathfield
- Waverley
- Woollahra

General Purpose Councils - Non-Metropolitan

Major Regional City (2)

- Newcastle
- Wollongong

Major Strategic Area (1)

- Central Coast

Regional Centre (23)

- Albury
- Armidale
- Ballina
- Bathurst
- Blue Mountains
- Byron
- Cessnock
- Clarence Valley
- Coffs Harbour
- Dubbo
- Eurobodella
- Hawkesbury

Regional Strategic Area(4)

- Lake Macquarie
- Maitland
- Shoalhaven
- Tweed
- Lismore
- Mid-Coast
- Orange
- Port Macquarie-Hastings
- Port Stephens
- Queanbeyan-Palerang
- Shellharbour
- Tamworth
- Wagga Wagga
- Wingecaribee
- Wollondilly

Regional Rural (12)

- Bega
- Broken Hill
- Goulburn Mulwaree
- Griffith
- Kempsey
- Kiama
- Lithgow
- Mid-Western
- Nambucca
- Richmond Valleys
- Singleton
- Snowy Monaro

Rural Large (18)

- Bellingen
- Cabonne
- Cootamundra-Gundagai
- Cowra
- Federation
- Greater Hume
- Gunnedah
- Hilltops
- Inverell
- Leeton
- Moree Plains
- Murray River
- Muswellbrook
- Narrabri
- Parkes
- Snowy Valleys
- Upper Hunter
- Yass

Rural (38)

- Balranald
- Berrigan
- Bland
- Blayney
- Bogan
- Bourke
- Brewarrina
- Carrathool
- Central Darling
- Cobar
- Coolamon
- Coonamble
- Dungog
- Edward River
- Forbes
- Gilgandra

- Glen Innes Severn
- Gwydir
- Hay
- Junee
- Kyogle
- Lachlan
- Liverpool Plains
- Lockhart
- Murrumbidgee
- Narrandera
- Narromine
- Oberon
- Temora
- Tenterfield
- Upper Lachlan
- Uralla
- Walcha
- Walgett
- Warren
- Warrumbungle
- Weddin
- Wentworth

County Councils

Water (4)

- Central Tablelands
- Goldenfields Water
- Riverina Water
- Rous

Other (6)

- Castlereagh-Macquarie
- Central Murray
- Hawkesbury River
- New England Tablelands
- Upper Hunter
- Upper Macquarie

Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2023

The annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2023 as per section 241 of the *Local Government Act 1993* are determined as follows:

Table 4: Fees for General Purpose and County Councils

General Purpose Councils – Metropolitan

Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Principal CBD	29,610	43,440
Major CBD	19,760	36,590
Metropolitan Major	19,760	34,590
Metropolitan Large	19,760	32,590
Metropolitan Medium	14,810	27,650
Metropolitan Small	9,850	21,730

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2023

Category	Minimum	Maximum
Principal CBD	181,210	238,450
Major CBD	41,960	118,210
Metropolitan Major	41,960	106,960
Metropolitan Large	41,960	94,950
Metropolitan Medium	31,470	73,440
Metropolitan Small	20,980	47,390

General Purpose Councils - Non-Metropolitan

Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Major Regional City	19,760	34,330
Major Strategic Area	19,760	34,330
Regional Strategic Area	19,760	32,590
Regional Centre	14,810	26,070
Regional Rural	9,850	21,730
Rural Large	9,850	17,680
Rural	9,850	13,030

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2023

Category	Minimum	Maximum
Major Regional City	41,960	106,960
Major Strategic Area	41,960	106,960
Regional Strategic Area	41,960	94,950
Regional Centre	30,820	64,390
Regional Rural	20,980	47,420
Rural Large	15,735	37,925
Rural	10,490	28,430



County Councils

Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Water	1,960	10,870
Other	1,960	6,490

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2023

Category	Minimum	Maximum
Water	4,200	17,850
Other	4,200	11,860

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2))

Viv May PSM

Local Government Remuneration Tribunal

Dated 27 April 2023

Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

Metropolitan Major

Councils categorised Metropolitan Major will typically have a minimum residential population of 400,000.

Councils may also be categorised Metropolitan Major if their residential population combined with their non-resident working population exceeds 400,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$300M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Major will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

Metropolitan Small

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

Major Regional City

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development

- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

Major Strategic Area

Councils categorised as Major Strategic Area will have a minimum population of 300,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum

- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 100,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum

- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW

- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.


Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.



Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural Large

Councils categorised as Rural Large will have a residential population greater than 10,000, and a councillor to resident ratio of at least 1 to 1200.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

Rural

Councils categorised as Rural will typically have a residential population less than 10,000.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the Biosecurity Act 2015.

REPORT
CM/7.6/23.06

Subject: Council Meetings - Addresses by Members of the Public by Audio-Visual Link

TRIM No: A22/0057

Manager: Richard Coelho, Executive Manager, Governance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council:

1. Trials the following practices at Council and Council Committee meetings for a minimum of six months:
 - (a) Allowing members of the public to address meetings by audio-visual link.
 - (b) Allowing Councillors to ask questions of a speaker at the end of their address.
2. Officers prepare a report to Council following the trial.

1. Executive Summary

At its meeting in November 2022, Council resolved that officers investigate allowing:

- Members of the public to address Council and Council Committee meetings by audio-visual link.
- Councillors to ask questions of speakers at the end of their address.

This report recommends that Council trials both practices for a minimum six-month period, and that Council receives a report on the outcome of the trial.

Should Council wish to implement the new practices permanently following the trial, Council's Code of Meeting Practice will need to be amended. Officers will address this in their post-trial report to Council.

2. Introduction/Background

Council and Council Committee meetings are held in the Council Chambers, with some Councillors attending in person and others attending by audio-visual link, in accordance with the Code of Meeting Practice.

The Office of Local Government's *Model Code of Meeting Practice for Local Councils in NSW* (the Model Code) includes optional provisions allowing members of the public to address Council meetings by audio-visual link, which were not included in Council's Code of Meeting Practice when it was adopted by Council in June 2022. Under Council's adopted Code, members of the public wishing to address Council or a Council Committee meeting must attend the meeting in person. If they are unable to attend the meeting, they can email their submission directly to Councillors.

Similarly, the Model Code contains optional provisions that allow Councillors to ask questions of public speakers, but they too were not included in the adopted Code. Council's Code does not prohibit Councillors from asking questions of speakers, but it has not been the usual practice at Waverley.

There being nothing preventing Council from implementing the practices proposed in its November 2022 resolution, this report recommends they be trialled for a minimum of six months.

Should Council wish to adopt the practices following the trial, the Code of Meeting Practice will need to be amended to include new provisions. This will be addressed in the report to Council on the outcome of the trial.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 15 November 2022	CM/8.2/22.11	<p>That Council:</p> <ol style="list-style-type: none"> Investigates allowing: <ol style="list-style-type: none"> Members of the public to address Council and Committee meetings by audio-visual link. Councillors to ask questions of members of the public at the end of their address. Officers prepare a report to Council on the outcome of the investigation.

4. Discussion

The trial is expected to commence at the August 2023 Council meeting and will apply to Council meetings, as well as meetings of the Finance, Operations and Community Services Committee and the Strategic Planning and Development Committee.

During the trial, members of the public who have registered to address Council or a Council Committee meeting by audio-visual link will be emailed the link for the meeting. Speakers will initially enter a virtual 'waiting room' before being admitted into the meeting by Governance staff when invited by the chair of the meeting to address the meeting. Councillors may then ask questions of the speaker at the conclusion of their address before Governance staff close the speaker's link to the meeting. The use of the waiting room feature will mean that all attendees will initially enter the waiting room before being admitted to the meeting by staff.

Members of the public will still be able to address the meeting in person if they choose. Councillors may also ask questions of these speakers. When addressing Council, all speakers must comply with the Code of Meeting Practice.

Currently, there are no limitations on the number of speakers permitted to address a meeting. To ensure that meetings are kept to a manageable duration, officers propose that, initially, no more than two speakers are to be permitted to speak 'for' or 'against' each item (whether in person or via audio-visual link), and that this be monitored as the trial progresses.

Officers will promote the trial on Council's website and via its social media channels.

Feedback on the trial from the speakers, staff and Councillors will be assessed and a report on the findings prepared for the next available Council meeting.

5. Financial impact statement/Time frame/Consultation

There is no unbudgeted cost to Council in trialling members of the public addressing Council and Council Committee meetings by audio-visual link, and Councillors asking questions of members of the public at the end of their address.

If supported by Council, the trial will run for a minimum of six months commencing at the August 2023 Council meeting.

6. Conclusion

This report recommends that Council conducts a trial allowing members of the public to address Council and Council Committee meetings by audio-visual link and Councillors to ask questions of speakers at the end of their address.

Should Council wish to implement the practices permanently after the trial, Council will need to amend its Code of Meeting Practice. Officers will report to Council on the outcome of the trial, including next steps as required.

7. Attachments

Nil.

REPORT
CM/7.7/23.06

Subject: Audit, Risk and Improvement Committee Meeting - 6 April 2023 - Minutes

TRIM No: SF23/1014

Manager: Richard Coelho, Executive Manager, Governance

Director: Tara Czinner, Director, Corporate Services

RECOMMENDATION:

That Council notes the minutes of the Audit, Risk and Improvement Committee meeting held on 6 April 2023 attached to the report.

1. Executive Summary

Council established the Audit, Risk and Improvement Committee (ARIC) in February 2019. 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 6 April 2023 were confirmed by the Committee at its meeting on 8 June 2023 and are attached to this report.

2. Introduction/Background

The ARIC 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, the minutes are reported to Council after being confirmed by the Committee.

3. Relevant Council Resolutions

Nil.

4. Discussion

Nil.

5. Financial impact statement/Time frame/Consultation

Nil.

6. Conclusion

The minutes of the ARIC meeting held on 6 April 2023 have been confirmed by the Committee and are attached to this report for Council's noting.

7. Attachments

1. ARIC - 6 April 2023 - Minutes [↓](#) .



**MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING
HELD BY VIDEO CONFERENCE ON THURSDAY, 6 APRIL 2023**

Voting Members Present:

Elizabeth Gavey (Chair)	Independent Member
John Gordon	Independent Member
Cr Tim Murray	Alternate Councillor Member

In Attendance:

Emily Scott	General Manager
Sharon Cassidy	Director, Assets and Operations
Tara Czinner	Director, Corporate Services
Fletcher Rayner	Director, Planning, Sustainability and Compliance
Lawrissa Chan	Director, Financial Audit, Audit Office of NSW
Brett Hanger	External Auditor (Nexia Australia)
Jarrold Lean	Internal Auditor (Engagement Partner, Grant Thornton Australia)
Mahesha Rubasinghe	Internal Auditor (Engagement Manager, Grant Thornton Australia)
Richard Coelho	Executive Manager, Governance and Risk
Teena Su	Executive Manager, Finance
Meredith Graham	Executive Manager, Organisational Strategy and Improvement (Item 5.6)
Kevin Trinh	Acting Chief Information Officer (Item 5.7)
Lucas Atkinson	Executive Officer, General Manager's Office (Item 5.8)
Diana Lawrie	Risk Manager (Item 5.8 and Item 5.9)
Kerrie Pryke	Executive Manager, Human Resources, Safety & Wellbeing (Item 5.10)
Nik Zervos	Executive Manager, Infrastructure Services (Item 5.12)
Shane Smith	Executive Manager, Waste, Cleansing & Fleet (Item 5.12)
Al Johnston	Committee Secretary

At the commencement of proceedings at 9.04 am, those present were as listed above.

Prior to the commencement of the meeting the Executive Officer, General Manager's Office gave a presentation to the ARIC members on strategic risk management and public safety.

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

Apologies were received from Cr Wy Kanak, the Councillor Member of the Committee.

2. Declarations of Pecuniary and Non-Pecuniary Interests

The Chair called for declarations of interest, in addition to those standing declarations of interests made by members, and none were received.

3. Confirmation of Minutes

ARIC/3.1/23.04 Confirmation of Minutes - Audit, Risk and Improvement Committee Meeting - 24 November 2022 (SF23/20)

DECISION

That the minutes of the Audit, Risk and Improvement Committee Meeting held on 24 November 2022 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/4.1/23.04 Actions from Previous Meetings (SF23/1012)

DECISION

That the Committee notes the status of the actions from previous meetings as at 6 April 2023 attached to the report.

