



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

COUNCIL MEETING

ATTACHMENTS UNDER SEPARATE COVER

7.00 PM, TUESDAY 18 FEBRUARY 2025

Waverley Council
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ATTACHMENTS UNDER SEPARATE COVER

CM/7.4/25.02 Precinct Committees - Motions and Update

1	Precinct motions - April-December 2024	2
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CM/7.9/25.02 Model Code of Meeting Practice - Submission

1	OLG - Model Code of Meeting Practice - Consultation draft (marked up)	67
2	OLG - A New Model Code of Meeting Practice - Consultation Draft (overview)	114
3	Model Code of Meeting Practice - Council's submission.....	126

**PRECINCT MOTIONS
April – December 2024**

**IN PROGRESS MOTIONS FROM PRECINCTS
April – December 2024**

The Table below shows all Motions from Precincts that have been classified as 'In progress.' They have been displayed in chronological order from April to December 2024.

**PRECINCT MOTIONS
April – December 2024**

Precinct	Ward	Meeting Date	Motion	Council Response	Status
Dover Heights	Hunter Ward	20/05/24	DHP requests that council fast track the Coastal Reserves Plan of Management. Most of a year has gone by and nothing has progress beyond the ideas phase. Please reengage so we can have our say on the future of the Dover Heights Coastal Reserves.	<p>Update January 2025 - The Parks, Planning and Recreation team are finalising the draft PoM in preparation for round 2 community consultation and a Councillor briefing session, we are currently undertaking final edits and preparing the necessary mapping for the 14 parks and reserves covered in the PoM. We are aiming to complete in time for a Councillor briefing in April, with the second round of Community Consultation targeted for May/ June 2025.</p> <p>Update May 2024 - The Coastal Reserves PoM is still progressing with the final technical study for Universal Access currently being completed. The next step is to present the key ideas and recommendations to Council for endorsement and approval to commence Round 2 community consultation.</p> <p>Unfortunately, Council staff have been engaged on many other projects across Council and external consultants reports had not been concluded in time to enable Officers to get a report to the last Council meeting in August before the caretaker period for Council local elections. Before a Council report goes up, Councillors are given an opportunity to further review the key ideas and recommendations and ask Officers questions through a Councillor Briefing Session.</p>	In progress
Dover Heights	Hunter Ward	20/05/24	DHP request that council cut back or spray effective weed killer on the Buddleja that has grown back with a vengeance at the south end of Weonga Reserve on the slope	<p>Update January 2025 - Council is continuing to conduct intensive treatment of the Buddleja as needed and feasibility and safety of removing the remaining plants. If not successful Council will look at getting contractors to cut back again.</p> <p>Council notes this motion was raised in August + November 2023. As previously advised, this is still in progress.</p>	In progress

**PRECINCT MOTIONS
April – December 2024**

Bondi Beach	Bondi Ward	03/06/24	Bondi Beach Precinct urges council as a matter of priority to re-consider the loss of budget allocation for the skate park toilets by amending the Long-Term Financial Plan so that these can be built at the same time as the rebuilding of the skate park itself.	Council officers will include this in the development of the next iteration of the Long-Term Financial Plan which will be considered by Council in April 2025.	In progress
Bondi	Bondi Ward	05/06/24	Bondi Precinct requests that Waverley Council treat Floodplain Management throughout the entire LGA as a matter of urgency.	<p>Update as of January 2025 - Update as of December 2024 - Council has held 2 Floodplain Management Committee Meetings this year, with the last meeting held on 13 November 2024. The next one will be held in March 2025. The consultant has recently completed the model review and sensitivity analysis and incorporated associated investigations in the project.</p> <p>May 2024 Update - Waverley Council Flood Risk Management Study and Plan Community Consultation occurred from June – July 2021. This consultation sought community feedback to help Council better understand, plan and respond to flooding. Residents were asked to use the map and survey our Have Your Say website to submit information, and photos if you have them, of flooding residents have experienced. Council is currently reviewing the information received to validate and refine flood modelling and to consider mitigation options. The Floodplain Committee will meet again in late 2024, potentially in November. This is TBA.</p>	In progress
Vaucluse/ Diamond Bay	Hunter Ward	27/06/24	As a preventative action and in order to save lives and to assist with public safety the Precinct proposes that Council investigate in conjunction with the NSW Police the feasibility of installing security cameras at suitable locations along the new boardwalk /coastal works.	<p>Update as of January 2025 - At the 10 December Council Meeting, Council resolved the following motion:</p> <p>CM/7.5/24.12 Antisemitic Graffiti - Council Response (A23/0761)</p> <p>That Council:</p> <p>1. Notes the resolution CM/6.1/24.11 in which Council will</p>	In progress

**PRECINCT MOTIONS
April – December 2024**

				<p>host a Mayoral roundtable with the Sydney Jewish Museum, NSW Jewish Board of Deputies and other stakeholders in early 2025.</p> <p>2. Continues to:</p> <p>(a) Work with the Waverley community and NSW Police to ensure Council is resourced and equipped to respond to instances of antisemitic graffiti and vandalism now and into the future.</p> <p>(b) Undertake a holistic CCTV network review and explore appropriate infrastructure where more sophisticated CCTV cameras can be installed with a report to come back to Council no later than March 2025 on the findings of the review.</p> <p>(c) Maintain a register of antisemitic graffiti (which includes the date, time and location of each incident) and provide that register every six months to the NSW Police, NSW Jewish Board of Deputies and the Special Envoy to Combat Antisemitism in Australia.</p> <p>3. Holds a Councillor workshop no later than February 2025 to review and provide feedback on the holistic CCTV network audit and potential upgrades (including budget implications).</p> <p>4. Officers to review and update Council’s current CCTV Code of Practice and Policy in a report to come back to Council at the same time as the report in 2(b) to include the following:</p> <p>(a) Data retention policy and specifically how long will the CCTV footage and metadata be held and privacy implications.</p> <p>(b) Access and privacy framework including who will have access to the CCTV footage and metadata and on what basis.</p> <p>The request from the Precinct will be considered as part of the CCTV review currently in progress and further updates will be provided as this work progresses.</p>	
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**PRECINCT MOTIONS
April – December 2024**

				<p>January 2025 - Precinct advised that cameras should be on the boardwalk area to deter negative behaviour. We are keen to have at least two cameras at either end of DB Gully, particularly the north side that has been the scene of a number of people breaking the law by climbing the fence, and putting their lives at serious risk.</p> <p>One of the residents in Ethel St complained about the increase in break ins in that area.</p> <p>The area has also been the target of antisemitic acts of violence, so perhaps now more than ever the issue of CCTV cameras needs to be addressed by Council and State Government.</p> <p>June 2024 Update - Council Officers would like some additional information from the Precinct including specific concerns that they feel need to be addressed. Council will then address and send out a survey to the community.</p>	
Bondi Heights	Waverley Ward	14/10/24	<p>Motion (2024 10m2) Bench seat installations Waverley Park – that the Bondi Heights Precinct supports the installation of two or more bench seats in Waverley Park. Located on the Birrell street side, between Henrietta and Langlee streets, opposite the Avery restaurant in the