DISCUSSION

The Committee noted the action items that are addressed on the current agenda.

5. Reports**ARIC/5.1/23.04****Audit Office of NSW - Engagement Audit Plan for 2022/23 Financial Year (A23/0026)****DECISION**

That the Committee:

1. Receives and notes the Annual Engagement Plan (AEP) for the audit of the 2022-23 financial statements.
2. Receives a report at the June 2023 meeting outlining the Useful Life review process recently undertaken and the effect of the changes to the Useful Life of Council's assets including the material impact on depreciation.
3. Receives the Management Representation Letter at its meeting on 3 October 2023 when it considers the year end audit.

DISCUSSION

The External Auditor outlined the key features of the engagement audit plan noting the management update on the Assets Fair Valuation component, the plan timetable, and he advised the Committee that there were no major issues arising out of the first interim audit completed in March.

Following a discussion of the revaluation of various assets and changes to the useful life of some asset categories following a review by Morrison Low, the Committee requested a report be presented to the June 2023 meeting outlining the review process and the effect of the changes including the material impact on depreciation.

The Committee requested that the Management Representation Letter be presented to the Committee at its meeting in October 2023 when it considers the year end audit.

The Audit Office of NSW representative confirmed that the NSW Modern Slavery Act 2018 disclosure will not be a focus of this year's audit but will be reported in a future Annual Report.

ARIC/5.2/23.04**Investment Portfolio Performance - February 2023 (A03/2211)****DECISION**

That the Committee notes the February Investment Summary Report attached to the report, which was considered at the Council meeting on 21 March 2023.

DISCUSSION

Discussion focussed on the Council's ethical / green investment policy and the ratio of investment in fossil fuel, the level of exposure to risk in the Australian banking sector at present, and a suggestion for management to discuss a process with the investment advisor for breaking investments to reinvest at a higher rate where appropriate.

The Committee complimented management on disclosing the value of external, internal and unrestricted reserves in the format that it has, explaining that not every council presents it so clearly.

ARIC/5.3/23.04 Quarterly Budget Review (Q2) - December 2022 (A03/0346)**DECISION**

That the Committee notes the Q2 Budget Review attached to the report, which was approved at the Council meeting on 21 February 2023.

DISCUSSION

The Committee expressed its satisfaction with the Q2 Budget Review and the information presented. The Executive Manager, Finance confirmed the IT modernisation program does not affect the 2022/23 budget.

ARIC/5.4/23.04 General Manager's Update (SF23/1010)**DECISION**

That the Committee notes the General Manager's verbal update provided at the meeting.

DISCUSSION

The General Manager provided a verbal update to the Committee. The key points mentioned were:

Budget Priorities

- Delivering Council's priorities.
- Ensure Council's financial sustainability.
 - Operational Ratio > 0%.
 - Balanced budget.
 - Restore fiscal resilience.
 - Understand capital priority and available funds.
- Build organisation capability and service delivery to meet community expectations.
- Modernisation and tech-enabled improvement.
- Respond to trends, sector changes.
- Continue capital expenditure program on asset renewal, upgrade, health and safety.

Draft 2023/24 Budget Snapshot

- A balanced budget.
- Meeting operating performance ratio >0%.
- Total expenditure is \$171.8M:
 - Operational expenditure is \$130.5M (7.2% increase on 2022/23).
 - Capital Expense is \$40.8M (-23.3% decrease on 2022/23).
- Total income \$163.3M:
 - Operating income is \$149.99M (3.5% increase on 22/23).
 - Capital income is \$13.28M (-24.7% decrease on 22/23).
- Use \$8.48M reserve funding to support the 2023/24 programs due to the ICT modernization program (\$4.26M decrease on 2022/23).

Major Changes – Income

- \$1.4M increase in commercial rent due to Bondi Pavilion being a full financial year operating for the first time.
- Additional \$1M fines will be generated from increased building compliance activities.
- Reduction of \$0.6M in temporary truck zone permits anticipating lower building activities.
- Lower State grants (\$1.5M) due to NSW severe weather and flood grant (\$1M) and DA grant (\$0.4M) received in 22/23 year.
- Lower capital income (\$4.4M) due to lower capital works program expense proposed.

Major Changes – Expenditure

- Employee costs increased by \$5.8M (8.3%) – above the anticipated staff Award increase of 4.6% and superannuation costs 0.5%, and a full staffing establishment following transition from COVID-19 recovery budget.
- Materials and contracts increased by \$1.6M (6%).
- Other operating expenses increased by \$1.4M (6%) – largely due to the Abandonment fees (\$0.3M), waste disposal (\$0.4M) and motor vehicle running costs (\$0.4M).
- Temporary staff cost has reduced by \$0.9M, offsetting the increase in employee costs.
- Contractors down \$0.7M.
- Consultants has increased by \$3.2M mainly due to the ICT program phase 1 implementation.
- Capital expenses reduced by \$12.4M due to lower capital works program expenses proposed.

2023/24 Capital Works Program

- Total program is \$37.64M.

Capital works Base Budget Vs Committed Projects

- The base budget is \$21.4M to cover depreciation of assets.
- Council has committed to delivering the following additional projects that are over and above the depreciation amount:
 - Charing Cross Streetscape Upgrade \$4M.
 - Waverley Council Chambers \$5M.
 - Curlewis St Upgrade \$2.8M.
 - Bronte Surf Life Saving Club \$1M.
 - Bondi Surf Bathing Life Saving Club Conservation and Upgrade Project \$1M.

LTFP Snapshot

- The LTFP 6.1 forecasts a balanced budget for every individual year throughout this planning period to 2033/34.
- It forecasts a cash and cash investment balance of \$98M as at 30 June 2034.
- Reserve balance of \$87M at end of planning period 2034.
- Meet OLG's operating performance ratio in 2023/24 = 0%.
- Subsequent 2 years forecasts with negatives for the ICT modernization program spend (Total ICT Program cost at \$18.5M).
- Financial benefit realisation (\$16.5M) from the ICT program has built in LTFP 6.1.

Operating Performance Ratio

- LTFP forecasts some pressure on the operating performance ratio.
- Improvement programs are being commenced which should assist in reversing this trend including service reviews and ICT strategy.

StateCover Executive Review

- Information about premium history, premium impacting costs and claim numbers, and claims by mechanism of injury was presented to the Committee.

Lloyds Group Voluntary Administration

- Information about the impact on Council's construction contracts of Lloyds Group's voluntary administration was presented to the Committee.

ICT Modernisation Timeline

- Stage 2 Select Tender – RFT Advertised in the week after Easter until the end of May 2023.
- Tender Evaluation – June 2023.
- Report to Council – July 2023.

The Committee discussed the Lloyds Group voluntary administration, and the benefits and realisations of

the ICT Modernisation project. It was suggested management contact Sutherland Council to share learnings about as they have recently completed a similar IT modernisation project.

ARIC/5.5/23.04 Reserves Strategy Review (A18/0227)**DECISION**

That the Committee:

1. Notes the revised Reserves Strategy attached to the report.
2. Notes that Councillors were briefed on the revised Reserves Strategy at a briefing session on 28 March 2023.

DISCUSSION

The approval process for the Reserves Strategy was discussed. Management confirmed that the reserve accounts are adopted by Council and the policy document is approved by the Executive Leadership Team.

ARIC/5.6/23.04 Service Review Program - Update (A23/0209)**DECISION**

That the Committee notes the presentation by the Executive Manager, Organisational Strategy and Improvement on an update to the service review program.

DISCUSSION

The Executive Manager, Organisational Strategy and Improvement gave a presentation to the Committee. The key points mentioned were:

Measures of Performance

- Top Down Approach.
 - Provides excellent overview of performance.
 - Internal and External focus.
 - Monitor progress over time.
 - Real time information on Stakeholder and Community expectations.

Organisational Performance

- Based on the Australian Business Excellence Framework.
- 7 Categories:
 - Leadership; strategy and planning; people; information and knowledge; customers and other stakeholders; process management, improvement and innovation; and results and sustainable performance.
- Focus on the key organisational drivers of performance.
- Continuum of performance is the key to unlock improvements.
- Transitioning from Efficient to Effective is a key milestone to achieving a high performance organisation.

Improvement Cycle

- Key initiator to Transitioning from Efficient to Effective
- Bottom up approach that engages the service providers
- Connects the goals and visions of the organisation at an operational level

- Builds the understanding and measures of performance that are required to implement change

Service Review Process

- Assess suitability for Service Reviews
- Determine a program for Service Reviews
- Conduct Service Reviews
- Implement Agreed Actions
- Monitor Performance
- Report Quarterly on progress

Assessing Suitability for Service Review

- Collect organisational data
- Meet with key managers
- Assessment of suitability for service review
- Service review priorities
- Prepare a report and implementation plan

Next Steps

- Commence Service Review Data Collection
 - April 2023
- Evaluate the Service Review priorities
 - May 2023
- Develop the Service Review Program
 - June 2023
- Commence Service Reviews
 - July/August 2023

The Committee agreed that the service review program appears to be a robust process. Council has engaged a consultant to assist with the program, the method of review will be defined by the service type and the priorities will be reassessed as the program progresses. The Committee noted that it is important to understand the scale of the service review program and that it is a very long term project.

**ARIC/5.7/23.04 Information Management and Technology - ICT Strategy and Work Program
Update (A18/0665)**

DECISION

That the Committee:

1. Notes the progress on the implementation of the ICT Modernisation and major work programs, as set out in the report.
2. Receives a gap analysis of the penetration testing at the June 2023 meeting including the testing schedule for the next 2-3 years.

DISCUSSION

The Committee discussed the project management arrangements and resourcing for the ICT modernisation program, and the development of a record keeping framework to streamline the records management system. Penetration testing was also discussed and the Committee requested management provide a gap analysis in the next report to the Committee including the penetration testing schedule for the next 2-3 years.

ARIC/5.8/23.04 Enterprise Risk Management Update - Strategic Risk Review (SF22/4802)**DECISION**

That the Committee notes the Strategic Risk Review detailed in the report.

DISCUSSION

The Risk Manager informed the Committee that the process for the strategic risk review will involve categorising the 13 strategic risks into groups and each group will be reviewed by the Executive Leadership Team quarterly. The operational risks will be reviewed every six months by the responsible managers. The structure will allow for a more manageable and comprehensive review. The Committee was satisfied with this approach.

A program of work has not yet been developed as management is in the process of recruiting a Chief Risk and Audit Officer, who will be responsible for driving the review process.

ARIC/5.9/23.04 Insurance Arrangements (A17/0245)**DECISION**

That the Committee:

1. Notes that Council's insurance portfolio provides all necessary cover for Council's operational and strategic risks.
2. Receives a report at its 3 October 2023 meeting outlining the following:
 - (a) Council's insurance coverage, excesses and premiums, and the process undertaken to obtain the cover.
 - (b) An comparative analysis of the insurance data from FY 2021-22 and FY 2022-23.

DISCUSSION

The Committee discussed Council's insurance arrangements including its cyber coverage, and requested that details of Council's coverage, excesses and premiums, and the process undertaken to obtain insurance, as well as an analysis of last year's data and this year's data, be presented to the Committee at its 3 October 2023 meeting.

ARIC/5.10/23.04 Governance Report (SF23/1015)**DECISION**

That the Committee notes the Governance Report.

DISCUSSION

The Executive Manager, Human Resources, Safety & Wellbeing updated the Committee on the new Safe Space reporting system for work health and safety matters. The organisation is still feeling its way with the new reporting, which is more user friendly and presents the data in a more meaningful way. More information will be added to the system as staff familiarises themselves with the reporting functionality. The new system will enable staff to develop programs that better target specific WHS issues that arise.

ARIC/5.11/23.04 Internal Audit Status Update - March 2023 (A21/0369)**DECISION**

That the Committee notes the status of the 2022/2023 Internal Audit Plan.

DISCUSSION

The Internal Auditor advised the Committee that they are on track to complete the Internal Audit Plan.

ARIC/5.12/23.04 Completed Internal Audit Reports 2022-23 (A21/0368)**DECISION**

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

1. Asset Management Maturity Review – September 2022.
2. Plant and Workshop Maintenance Review – November 2022.

DISCUSSION*Asset Management Maturity Review*

The Committee expressed satisfaction with the review and the rating. The Internal Auditor explained that the process followed the Asset Management Audit standard although there were some minor differences because this is the first one of its kind at Council.

The Committee discussed the effect of the ICT Modernisation program on asset management and noted the audit creates a baseline by which management can determine whether the program improves systems and processes.

Plant and Workshop Maintenance Review

Discussion focussed on the use of Ausfleet as a management tool and the reasons it has been under-utilised by maintenance staff. The Committee agreed the proper use of Ausfleet, along with better record keeping practices, would address the key issues identified in the review. The move to electric vehicles and the impact on maintenance staff was also discussed.

The Committee noted the ambitious implementation dates for the review recommendations reflected a positive management culture.

ARIC/5.13/23.04 Outstanding Audit Recommendations - Status Update - March 2023 (A21/0368)**DECISION**

That the Committee notes the Outstanding Audit Recommendations - Status Update for March 2023.

DISCUSSION

The Committee expressed satisfaction with the March update, noting there is nothing alarming in the report, and that management are engaged in the process and progress is being made on the implementation of the recommendations.

ARIC/5.14/23.04 Draft ARIC Annual Report 2022 (SF23/1230)**DECISION**

That the Committee endorses the draft Audit, Risk and Improvement Committee's Annual Report for 2022 attached to the report for presentation to the next available Council meeting.

DISCUSSION

The Committee confirmed the inclusion of an additional point identified in the questionnaire, that a key focus of the ARIC is the process by which Council balances the economic growth and development in the area against cultural, heritage and environmental sustainability.

The Committee endorsed the draft Annual Report for 2022 for presentation to the next available Council meeting.

ARIC/5.15/23.04 ARIC Work Program 2023 (SF23/1013)**DECISION**

That the Committee endorses the ARIC Work Program 2023 attached to the report.

DISCUSSION

The Committee noted that it is conscious of the workload the program places on management.

6 Other Business**ARIC/6.1/23.04 – ARIC Meeting Dates 2023**

The Committee noted the remaining meeting dates for 2023:

- 9am, 8 June 2023
- 9am, 27 July 2023
- 9am, 3 October 2023
- 9am, 30 November 2023

ARIC/6.2/23.04 – Expression of Interest for ARIC Independent Member Vacancy

The Director, Corporate Services informed the Committee that the EOI for the vacant ARIC independent member position is being advertised today and requested members circulate it in their networks.

ARIC/6.3/23.04 – Superannuation Contributions for ARIC Independent Members

The Committee thanked management for proactively resolving the superannuation issue for the ARIC independent members.

7. Meeting Closure

THE MEETING CLOSED AT 12.22 PM

.....
SIGNED AND CONFIRMED
CHAIR
8 JUNE 2023

REPORT CM/7.8/23.06



Subject: Events Policy - Adoption

TRIM No: A23/0269

Manager: Tanya Goldberg, Executive Manager, Arts, Culture and Events

Director: Ben Thompson, Director, Community, Culture and Customer Experience

RECOMMENDATION:

That Council adopts the Events Policy attached to the report.

1. Executive Summary

At its meeting on 18 April 2023, Council directed officers to review the Events Policy to ensure that the policy reflects community concern with respect to events of a commercial nature that involve alcohol and occupy public space for extended durations.

Three minor policy amendments to the Events Policy were proposed to address these matters of community concern. At its meeting on 16 May 2023, Council resolved to place the draft updated Events Policy that incorporated them on public exhibition for 28 days to seek feedback on the proposed amendments.

Public exhibition has concluded, with the majority the feedback received emphatically supportive of the draft updated Events Policy. It is therefore recommended that Council approve the proposed changes be incorporated into the Events Policy with immediate effect.

2. Introduction/Background

Council's Events Policy was updated in August 2020, based on the previous Events Policy dated 2015. The policy is scheduled to be reviewed in its entirety in August 2024.

The policy stipulates that high-impact events with more than two thousand attendees in outdoor open spaces that include high level amplified music, alcohol and infrastructure footprints over 400 m2 require referral to Council for determination.

At its April 2023 meeting, Council directed officers to review the Events Policy to reflect community concern regarding events involving alcohol on the beach, for extended durations, that are for commercial purposes. Minor amendments were identified following that review and, at its May 2023 meeting, Council directed officers to place those amendments on public exhibition for 28 days.

The public exhibition period concluded on 14 June 2023, with a total of 97 responses received. Of those respondents:

- 66 (68.04%) supported the proposed changes.
- Five (5.15%) supported the proposed changes but with further amendments.
- 26 (26.08%) did not support the proposed changes.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 16 May 2023	CM/7.6/23.05	That Council: <ol style="list-style-type: none"> Publicly exhibits the draft Events Policy attached to the report for 28 days. Officers prepare a report to Council following the exhibition period.
Council 18 April 2023	CM/7.4/23.04	That Council: <ol style="list-style-type: none"> Notes that the applicant has withdrawn their application for the International Beach Festival event at Bondi Beach. Notes the report's recommendation to not approve the event for the reasons set out in the report. Notes the strong community opposition to high-impact events on the beach that involve alcohol and loss of public space and amenity for significant periods of time and are for commercial purposes. Notes that Bondi Beach is an attractive, vibrant, international destination that is a popular location for events and promotions. The newly renovated Bondi Pavilion is further adding to this vibrancy offering interesting and engaging programming, activities and destination eateries. Officers review the Events Policy to reflect these community concerns with a report to be prepared for Council.
Council 18 August 2020	CM/7.7/20.08	That Council: <ol style="list-style-type: none"> Adopts the Events Policy attached to this report, subject to the following amendments: <ol style="list-style-type: none"> In clause 4.2(b), after the words 'Traditional Owners', add 'connection to country ("sovereignty") and custodianship of land, water and sky.' Events categorised as Medium Impact 1 and High Impact 1, and at the discretion of the General Manager, being reported to Councillors by email at the earliest opportunity prior to the event taking place. Notes that relevant and applicable provisions of the Sustainable Events Policy have been incorporated into the updated Events Policy and the Event Waste Management Guidelines and Requirements.

		<p>3. Endorses the Event Waste Management Guidelines and Requirements attached to this report as a support document to the updated Events Policy.</p> <p>4. Notes that, as a consequence of the actions outlined in clauses 2 and 3 above, the Sustainable Events Policy is redundant and will be removed from Council's policy register.</p> <p>5. Informs community organisations, successful applicants of events in the past 12 months and precincts of the new policy and guidelines.</p>
--	--	--

4. Discussion

A marked-up version of the policy showing the amendments is attached to this report.

Feedback received was generally in favour of the proposed Events Policy amendments.

Support for changes

Sixty-six respondents (68.04%) supported the proposed changes.

Comments from those respondents indicated the strong preference for the beach to remain a public space preserved for public use. Responses were also supportive of events taking place that did not lead to private gain, indicating a preference for one-off events that promote recreation that is widely accessible. Many comments related to concerns regarding the service of alcohol on the sand, and asked Council to ensure that these are not permitted unless on one-off occasions.

Comments include:

- *Well done Waverley Council. Keep the beach for public use.*
- *The beach is for public use, not private gain.*
- *Agree that alcohol on beach event should be for one off occasions.*
- *Fully endorse no alcohol or public toilets - pop up restaurant on the beach.*
- *No clubs on the beach please.*
- *Thanks for making sure Bondi Beach stays affordable for everyone.*
- *The beach is for everyone. Its one of the last few spaces. Events are great, but there are so many places to have events that will benefit other businesses, we don't need, want nor should we have alcohol fueled events taking over a family space.*
- *I fully support our beaches used for occasional events throughout the year, but want organisers to adopt best practice circular principles in design of any physical builds, with all materials to have end purpose in mind. No waste!*
- *Preserving public space as special as our beaches is critical.*

Support for changes with further amendments

Five respondents (5.15%) supported the proposed changes but with further amendments.

Some comments from those respondents indicated that Council should go further with its proposed restrictions of permissible events activity. Others expressed a preference for Council to ensure one-off

events like the Sydney WorldPride Bondi Beach Party that took place in March 2023 would continue. It should be noted, however, that the proposed policy amendments do not prohibit an event like Sydney WorldPride Bondi Beach Party from being approved.

Indicative comments include:

- *No commercial events at all.*
- *Two days duration is too short, I suggest four days.*
- *It's great having 1 off events at the beach, world pride showcased Sydney magnificently, 1 off events are brilliant.*

Opposition to changes

Twenty-six respondents (26.08%) did not support the proposed changes.

These respondents indicated via comments that the proposed amendments are too restrictive and prevent sufficient activation from taking place on our beaches. Some comments asserted that this meant our beaches lacked culture, inhibited tourism and restricted freedom of enterprise.

Comments include:

- *Too restrictive. Nanny state. Sydney is not the best city in the world. The most restrictive and expensive, with sunsets - YES! Wake up, let the people live.*
- *The manner in which Australia (and particularly NSW) imposes restrictions on everything (particularly fun) draws enough eyebrow raises from our tourists visitors as it is. This is a NIMBY proposal.*
- *I welcome events that encourage tourism*
- *The change in policy would reduce the scope of wonderful events that could otherwise take place.*

5. Financial impact statement/Time frame/Consultation

Financial impact statement

The policy amendments pose no hard cost to Council. The amendments represent a hypothetical loss of potential event fee revenue earnings for Council.

Time frame

The amended policy will commence and be implemented immediately upon adoption.

Consultation

The changes to the policy are considered minor and consistent with the existing policy. Council's 28-day public exhibition of the amendments captured community feedback that is predominantly supportive of them.

6. Conclusion

Events play a vital role in bringing people together, encouraging social participation, promoting health and wellbeing, and maintaining Bondi's status as a vibrant and desirable destination, as well as a great place to live. Council recognises and supports the activation of Waverley's public spaces via events in recognition of their additional benefits.

Council's Events Policy provides the framework by which Council can appropriately balance the activation of public space via events to achieve these goals with its protection of the community's use of public amenity, ensuring that the frequency and resultant impact of high impact events is not excessive. The policy enables Council to consider and approve various event proposals based on their merit against the policy criteria.

The proposed amendments to Council's Events Policy seek to reinforce this balance of interests and have drawn support from much of the community via feedback received on Council's Have Your Say portal. These minor amendments protect specific community concerns with respect to high-impact events on the beach that involve alcohol and loss of public space and amenity for significant periods of time and are for commercial purposes.

It is recommended that Council approves the amended policy to better reflect the interests of the Waverley community.

7. Attachments

1. Events Policy [↓](#) .



WAVERLEY
COUNCIL

Events Policy

Events Policy

Policy owner	Events
Approved by	Council
Date approved	18 August 2020
Commencement date	19 August 2020
TRIM Reference	D20/72535
Next revision date	18 August 2024
Relevant legislation/codes	N/A
Related policies/procedures/guidelines	<ul style="list-style-type: none"> - Waverley Community Strategic Plan 2018-2029 - Waverley Council 'Event Management and Delivery Requirements' - Waverley Council 'Event Waste Management Guidelines' - An Inclusive Community for Everyone - Eastern Suburbs 2017 – 2021 - Disability Inclusion Action Plan – Waverley Council 2017 – 2021 - Innovate Reconciliation Action Plan – Waverley Council 2019 – 2021 - Waverley Council 'Safety Management for Water-Based Events'
Related forms and documents	<ul style="list-style-type: none"> - Low to Medium Impact Event Application - Low to Medium Impact Event Permit - High Impact Event Application - Water Safety Plan Form - Event Sheet - Short Term Venue Hire Agreement - Regular Venue Hire Agreement - Event Agreement – High Impact Event - Waverley Council Temporary Food Permit

Table of Contents

1. Background..... 4

2. Purpose 4

3. Scope 5

4. Policy Content..... 6

 4.1 Policy Statement 6

 4.2 Policy Principles..... 6

 4.3 Assessment of Event: Suitability and Criteria 6

 4.3.1 Event Classification 7

 4.3.2 Further Classification of Events..... 9

 4.4 Application/Determination 10

 4.4.1 Low Impact Events 10

 4.4.2 Medium Impact Events (‘Medium Impact 1’ and ‘Medium Impact 2’) 10

 4.4.3 High Impact 1 Events..... 11

 4.4.4 High Impact 2 Events..... 11

5. Review of Policy 11

6. Definitions 11

DRAFT

1. Background

Waverley Council delivers and hosts a range of sustainable and inclusive events that contribute to the vibrant and diverse cultural life of the Waverley community. Events make a valuable contribution to Waverley's culture, economy, the local area and its people's connection to place.

Council has strong community, environmental and social targets aimed at strengthening community inclusion, supporting the local economy and balancing community and visitor expectations.

To support this Policy, Council's 'Event Management and Delivery Requirements' and 'Event Waste Management Guidelines' provide a clear and effective framework to assist in the planning and delivery of events that are of a high quality and meet contemporary sustainability standards. The application of this Policy and related documents will ensure compliance with Council policies, relevant laws and event industry best practice.

2. Purpose

In conjunction with Council's 'Event Management and Delivery Requirements' and 'Event Waste Management Guidelines', the purpose of this Policy is to:

- provide principles, strategies, actions and controls for delivering events on Waverley Council land and in Waverley Council owned or managed buildings ('Council Facility')
- ensure that events meet best practice safety, security, environmental and social sustainability standards
- classify events in terms of their impact
- ensure that events comply with relevant Council policies, legislation and regulations, industry codes and event industry best practice
- minimise any negative impacts of events on the non-event community and the environment
- ensure that events achieve applicable goals as detailed in Waverley Council's Community Strategic Plan.

This Policy and related documents are designed to ensure that event applicants demonstrate how their event will provide a welcoming and safe environment that achieves one or more of the following outcomes:

- delivers either recreational, social, cultural, education or information opportunities for residents and visitors to participate
- supports and contributes to the well-being of residents and visitors
- supports and includes people from all sections of the community
- supports and respects the unique identity of Waverley and its culture
- recognises occasions of historical, social or cultural significance
- contributes to the local economy, businesses and tourism.

To achieve its purpose, this Policy must be read and applied in conjunction with Waverley Council's 'Event Management and Delivery Requirements' and 'Event Waste Management Guidelines'. The processes, procedures and requirements of these key supporting documents must be complied with.

Limitations and restrictions

Waverley Council does not deliver or host events that:

- promote tobacco or gambling
- have alcohol promotion as the main purpose
- are racist, sexist or discriminatory in nature
- involve endangered animals, or cruelty to animals
- threaten the environment (particularly in ecologically sensitive areas e.g. protected vegetation zones, bush regeneration sites and the marine environment)
- cause undue strain on public spaces during the summer season (December - February)
- have the potential for an adverse impact on Waverley Council's reputation and brand
- involve overtly commercial branding on any beach
- are commercial activities on any beach, involving the service of alcohol, of greater than two days' duration
- are not consistent with the objectives outlined in Waverley Council's Community Strategic Plan, or other plans, strategies and policies of Council including Plans of Management
- pose a conflict between the objectives and values of Council and those of the other party
- pose an unacceptable risk to the community or Council workers.

Note: Council will permit the hire of its facilities for party political fundraising events but will not actively deliver, host or support such events.

3. Scope

This Policy applies to all events held on Waverley Council owned or managed land and in Waverley Council owned or managed buildings within the Waverley Local Government Area (LGA). This includes:

- events organised by Waverley Council that are attended by members of the public
- events organised by external organisations or individuals
- co-partnered events that involve both Waverley Council and external organisation/s in their production and delivery
- promotional and marketing activities.

This Policy does not apply to:

- unpublicised, informal, social or family gatherings in outdoor venues
- aircraft flying over the Local Government Area
- environmental clean-up sessions or other events with local social and environmental benefits of 50 or fewer participants where no infrastructure, flags, banners or music involved
- regular markets approved through a tender/EOI process
- busking (refer to Council's 'Busking Permit Application')
- charity activities for raising brand awareness or collecting names for fundraising at designated locations (see Council's 'Charity Permit Application')
- commercial fitness training (refer to Council's 'Commercial Fitness Policy')
- filming and photography (refer to Council's 'Film and Photography Permit Application')
- internal Council events that involve Council employees and invitees only, including meetings, training sessions etc. (refer to Council's 'Internal Events Policy')
- public rallies and demonstrations (refer to NSW Police 'Notice of Intention to Hold a Public Rally')
- seasonal use of sports fields by schools and registered sporting clubs (refer to Council's 'General Conditions of Hire – Sports Fields and Courts').

4. Policy Content

4.1 Policy Statement

Council seeks to deliver and host a range of events that contribute to Waverley's vibrant and diverse community, cultural life, economy, the local area and people's connection to place. Through the application of this Policy and related documents, Council is:

- identifying the strategies and processes required for successful events that meet Council and the community's strategic goals for the Waverley LGA
- providing clear guidance for Council, the community and all stakeholders on how events will be planned, managed and delivered
- ensuring that all risk and safety management, sustainability and inclusivity issues associated with events in the Waverley LGA are identified and appropriately addressed.

4.2 Policy Principles

All applicable events must adhere to the following principles:

- a) A commitment to event industry best practice across all areas
- b) Acknowledge and pay respect to the Traditional Owners connection to country ("sovereignty") and custodianship of land, water and sky.
- c) Respect and accommodate the needs of stakeholders of all ages, abilities and linguistic, cultural and religious backgrounds
- d) Promote choices that minimise environmental impact and maximise sustainability across all areas
- e) Promote inclusivity and accessibility.

Refer to Council's 'Event Management and Delivery Requirements' and 'Event Waste Management Guidelines' for details of applicable strategies and required processes to ensure that these principles are adhered to.

4.3 Assessment of Event: Suitability and Criteria

In deciding whether an event is suitable for the Waverley Local Government Area (LGA), Council Officers will consider a range of factors. These include:

- suitability and purpose of the event activity
- suitability and availability of the event location and duration
- impact of the event on the event location and surrounds (including residents, environment, property, services, Council workers and the traffic and transport network) and the extent to which these impacts can be successfully managed or mitigated
- community, social, environmental or economic benefits associated with the proposed event
- suitability and experience of the event organiser
- compliance with legal and insurance requirements.

To avoid doubt, Council will not approve commercial activities on any beach, involving the service of alcohol, of greater than two days' duration.

4.3.1 Event Classification

To determine the level of management and compliance conditions to be applied to events, events will be categorised as either a LOW IMPACT, MEDIUM IMPACT 1 or MEDIUM IMPACT 2, HIGH IMPACT 1 or HIGH IMPACT 2 event based upon the details provided in an event application.

Events categorised as 'LOW IMPACT' or 'MEDIUM IMPACT (1 or 2)' can be assessed and determined by Council Officers.

Events categorised as 'HIGH IMPACT 1' must be submitted to Council's General Manager for determination. If the event is approved by the General Manager, such approval may be subject to the submission and approval of a comprehensive Event Management and Delivery Plan (EMDP). If an EMDP is required, it must be submitted to and approved by Council Officers prior to the event proceeding.

Events categorised as 'HIGH IMPACT 2' will require approval at a Council meeting or a Committee of Council. If the event is approved by Council, a comprehensive Event Management and Delivery Plan (EMDP) must be submitted to and approved by Council Officers prior to the event proceeding.

The following table provides details of the Assessment Criteria and the timeframes required for the assessment and determination of each classification of event.

As demonstrated in this table, the classification of events is controlled on an incremental basis. The highest applicable Impact Classification criterion of any event determines its classification level.

Impact Classification Level	Impact Criteria	Timeframe for Event Determination
Low Impact	<p>Any event that involves ALL the following:</p> <ul style="list-style-type: none"> • No more than 200 patrons or participants • Held between 6 a.m. and 6 p.m. (Outdoor Event) • Infrastructure footprint less than 100m² • Does not involve the sale of food or drinks (distribution of sample-sizes servings for promotional purposes are permitted under this Impact Classification) • Does not involve any traffic or parking changes • No amplified sound, or appropriate minimal/low level amplification only • Has little or no impact on Council Operations 	5 – 10 days from receipt of Application

Medium Impact 1	<p>Any event that involves ANY of the following is a 'Medium Impact 1' Event:</p> <ul style="list-style-type: none"> • No more than 2,000 patrons or participants • Infrastructure footprint less than 400m² • Involves appropriate low or moderate amplification only • the sale of food and/or non-alcoholic drinks, and/or • the distribution of full-sized products or servings for promotional purposes, and/or • minor traffic or parking changes (that do not need to be referred to Council's Traffic Committee) • impacts on Council Operations requiring a change in operation and/or additional resources <p>A 'Medium Impact 1' event must not:</p> <ul style="list-style-type: none"> • involve the sale or provision of alcoholic beverages • finish after 10 p.m. (if the event is an Outdoor Event) <p>Further considerations or limitations may apply depending upon the individual circumstances and location of a proposed event.</p>	<p>4 – 10 weeks from receipt of Application</p> <p>(Water-based events will require 8 weeks minimum)</p>
Medium Impact 2	<p>Any event with fewer than 500 patrons or participants wholly within a Council Facility where:</p> <ul style="list-style-type: none"> • Alcohol is sold or provided; and/or • High level amplified sound, music, entertainment or activities are present 	<p>4 – 10 weeks from receipt of Application</p>
High Impact 1	<p>Any event with 500 to 2,000 patrons or participants wholly within a Council Facility where:</p> <ul style="list-style-type: none"> • Alcohol is sold or provided; and/or • High level amplified sound, music, entertainment or activities are present; and/or 	<p>2 – 4 months from receipt of Application</p>

	<ul style="list-style-type: none"> Substantial changes are made to regular public access through Bondi Pavilion 	
	Note: fees for events that are solely or primarily pyrotechnics displays will be applied at the lowest applicable level of fee banding	
High Impact 2	<p>Any event that involves ANY of the following:</p> <ul style="list-style-type: none"> More than 2,000 patrons or participants The sale or provision of alcoholic beverages at an Outdoor Event Finishes after 10 p.m. (Outdoor Event) Infrastructure footprint exceeds 400m² Involves high level amplified sound at an Outdoor Event Requires substantial road closures or otherwise significantly impacts on the normal use of roads and/or requires special/additional public transport provisions Impacts significantly on Council Operations 	Up to 6 months from receipt of Application

4.3.2 Further Classification of Events

Events are further classified as either:

Public

A Public Event is an event that:

- is accessible to the general public, and/or
- involves ticket sales, and/or
- is held for the purposes of commercial and financial gain.

Private

A Private Event is an event that is not accessible to the general public, does not involve ticket sales and is not held for the purposes of commercial or financial gain.

Community

An event that is held by a community organisation is a Community Event, where that community organisation:

- is engaged in community-based activities (including charitable activities) that are for the benefit of the local community or the environment, and
- is not established for the purpose of making a profit, and

- relies primarily upon the voluntary contributions of members, non-members and grants.

Note: an event held by a State/Public or Independent school is also a community event.

Community Events are eligible for a waiver of event fees for Low Impact Events and a 50% reduction of event fees for Medium Impact and High Impact Events.

Not for Profit

An event held largely or primarily to raise awareness and/or funds for a registered Not for Profit Organisation is a Not for Profit event.

Not for Profit events will be charged at 50% of the applicable event fee. To qualify for the fee reduction, the following criteria apply:

- The event application must be submitted by a registered Not for Profit organisation
- The Not for Profit organisation must have a presence at the event that includes visible branding and at least one employee or registered representative of the Not for Profit organisation

Partnerships and co-branding with business or commercial entities is permitted if the above criteria are met.

4.4 Application/Determination

In determining applications, it should be noted that that Council Facilities have Conditions of Hire and operational plans that may impact determination processes and timeframes.

4.4.1 Low Impact Events

- For Outdoor Events, apply online via the 'Low to Medium Impact' link on the 'Waverley Council Events' web page
- For events in a Council Facility, apply online via the Waverley Council 'Venue Hire' web page
- Council Officers will provide advice and assistance as required/ appropriate
- Assessed and determined by Council Officers
- Event approval or refusal issued within 5 – 10 days of receipt of Application
- Terms and Conditions must be complied with.

4.4.2 Medium Impact Events ('Medium Impact 1' and 'Medium Impact 2')

- For Outdoor Events, apply online via the 'Low to Medium Impact' link on the 'Waverley Council Events' web page
- For events in a Council Facility, apply online via Waverley Council 'Venue Hire' web page
- Council Officers will provide advice and assistance as required/appropriate
- Assessed and determined by Council Officers
- Event approval or refusal issued within 4 – 10 weeks of receipt of Application
- Terms and Conditions must be complied with.

Note: water-based events will require 8 weeks for assessment and Event Approval.

4.4.3 High Impact 1 Events

- For pyrotechnic /fireworks events, apply online via the 'High Impact Event' link on the 'Waverley Council Events' web page
- For events in a Council Facility, apply online via the Waverley Council 'Venue Hire' web page
- Council Officers will provide advice and assistance as required/ appropriate
- Report by Council Officers to General Manager. General Manager determination required
- Full Event Management and Delivery Plan may be required
- Event approval or refusal issued within 2 – 4 months of receipt of Application
- Terms and Conditions must be complied with.

4.4.4 High Impact 2 Events

- For Outdoor Events – apply online via the 'High Impact Event' link on the 'Waverley Council Events' web page
- For events in a Council Facility, apply online via the Waverley Council 'Venue Hire' web page
- Council Officers will provide advice and assistance as required/ appropriate
- Report by Council Officers to Council. Determination at a meeting of Council or a Council Committee is required
- Full Event Management and Delivery Plan will be required
- Event approval or refusal issued within 6 months of receipt of Application
- Terms and Conditions must be complied with.

5. Review of Policy

This Policy will be reviewed every four years or as required in the event of legislative changes or requirements. This Policy may also be changed as a result of other circumstances. Any amendments to this Policy must be by way of a Council resolution.

6. Definitions

Term	Definition
Application	A formal request for an event to be assessed. Must be submitted via the relevant link on Council's website, must largely address all required criteria and must contain draft or preliminary versions of all required supporting documents.
<u>Commercial activities</u>	<u>Events or activities held largely or primarily for the purposes of commercial or financial gain.</u>
Condition/s	Anything that Council or Council Officers require an event applicant or organiser to do or fulfil for their event to proceed

Council Approval	Council Officers must prepare a report for a meeting of Council or a Council Committee. A Council vote in support of a proposed event is required before Council Officers can issue an Event Approval
Council Facility	A venue that is owned and operated by Waverley Council that is primarily a building or a structure (e.g. Bondi Pavilion)
Council Worker	Is a person who carries out work in any capacity for Waverley Council, including employee, trainee, volunteer, outworker, apprentice, work experience student, contractor or sub-contractor, employees of a contractor or sub-contractor, and an employee of a labour hire company assigned to work for Waverley Council
Event Approval	Written notice from an appropriate Waverley Council Officer that an event may proceed. For High Impact Events, Council or Executive Leadership Team (ELT) approval is required before an Event Approval can be issued. An Event Approval may contain Conditions
Event Industry Best Practice	A method or technique that has been widely accepted as superior to any alternatives because it produces reliably good results
Event Management and Delivery Plan	A comprehensive plan prepared by an event applicant or organiser and submitted to Council Officers that provides details of all aspects of the management and delivery of an event. Details of what an Event Management and Delivery Plan must contain, as well as timeframes and procedures for submission and review, can be found in Waverley Council's <i>'Event Management and Delivery Requirements'</i>
Executive Leadership Team (ELT) Approval required	Council Officers must prepare a report for a meeting of Council's Executive Leadership Team (ELT). Council's ELT must support the event before Council Officers can issue an Event Approval
General Manager	General Manager means the General Manager of Waverley Council
Outdoor Event	An event that takes place on Waverley Council owned or managed land that is primarily a park or a public open space (e.g. Bondi Park)
Rejection	Notice from an appropriate Council Officer to an event applicant that their event has not been approved and cannot proceed
Timeframe	The length of time that an event determination will take. The Timeframe commences from the time that a valid Application is received
Waverley Council's 'Event Management and Delivery Requirements'	The primary operational document that supports this Policy. This document provides details of all aspects of Council's event planning and delivery requirements
Waverley Council's 'Event Waste Management Guidelines'	The key document that provides details of acceptable products and waste management requirements for events

REPORT
CM/7.9/23.06

Subject: Access and Inclusion Advisory Panel Meeting - 11 May 2023 - Minutes

TRIM No: A21/0096

Manager: Annette Trubenbach, Executive Manager, Community Services

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council notes the minutes of the Access and Inclusion Advisory Panel meeting held on 11 May 2023 attached to the report.

1. Executive Summary

This report provides information about the Access and Inclusion Advisory Panel meeting held on 23 March 2023. The minutes of the meeting are attached to this report.

2. Introduction/Background

On 16 March 2021, Council established the Access and Inclusion Advisory Panel to provide feedback and advice to Council about disability access and inclusion. The Panel builds on the work of the former Access Advisory Committee. Its objective is to promote an inclusive community and enhance the inclusion and participation of people with disability in community life. Panel members provide advice from a lived experience, carer or service provider perspective.

3. Relevant Council Resolutions

Nil.

4. Discussion

This report updates Councillors on items discussed at Access and Inclusion Advisory Panel meeting held on 11 May 2023. The minutes attached to this report were confirmed at the subsequent meeting of the Panel.

5. Financial impact statement/Time frame/Consultation

Under new administrative procedures to reduce the time lag that currently exists between the meeting date and endorsement of the minutes, Panel members have agreed to review the minutes by email, with the minutes then reported to report for noting. Once noted, the minutes will be placed on Council's website and formally endorsed at the next Panel meeting scheduled on 20 July 2023.

6. Conclusion

This report provides information about the Access and Inclusion Advisory Panel meeting held on 11 May 2023.

7. Attachments

1. Access and Inclusion Advisory Panel - Minutes - 11 May 2023 [↓](#) .

ACCESS AND INCLUSION ADVISORY PANEL MINUTES

Thursday 11 May 2023
6.00 pm – 7.30 pm
Zoom



Present	
Councillors Clr Elaine Keenan Clr Ludovico Fabiano Clr Tony Kay	Community Members Ben Whitehorn, Zoe Dunn, Petra Pattinson, Mia Capitanelis, Andre Cioban, Rachel Lazarov
Council Officers Sharon Cassidy, Director, Assets and Operations Sam Samadian, Manager Assets, Systems and Planning, Infrastructure Services Annette Trubenbach, Executive Manager, Community Programs Chris Bath, Manager, Older People and Disability Services Annabelle Hayter, Community Development Officer, Access and Inclusion – Minutes Natalie Davis, Social work student, Community Programs	
Apologies	
Ben Alexander, Community Member Danny Hui, Community Member Clr Paula Masselos Clr Angela Burrill Clr Leon Goltsman Clr Will Nemesh Ben Thompson, Director	Guest Carl Nugent, Service Manager, Open Space and Recreation Infrastructure Services

Item	Summary	Action officer
1. Welcome & Acknowledgement of Country	Clr Keenan welcomed everyone and gave acknowledgment of Country.	
2. Introductions and Apologies	See above.	
3. Declaration of Conflict of Interest	No conflicts of interest were declared.	

ACCESS AND INCLUSION ADVISORY PANEL MINUTES

Thursday 11 May 2023
6.00 pm – 7.30 pm
Zoom



Item	Summary	Action officer
4. Guest Speaker Carl Nugent – Service Manager, Open Space and Recreation Infrastructure Services	<p>Plan of Management process – Overview.</p> <p>A Plan of Management provides a strategic framework to guide the use, improvement, maintenance, and management of public land. The plan provides directions and identifies important actions over a 10-year period. It is informed by legislation and Council's strategic planning documents, including the Inclusive Play Study and DIAP.</p> <p>The Waverley LGA has 79 parks and reserves. A site-specific plan is developed for major parks such as Bondi.</p> <p>Access Planning</p> <p>Identifying improvements for access is a key consideration. How people get to and around a park, for example, involves assessing:</p> <ul style="list-style-type: none"> - footpaths, kerb ramps and landings; - if a continual accessible path of travel links major facilities, amenities, and transport modes; - location of accessible car parking spaces; - public transport access. <p>We understand that the whole community benefits when everyone can access and enjoy our open spaces.</p> <p>Timeframe & Community engagement</p> <p>There are five phases involved in developing a plan which take several months to complete. This includes three rounds of stakeholder and community consultation. We encourage everyone to engage in the community process and to provide feedback on the draft actions before Council adoption.</p> <p>Plans of Management currently in development.</p> <ul style="list-style-type: none"> - Waverley Park - phase 5, final adoption. - Bronte Park - phase 4 - public exhibition. - Tamarama - phase 4 - public exhibition. - Coastal Reserves - phase 2 - testing ideas. 	

ACCESS AND INCLUSION ADVISORY PANEL MINUTES

Thursday 11 May 2023
6.00 pm – 7.30 pm
Zoom



Item	Summary	Action officer
	<p>Waverley Park</p> <p>The Panel's comments were submitted, and the team are investigating the following:</p> <ul style="list-style-type: none"> - Easily identified arrival points and pedestrian paths that allow safe and continuous movement. - Accessible car parking with compliant kerb ramps behind Chambers to improve access to Margaret Whitlam Recreation Centre, stadium and new playground. - Pick up and drop off spaces: Bondi Road and Birrell St. - Step-free movement around the Recreation Centre. <p>Question: When access studies are completed are they made available to the public, or included as part of the action plan?</p> <p>Answer: The studies are not appended to the PoMs, however, the key actions are included in the action plan.</p> <p>Action: Share access studies with the Access and Inclusion Advisory Panel.</p> <p>Question: Do we have information about which areas along the coast are accessible to wheelchair users?</p> <p>Answer: Parks are mapped on Council's website. We try to identify where stairs are on those maps.</p> <p>Action: A future DIAP action is to map the accessible features of each park and reserve along the coastal walk and provide improved information on the Discover Waverley map.</p> <p>Question: Is there signage? People don't always have access to the internet. When going for a walk in Marks Park some steps appeared with no warning which makes it difficult for wheelchair users. There was no information on the internet about it either.</p> <p>Answer: Signs are generally located at the entry to show the path network.</p> <p>Question: When will an accessible path be linked from Marks Park to the coastal walk?</p>	Carl Nugent

ACCESS AND INCLUSION ADVISORY PANEL MINUTES

Thursday 11 May 2023
6.00 pm – 7.30 pm
Zoom



Item	Summary	Action officer
	<p>Answer: This has been investigated several times. The topography and differing heights/levels are challenging to overcome. This can be investigated again as part of the Coastal Reserve Plan of Management.</p> <p>Action: Investigate options to link parks/ reserves with an accessible path along the coastal walk as part of the Coastal Reserves Plan of Management.</p> <p>Panel members congratulated Council on the access path in Marks Park. It makes moving around much easier for everyone when visiting the park, particularly for events such as Sculpture by the Sea.</p>	
5. Minutes of last meeting and business arising	<p>Minutes of the last meeting: Accepted.</p> <p>See Action log for actions from previous meetings.</p>	
<p>6. DIAP Progress Report</p> <p>Annette Trubenbach Chris Bath Annabelle Hayter Community Programs</p>	<p>Focus Area 1. Inclusive Attitudes and Behaviours</p> <p>1. Communication guide. It was suggested that the guide is made relevant for both staff and community members.</p> <p>Action: Send draft to panel members for comment and input.</p> <p>2. Waverley Community Living Program options paper is being prepared and will be shared with the Panel for discussion and input.</p> <p>3. Business Forum is in early planning stages. This is a in partnership with Randwick Council, and La Trobe Local Area Coordinator.</p> <p>Action: Invite interested members Ben W, Mia, Rachel, and Petra to a meeting about the inclusive Business Forum.</p> <p>4. Disability Inclusion Grant awarded to Wairora School. The project is progressing well.</p>	<p>Annabelle Hayter</p> <p>Annabelle Hayter</p>

ACCESS AND INCLUSION ADVISORY PANEL MINUTES

Thursday 11 May 2023
6.00 pm – 7.30 pm
Zoom



Item	Summary	Action officer
	<p>Focus Area 2. Liveable Communities -transport</p> <p>Walking and Mobility Working group is focusing on parking spaces in Bondi Junction.</p> <p>Fully compliant accessible parking spaces can be difficult to achieve in some locations due to narrow streets, topography, location of drains or other footpath assets. Installing a kerb ramp, for example, can impact the continuous path of travel resulting in a less desirable access outcome.</p> <p>The assets team are investigating each location in more detail and getting expert advice on issues and options.</p> <p>Pick up/drop off can be easier to resolve. Installations at the library and outside Customer Service Centre, Spring St are currently being investigated.</p> <p>Bondi Pavilion proposed pick-up/drop-off zone is at final review stage before going to the Traffic Committee for approval.</p> <p>Focus Area 3. Meaningful Employment</p> <p>The outcome of Council's <i>Inclusive tourism</i> funding application has not yet been determined.</p> <p>If successful, we would have greater capacity within the team to progress employment and awareness initiatives.</p>	
7. Other business	<p>A community member suggested that we may be able to attract more funding by engaging with state and federal politicians.</p> <p>The Chair informed the panel that the Mayor has regular meetings with local MPs to raise key priorities and to advocate on behalf of the Waverley community.</p> <p>A community member enquired about the opening hours of Bondi Pavilion during the week and weekends.</p> <p>Action: Opening hours of Bondi Pavilion during the week and weekends to be circulated to panel members.</p>	Annabelle Hayter
8. Next Meeting	20 July @ 6.00pm via Zoom.	
Meeting closed	7.15 pm	

REPORT CM/7.10/23.06



Subject: Multicultural Advisory Committee Meeting - 1 February 2023 - Minutes

TRIM No: A02/0447

Manager: Annette Trubenbach, Executive Manager, Community Services

Director: Ben Thompson, Director, Community, Culture and Customer Experience

RECOMMENDATION:

That Council notes the minutes of the Multicultural Advisory Committee meeting held on 1 February 2023.

1. Executive Summary

This report provides information about the Multicultural Advisory Committee (MAC) meeting held on 1 February 2023. The minutes of the meeting are attached to this report.

2. Introduction/Background

The MAC has been established in support of Council's vision and strategies that:

- Promote human rights, address discrimination and disadvantage.
- Actively encourage participation, social connections and a sense of belonging.
- Deliver fair and equitable services, facilities and resources to our culturally diverse community.
- Promote relationships based on understanding and respect.

3. Relevant Council Resolutions

Nil.

4. Discussion

Council's Multicultural Advisory Committee (MAC) has been active for many years, providing input and advice on a range of issues relating to culturally and linguistically diverse communities. The Terms of Reference were updated earlier this year, and a new MAC term began in May 2023. Council's Cultural Diversity Strategy was launched in late 2021, followed by the 'United to end Racism' campaign in 2022.

Attached to this report are the minutes of the MAC meeting of 1 February 2023. Future reporting will be streamlined with draft minutes reviewed by the MAC via email after each meeting and then reported to Council.

5. Financial impact statement/Time frame/Consultation

The operations of the MAC are covered in Council's operational budget.

6. Conclusion

This report provides meeting minutes of the MAC held on 1 February 2023 for information and noting before being placed on Council's website.

7. Attachments

1. MAC - Minutes - 1 February 2023 [↓](#) .

MULTICULTURAL ADVISORY COMMITTEE MINUTES

Wednesday 1 February 23
6pm – 8pm



1. Welcome and Acknowledgement of Country

Acknowledgement of Country was conducted by Councillor Masselos.

Present

Councillors	
Clr Paula Masselos	Mayor of Waverley
Clr Ludovico Fabiano	Councillor
Clr Sally Betts	Councillor
Clr Leon Goltsman	Councillor
Council Officers	
Ben Thompson	Director Community, Culture and Customer Experience
Madly Bodin	Community Development Officer, Diversity
Rebecca Rodwell	Manager, Community Planning & Partnerships
Community Member/Organisations	
Linda Deutsch	Resident
Margaret Teed	City East Community College
Tito Scohel	Resident
Patricia Jenkins	Expert
Valentina Bau	Resident
Emily Bogue	Resident
Rachel Tanny	Resident
Robert Farotto	Resident

2. Apologies

Clr Angela Burrill, Annette Trubenbach (EM, Community Programs), Emily Scott (GM), Sharon Cassidy (Director, Assets and Operations), Lana Kofman, Raphael Crowe, Rozy Dorizas

3. Acceptance of previous minutes & business arising

The minutes from the previous meeting should be updated as Rachel Tanny was not listed as an attendee.

Moved: Margaret **Seconded:** Linda **Carried**



4. Activity

Madly asked the group to reflect on their learning experience as a MAC member over the term of the committee in pairs, and what was most impactful for them.

Feedback included;

- Robust discussions
- Forward planning
- Broader representation
- Input into programs
- Making a difference
- A sense of belonging, community
- Reconnecting
- Diversity of the group
- Seeing the outcomes of the discussions

5. Declarations of pecuniary and non-pecuniary interests

Nil

6. Anti Racism Campaign

Anti-Racism Campaign Review Report had been distributed prior to the meeting (to be re-attached to the minutes).

Connected to the anti-racism campaign, the inaugural art competition for the sea wall launched in March 2022. The artist talk with Emmanuel Asante and Shiva Dadvar who won the competition will be taking place in March, with final details to be sent out after the meeting.

Cr Betts raised a question about antisemitism in schools. Madly provided a verbal report about the information gathered through discussions with the Jewish Board of Deputies, NSW Department of Education and some local public and private schools. Further details to be circulated after the meeting.

Council suggests an ongoing campaign that:

- stays away from divisive messaging.
- provides more background on the need for a campaign locally.
- considers ways of supporting people from diverse backgrounds.
- uses additional examples to understand how racism occurs.
- facilitates opportunities to create dialogue.
- supports community members with practical tips.

Further feedback regarding the anti-racism campaign moving forward included:

- We need to consider racism in a broad context, considering all communities.
- We acknowledge that antisemitism is not the same as racism.
- Varied feedback was received/ heard about the 'Racism not Welcome' street signs. Some members felt that they had been successful, while others felt they had become invisible.
- We should consider other ways to share positive messaging – spray painting, garbage trucks, other visible locations.



- There was a consensus not to install any additional 'Racism not Welcome' signs.
- The campaign should remain dynamic and keep promoting the benefits of diversity and inclusion.
- We should attempt to engage with well-known anti-racism champions.
- Council needs to facilitate community education and increase awareness opportunities.
- A suggestion as made to work with Diversity Arts – Council will try to reach out again.
- Members of the MAC asked for more data to be reported on the campaign.
- Information was sought on Council's staff diversity.

7. Activity

Madly asked the group to think about a time when they considered reporting an unfair, inappropriate, disrespectful behaviour or language. Which factors influenced the decision to report it (or not)?

Post-it notes from each pair to help inform the Council's anti-racism campaign.

8. Crimes Amendment (Prohibition on Display of Nazi Symbols)

- Section 93Z inserted in the NSW Crimes Act (19 Aug 2022).
- Knowingly displaying Nazi symbols in public without a reasonable excuse is a criminal offence.
- Penalties:
Individuals: 12 months imprisonment and/or a fine of \$11,000
Corporations: \$55,000.
- Display of the swastika in connection with the Buddhist, Hindu and Jain faiths authorised.
- Situations where an individual may have a reasonable excuse include: "academic, artistic, or educational" purposes or "for another purpose in the public interest".
- Enquiry report is available online.

Feedback from the group suggested that there is no clear way of reporting the display of Nazi symbols or information about how it will be enforced.

A MAC member suggested Council could share information about the reporting process as it is so significant to many Waverley residents.

Actions

As this is a police responsibility, Council can only commit to the following actions:

- Reference the legislation on our website.
- Cllr Masselos will raise this with the Superintendent in terms of education for police and responding to reports of Nazi symbols.

9. Communication Supports Policy

The draft policy will be shared with MAC members. The policy is broken down into:

- accessible formats
- multilingual content
- individual communication supports (language assistants, written information and use of interpreters through the Translating and Interpreting Services)



WAVERLEY
COUNCIL

Clr Betts informed the group that Multicultural NSW can also provide support with translations.

Actions

- Seek information from Multicultural NSW about translation services available
- Initiate discussion with Communications team on the use of automated translations
- Seek feedback from MAC members on the draft Communication Supports Policy

10. Project Updates

- International Students Project – this project aligns with our Cultural Diversity Strategy (Focus Area 2 – Connected and Welcoming). The project aims to ensure international students, feel welcomed, have a sense of belonging and connection to the local area, and know how to access supports.
- A Social Work student from UNSW will be starting in two weeks and working on a project focused on international students. There are a number of issues facing these students, who can be very vulnerable, including accommodation. The student will spend the initial few weeks connecting with internal and external stakeholders to understand issues, existing supports available, and how Council can support international students.
- Career Pathways Expo – Madly and other Council staff attended the Career Pathways Expo with our Local Connections Coordinator (Volunteering Focus). Between 300 and 400 people attended. This type of event allows Council to connect with a wider pool of potential applicants and volunteers.

11. MAC Terms of Reference and Recruitment

The current term of the Committee ends in March, therefore Council will be advertising for the MAC positions in the coming weeks for a new two year term.

The draft of the updated MAC Terms of Reference were circulated ahead of the meeting. The main changes were presented at the meeting and feedback was sought from the group with no query raised. The draft will be sent to Council for approval.

12. Other Business/Correspondence

Margaret is hoping to discuss with Council the possibility of creating some opportunities for migrants with tertiary qualifications, including mock interviews with Council staff.

Rachel has requested that someone from Council come to talk with the 3rd Rose Bay Judean Scouts about diversity and related Council activities.

Meeting closed 8pm.

REPORT CM/7.11/23.06



Subject: Reconciliation Action Plan Advisory Committee Meeting -
28 November 2022 - Minutes

TRIM No: A14/0173

Manager: Annette Trubenbach, Executive Manager, Community Services

Director: Ben Thompson, Director, Community, Culture and Customer Experience

RECOMMENDATION:

That Council notes the minutes of the Reconciliation Action Plan Advisory Committee meeting held on 28 November 2022 attached to the report.

1. Executive Summary

This report provides information about Council's Reconciliation Action Plan (RAP) Advisory Committee meeting held on 28 November 2022. The minutes of the meeting are attached to this report.

2. Introduction/Background

The RAP Advisory Committee was established to support implementation of Council's Innovate Reconciliation Action Plan. The objective of the Committee is to provide cultural advice, guidance, feedback and support around implementation and monitoring of actions, projects and commitments identified in the RAP.

The committee generally meets four times throughout the year. However, in 2022 the Committee met three times due to limited availability of members. Committee members were instrumental in the planning of the 26 January Dawn Reflection and the Voice to Parliament community education campaign.

3. Relevant Council Resolutions

Nil.

4. Discussion

Council has just endorsed new members and an increase in committee numbers. Following the next meeting on 22 June 2023, a new administrative process consistently applied across other advisory committees will ensure minutes can be reported to Council and made available on the website in a timely manner. Following the meeting, draft minutes will be sent to attendees via email seeking approval for the minutes to go to Council, with the draft minutes formally accepted by committee members at their next meeting.

The attached draft minutes were confirmed via email.

5. Financial impact statement/Time frame/Consultation

Operations of the RAP committee are covered in Council's operational budget. Upon noting, the minutes will be placed on Council's website.

6. Conclusion

This report provides information about the RAP Advisory Committee meeting held on 28 November 2022.

7. Attachments

1. RAP Advisory Committee - Minutes - 28 November 2022 [↓](#) .

Reconciliation Action Plan

Meeting Minutes



Wednesday 28 November 2022

6pm-8pm

Queens Park Room – Council Chambers

1. Welcome and Acknowledgement of Country

The Mayor acknowledged the traditional owners of the Waverley area.

Present

Councillors	
Clr Paula Masselos	Councillor
Clr Dominic WY Kanak	Councillor
Council Officers	
Emily Scott	General Manager
Ben Thompson	Director, Community, Culture and Customer Experience
Rebecca Rodwell	Manager, Community Planning & Partnerships
Matilda Brown	Aboriginal Community Development Officer
Community Member/Organisations	
Michael Mahoney	Resident
Gene Ross	Resident
Dr Sarah Jane Moore	Resident

2. Apologies

Clr Leon Goltsman, Clr Sally Betts, Clr Tony Kay, Clr Angela Burrill, Sharon Cassidy, Fletcher Rayner, Aunty Barbara Simms, Liz Tierney, Walangari Kantawarra, Damien Barnes

3. Welcome to new members and introduction

Matilda Brown was introduced as the new Aboriginal Community Development Officer.

4. Acceptance of previous minutes and matters arising

The March minutes were unable to be moved and therefore the March and October minutes will be considered at the next meeting.

Matters Arising



Gujaga Foundation unable to present the protocols and cultural audit information. To be organised for the first meeting in 2023.

5. Aboriginal Public Art

Rebecca explained the process that was being undertaken to select the Aboriginal Public Art which will be commissioned for the Bondi Pavilion. Elizabeth Reidy is leading the process from Council, and working with the Gujaga Foundation to identify and select the piece. A local story is the foundation for the shortlisted proposals (Whale Dreaming), and there are various protocols and criteria which are essential requirements of the work.

Elizabeth Reidy will attend the next meeting to update the committee.

The committee made the following comments;

- The art work will be a starting point for conversations
- The story (Whale Dreaming) should be available in written and spoken form, and also in Dharawal language

6. Reconciliation Action Plan

Officers will start working on a new map in early 2023. The process will be as follows;

- Utilise RAP templates and resources, which contain the minimum required actions and deliverables
- Establish an internal RAP Working Group (staff)
- Develop a consultation and engagement strategy
- Draft RAP will require 2-3 rounds of feedback from Reconciliation Australia, public exhibition, endorsement from Council and formal accreditation through Reconciliation Australia

Matilda is in the process of establishing a stakeholder list consisting of Elders, cultural knowledge holders, Waverley residents, and businesses with the aim of engaging with the wider community.

Suggestions from the committee included;

- An opportunity for a facilitated session for Aboriginal staff and the committee members to feed into the RAP development
- Ensure a range of voices are heard
- Provide opportunities for training, empowerment and skills development for the committee and community members seeking this support
- Council has the capacity to offer 'time, treasure and talent'
- The new RAP should be a living, breathing document

7. Uluru Statement from the Heart

Matilda is attending the Inner West Council training 'Walking Together', which is delivered by Sydney Alliance in late December. There is the opportunity for people outside of the Inner West to register for this if the committee members are interested.

Action – circulate the information about the dates and training to the committee

The statement requires a critical mass of support. Cllr Masselos suggested she would raise the Uluru Statement campaign with the Mayors of our neighbouring Councils at their next meeting.

Action – Cllr Masselos to discuss the Uluru Statement campaign with the Mayors of Bayside, Randwick and Woollahra to discuss collaborative opportunities



There is significant support for the Statement, as part of the Waverley education campaign, we should consider contacting local businesses including Westfield.

Matilda has been developing a survey which will be launched shortly for people to register their interest for information and events regarding the Uluru Statement and Waverley's campaign. A dedicated webpage is also under construction.

8. Significant Dates - Planning for 2023

January 26

The committee recommended that Council host a small event on the 26 of January at 5:30 am to acknowledge the significance of the date for Aboriginal people, to honour the past, reflect and show support for our Aboriginal and Torres Strait Islander community members and traditional owners. Council Officers will prepare a report for the December Council meeting. Suggestions include a smoking ceremony or fire, ochre and providing the opportunity for Elders to speak.

National Reconciliation Week & NAIDOC week

There are many activities and events which take place during these significant weeks. Council should consider our role in these and how we can support Aboriginal Organisations ie with use of space (Bondi Pavilion etc). This will be discussed at the next Advisory Committee meeting.

Remembrance Day

Dr Moore attended the recent Remembrance Day ceremony and appreciated the acknowledgement of losses for Aboriginal people as a result of wars. This should continue to be acknowledged in the future. The committee did not identify any changes which should be made for ANZAC Day.

9. Other Items

NIL

10. Meetings in 2023

9 March, 8 June, 6 September, 30 November

11. Future items for discussion

Mural – Chapel By the Sea

REPORT CM/7.12/23.06



Subject: Bus Driver Amenity Facilities - Licence to Transdev John Holland Buses - Post-Exhibition

TRIM No: A22/0152

Manager: Andrew Best, Executive Manager, Property and Facilities

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council:

1. Grants three licences to Transdev John Holland Buses (Aust) Pty Ltd for eight years for the use of bus driver amenities at the following locations on the terms and conditions set out in the report:
 - (a) South Head Cemetery, Old South Head Road, Vaucluse.
 - (b) North Bondi Terminus, Campbell Parade, North Bondi.
 - (c) Bronte Tram Shed, Bronte Road, Bronte.
2. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.

1. Executive Summary

Transport for NSW (TfNSW) has been responsible for bus services in the Waverley local government area for many years but went to tender to find a private operator in 2021. The successful tenderer was Transdev John Holland Buses (NSW) Pty Ltd, which now operates bus, ferry and light rail services in partnership with TfNSW.

To assist bus drivers during their workday, Council has over many years permitted the exclusive use of toilet facilities at three sites, being:

- South Head Cemetery, Old South Head Road, Vaucluse.
- North Bondi Terminus, Campbell Parade, North Bondi.
- Bronte Tram Shed, Bronte Road, Bronte.

The tenure of these sites with TfNSW and Council has been operating on historical arrangements that now need to be formalised with the introduction of the new operator.

At the June 2022 Council meeting, Council endorsed publicly exhibiting the intent to license the amenity buildings in accordance with s 47 of the *Local Government Act 1993*.

This report summarises the submissions received into the public exhibition period and recommends Council enter into licences for the three sites for a term of eight years.

2. Introduction/Background

Transdev John Holland Buses (NSW) Pty Ltd contacted Council in May 2022 to advise that it had been appointed as the Eastern Suburbs bus operator by TfNSW and that it wished to enter formal licences for three toilet facilities to be utilised by bus drivers. The three toilet facilities have been utilised for this purpose for many years, but no formal agreement had previously been entered into.

At the June 2022 Council meeting, Council endorsed publicly exhibiting the intent to license the toilet facilities in accordance with Section 47 of the Local Government Act 1993.

The term of the licences is to be eight years as that is the duration of the Transdev John Holland contract with TfNSW.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 22 June 2022	CM/7.10/22.06	<p>That Council:</p> <ol style="list-style-type: none"> In accordance with section 47 of the <i>Local Government Act 1993</i>, publicly notifies and exhibits for a minimum of 28 days the proposal to grant three licences to Transdev John Holland Buses (Aust) Pty Ltd of up to eight years each for the use of bus driver amenities at the following locations (one licence for each location): <ol style="list-style-type: none"> South Head Cemetery, Old South Head Road, Vaucluse. North Bondi Terminus, Campbell Parade, North Bondi. Bronte Tram Shed, Bronte Road, Bronte. Officers prepare a report to Council following the exhibition period should any submissions be received. Subject to no submissions being received by the end of the exhibition period: <ol style="list-style-type: none"> Grants the three licences to Transdev John Holland Buses (Aust) Pty Ltd on the terms and conditions set out in the report. Authorises the General Manager, or delegated representative, to complete negotiations and execute the licences.

4. Discussion

Council must consider all submissions duly made to it through a section 47 public exhibition process.

Seven submissions were received during the exhibition period. The submissions have been categorised with the main issues summarised below.

Issue 1 - Council should not support the privatisation of buses

The introduction of a privatised third party operator to operate buses in the eastern suburbs is not something Council has control over and is a commercial decision for TfNSW.

Issue 2 - A private operator using public facilities should pay market rent

Enquiries were made with a valuer in relation to determining a valuation of such facilities and also advice sought from a neighbouring Council in relation to their methodology. As there are very few sites to use as comparison, the proposed rents have been set at what is considered a fair rent for these small facilities that are aged and cannot be put to any other purpose. The proposed rental figures of \$5,000 (+GST) per annum for each for the three sites aligns with the advice received.

It should be noted that should Council discontinue provision of these facilities to the bus operator, there may be negative impacts on the service provided to the local community.

Issue 3 – Support of partial area of North Bondi terminus facility to be used as a museum

One submission received was from a resident informing Council that they had accessed a small room on the south end of the North Bondi terminus bus shelter and set it up as a micro museum space, which they had called the Museum of Precious Objects. Council officers were only made aware that this had taken place through the receipt of the submissions to the section 47 notice.

The resident had previously made enquiries to Council and TfNSW about using the space, but had not been granted approval. They subsequently gained access to the area and installed some small objects as part of an exhibition.

Four further submissions were received supporting the use of the space as a micro museum.

This activation remained in place for several months but was subsequently removed presumably by the installer of their own volition and the space has been reclaimed by Transdev.

This small section of the building contains the electrical switchboard and is not suitable for leasing or licencing except as part of the Transdev John Holland licence.

5. Financial impact statement/Time frame/Consultation

There is no financial impact from Council dealing with the submissions received during the exhibition period.

Council will receive \$5,000 per annum (plus GST) from entering each of the three licences for a term of eight years with annual CPI increases.

It is anticipated the licences will be finalised over the coming months. The South Head General Cemetery Plan of Management is required to be adopted prior to Council granting a licence for the amenities located at South Head cemetery.

6. Conclusion

It is recommended that Council grants three licences to Transdev John Holland Buses (NSW) Pty Ltd for the use of amenities located at Bronte Tram Shed, South Head Cemetery and North Bondi Bus Terminus for a period of eight years.

7. Attachments

Nil.

NOTICE OF MOTION CM/8.1/23.06



Subject: North Bondi Shops and Bus Terminus Upgrade - Consultation

TRIM No: A18/0394

Submitted by: Councillor Goltsman
Councillor Burrill
Councillor Kay

MOTION:

That Council:

1. Notes the North Bondi bus terminus's dual role as an operational public transport infrastructure asset and a historical landmark.
2. Notes the previous resolution PD/5.6/23.06 (North Bondi Shops and Terminus Upgrade – Concept Designs) to undertake stakeholder and community consultation of the refinement to Options 2a/b and Option 3.
3. Notes that thorough consultation with stakeholders Transport for New South Wales (TfNSW) and bus operator Transdev John Holland has yet to be conducted.
4. Consults TfNSW and Transdev John Holland to establish the functional needs of the 'terminus', including bus layover parking and turning areas, and impact on the current concept designs.
5. Establishes a North Bondi Shops and Bus Terminus Upgrade Reference Group by inviting key stakeholders, such as local businesses and residents, the Bondi and District Chamber of Commerce, the Bondi Ward Precinct committees, BIKEast and interested Councillors, to provide feedback and ideas on the updated concept designs in an independently conducted consultation.
6. Holds a Councillor briefing to consider outcomes and recommendations from the above consultations before preparing a report to Council.

Background

This notice of motion was signed by Crs Goltsman, Burrill and Kay in accordance with clause 17.7 of the Code of Meeting Practice.

The North Bondi bus terminus was built in 1929 as the original terminus of the Bondi tram. As such, it has provided an essential public transport service for many years, holding historical significance for the community and potentially warranting heritage listing.



Three concepts were endorsed by Council for community consultation at the Strategic Planning and Development Committee meeting on 6 June 2023. They all aim to remove the central bus terminus and rearrange bus operations in the area. Concept design options 2a/b propose that a new roundabout be installed in Military Road and bus layover parking be established on the eastern side of Military Road between Blair Street and the Golf/Diggers Club driveway. Concept design Option 3 proposes to move the bus layover parking alongside the bus stops to each side of the North Bondi village shopping area with the removal of parking.

However, as advised by Council's Executive Manager, Infrastructure Services, during the previously mentioned Committee meeting, stakeholders—such as Transport for New South Wales (TfNSW) and bus operator Transdev John Holland—have not yet been consulted on the proposed removal of the central bus terminus area and subsequent alternative bus terminus concept designs and whether the operational needs of the terminus are met by these designs, including bus layover parking, turning areas, access to amenities, bus timetables and if there is an opportunity to improve operational efficiency and reduce the physical space of the terminus. This consultation is likely to impact on the current concept designs with further changes being made prior to consulting more broadly.

Since the previous Committee meeting, businesses in the North Bondi shops have expressed their concerns that the three concepts endorsed for consultation seem similar to those consulted on in 2016 for the Campbell Parade Streetscape Upgrade, where feedback was not supportive.

Local residents have also raised concerns that there will be undue traffic and parking impacts from the bus terminus designs, with proposed changes especially affecting properties along Military Road and Brighton Boulevard west, as well as those in the village.

The business and resident communities have now waited seven years for this area to be improved. To ensure that all voices are heard and that the concepts are developed in a way that achieves the best design for everyone, an independent consultation should be conducted.

General Manager's comment

The current resolution, PD/5.6/23.06 (North Bondi Shops and Terminus Upgrade – Concept Designs), is to undertake stakeholder and community consultation on the refinement to Options 2a/b and Option 3.

The concept designs referenced in PD/5.6/23.06 have already been prepared over the last number of years and provide differing options or approaches as to how the public space can be configured and utilised. With some refinement, these prepared designs can act as an initial consultation with the community and stakeholders.

In line with normal consultation processes, and the Community Engagement Policy and Strategy unanimously endorsed for exhibition, feedback from key stakeholders including TfNSW, Transdev John Holland, BIKEast, Precincts, Bondi and District Chamber of Commerce, local businesses and residents would be obtained as part of this consultation. As per the current resolution, Council would receive a further report on the outcomes of the consultation. The outcomes could alternatively be discussed at a Councillor briefing.

The predicted project program on the basis of resolution PD/5.6/23.06 is as the below table.

Milestone	Timing
Refined concept design development (including discussions with TfNSW and Transdev John Holland)	June 2023–September 2023
Stakeholder consultation	October 2023–November 2023
Council adoption of preferred concept to progress	December 2023
Full concept package development and consultation	January 2024–March 2024
Detailed design development	April 2024–August 2024
Contractor procurement	September 2024–October 2024
Construction commences	November 2024

It is likely that establishing a stakeholder Reference Group, updating concept designs, holding a Councillor briefing, and finalising concept designs ahead of wider community consultation would add a minimum of six months to the above timeline.

Council has an internal Communications and Engagement team who manage community consultation processes. Organising independent (external) consultation in the past has typically occurred when the size/scale of the project requires more resourcing than can be provided internally; for example, initiatives across the whole local government area (LGA) or larger projects requiring multiple stages of engagement and resource-intensive techniques. The consultation for the North Bondi Shops and Terminus concept design would not activate those normal triggers for external (independent) consultation and can be delivered by Council's internal Communications and Engagement team.

Past experience with independent (external) consultation has been mixed. This seems to prove successful when acting as a resourcing relief or for specialist consultation. There is often a double-up to activities and significant input required by Council officers pending the independent (external) consultant's knowledge of the Waverley LGA, key stakeholder groups and Council processes. Engagement of external (independent) consultation would come with additional expense, potentially in the order of \$15k-\$30k.

Sharon Cassidy
Director, Assets and Operations

NOTICE OF MOTION

CM/8.2/23.06



Subject: Bondi Pavilion - Strategic Plan for Events

TRIM No: A23/0269

Submitted by: Councillor Betts
Councillor Kay

MOTION:

That Council:

1. Officers conduct a Councillor briefing to determine:
 - (a) A strategic list of event themes and significant events to be held at the Bondi Pavilion.
 - (b) Whether and how Council should provide an expression of interest process for the event themes and events identified.
 - (c) Under what circumstances Council should waive fees and/or give financial assistance.
2. Officers consult the Friends of Bondi Pavilion, Council's Arts and Culture Advisory Committee and interested Precinct committees.
3. Receives a report with recommendations for Council's consideration.

Background

Previously, community organisations and members of the community have submitted expressions of interest for individual events to be held at the Pavilion. In many cases, applicants apply to Council to support them financially, such as by waiving hire and staff fees.

Assuming that most applicants are relatively worthy of support, the current process means that Council is required to make a one-off decision on each application rather than inviting 'many' local community members to lodge expressions of interest for the same category of project—making the process inclusive, fairer and more equitable.

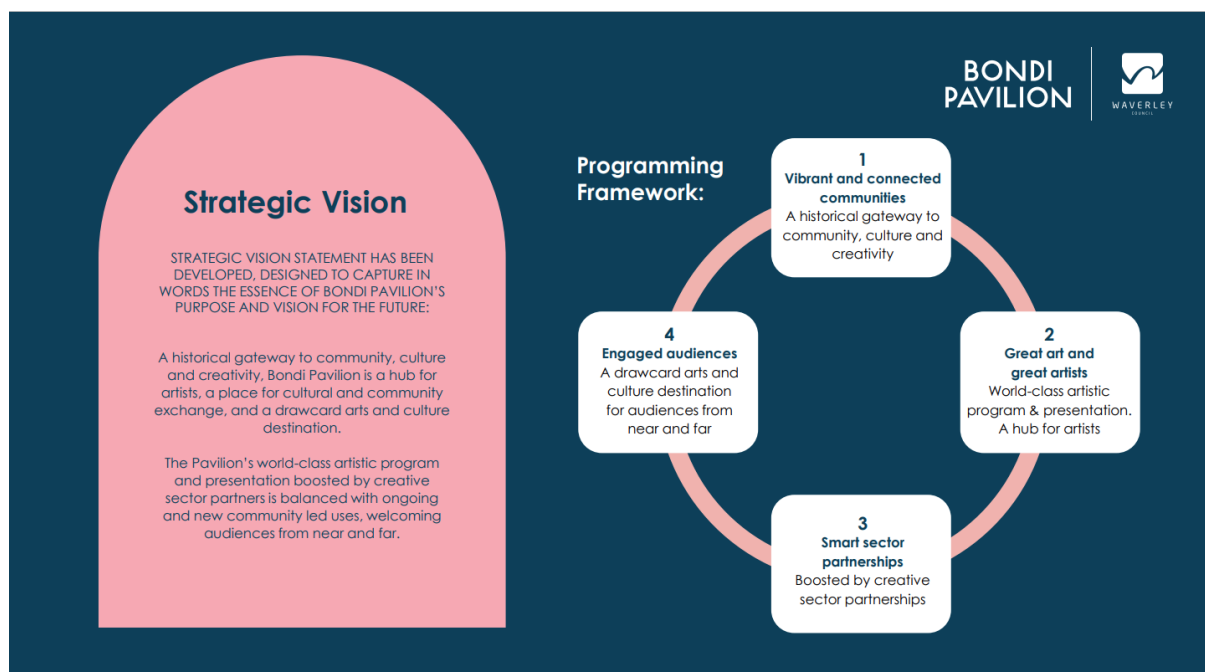
At this stage, Council does not have a strategic plan of what type of events Councillors think would enhance the overall program of events at the Bondi Pavilion and that would encourage the public to attend.

General Manager's comment

What is proposed by the motion can be actioned by officers if the motion is passed. However, it would be a duplication to what is already in place and described below.

Waverley's Artistic Director

- Bondi Pavilion Artistic Director Chris Bendall commenced in February 2023. Council requested and endorsed the establishment of this position to create a vision for the Pavilion and curate Council's offering accordingly.
 - Has been consulting broadly with community, stakeholders, local artistic and creative community, leading arts companies and potential industry partners.
 - Has led two creative planning workshops with all Arts and Culture team to plan strategy for 2024 program. Facilitates regular programming joint meetings with Bondi Pavilion Venue and Arts and Culture teams.
 - Has drafted programming framework, putting further detail and building key strategic priorities working from existing strategic framework (below, previously endorsed by Council).



- Artistic program for second half of 2023 is in place and well advanced for 2024 across all art forms and targeting multiple audience demographics.
 - Following Bondi Festival in July, there will be key Council-supported events at the Pavilion from August to November across theatre, music, cabaret, comedy, community and youth engagement.
 - Audience development and community re-engagement with Bondi Pavilion and its arts and culture program is key priority. 2024 program well developed already with a full program of events planned to be completed by September.

High level of usage

- Due to 25+ community regular hirers sessions each week (including yoga, dance, fitness, martial arts and support services) and consistent demand for casual bookings, there is limited availability of the High Tide Room and Seagull Room during the weekday morning and evening peaks and on weekends.
- The community venues expression of interest (EOI) for regular hirers in 2024 is currently open until 2 July 2023.
- The Theatre has been consistently booked across the year with a range of one-off, multi-day and week-long hires.

- Since October, there have been more than 2,100 bookings across the venue including community classes, support services, private functions, large events, festivals, meetings, conferences, talks, music and theatre performances. These represent a range of not for profit, private and commercial hirers in addition to Council-run events.

Recent audience engagement at the Pavilion

Event title	Date of event	Venue	Sales %
History Tour	14/01/2023	Bondi Story Room	60%
Underwater Paper Light Box Sculptures 1pm	18/01/2023	Yalagang	73%
Paper Surfers with Laura Jade - 10am	19/01/2023	Yalagang	93%
BONDI DAYS - Author Talk w Monty Webber	19/01/2023	High Tide Room	90%
Liquid Mountain Exhibition Opening	21/01/2023	BP Gallery	100%
Vika & Linda: No Bull	2/02/2023	BP Theatre	92%
The Air is Electric Exhibition Opening	9/02/2023	BP Gallery	85%
History Tour	11/02/2023	Bondi Story Room	100%
Fambo Queer Arts for Kids and Families	18/02/23	Yalagang	100%
Reuben Kaye - Live and intimidating	22/02/23	BP Theatre	100%
Paul Capsis - Dry My Tears	3/01/23	BP Theatre	79%
Bondi's Comedy Extravaganza	3/03/23	BP Theatre	72%

- Other programming:
 - Tai chi for seniors is a Council-run weekly class that commenced as a summer trial that has since continued due to its popularity.
 - Weekend courtyard music/DJ sessions programmed in conjunction with Eastside Radio
 - Rainbow, Mermaid, Fireworks exhibition saw over 12,000 visitors stream through the gallery doors—the highest figures for a Bondi Pavilion Art Gallery exhibition to date.
 - Family Movie Night (attendance of 350).
 - Intergenerational Classic Hits Concert.

Local Creatives expression of interest program

- Launching Local Creative Collaborations program has been a priority for Artistic Director. New point of access to drive local creative engagement and drive opportunities for local creatives. Program launched in March. EOI process opened early April and closed late May focused on opportunities for arts and culture development across all artforms in the Yalagang Room.
- Applicants will soon be assessed.
- Next EOI round for access to Theatre and Gallery to open in July.
- This program responding directly to feedback received from Waverley creatives. Further requests were for skills development workshops and networking events—which have also been held at the Pavilion in recent months.

Fees and charges

- Not-for-profit and charity organisations are able to access a 50 per cent discount off standard fees.
- In response to community feedback an 'arts and education' price category for Theatre hire will be introduced for 2023-24 to support arts organisations, independent producers/artists and education institutions in the delivery of creative, rather than commercial, outcomes.
- Current financial assistance mechanisms:

- Recently launched EOI for local creative collaborations, at Yalagang Room. In July, a new EOI process will be launched for Theatre and Gallery opportunities for 2024.
- Year-round opportunity for Venue Hire Grant Program which offers venue hire subsidies for eligible not-for-profit groups.
- Small Grants program, including for Community and Cultural Grants.

There are multiple points of access to the venue, for community, cultural and commercial purposes, through venue hire or through Waverley supported and curated events year-round. Open access is ensured as anyone can approach Council officers to engage with these mechanisms for venue activity as appropriate for the proposed event

Ben Thompson

Director, Community, Culture and Customer Experience

URGENT BUSINESS
CM/10/23.06**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/11/23.06

Subject: Moving into Closed Session

Author: Emily Scott, General Manager

**RECOMMENDATION:**

That:

1. Council moves into closed session to deal with the matters listed below, which are classified as confidential under section 10A(2) of the *Local Government Act* for the reasons specified:

CM/11.1/23.06 CONFIDENTIAL REPORT - 74 Newland Street, Bondi Junction - Community Tenancy Leases

This matter is considered to be confidential in accordance with Section 10A(2)(c) of the *Local Government Act*, and the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

CM/11.2/23.06 CONFIDENTIAL REPORT - 194-214 Oxford Street and 2 Nelson Street, Bondi Junction - Use of Council Land

This matter is considered to be confidential in accordance with Section 10A(2)(c) of the *Local Government Act*, and the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

2. Pursuant to section 10A(1), 10(2) and 10A(3) of the *Local Government Act*, the media and public be excluded from the meeting on the basis that the business to be considered is classified as confidential under section 10A(2) of the *Local Government Act*.
3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the *Local Government Act*.

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 2021*, 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.

RESUMING IN OPEN SESSION CM/12/23.06

Subject: Resuming in Open Session
Author: Emily Scott, General Manager



RECOMMENDATION:

That Council resumes in open session.

Introduction/Background

In accordance with clause 14.21 of the Waverley Code of Meeting Practice, when the meeting resumes in open session the chair will announce the resolutions made by Council while the meeting was closed to members of the public and the media.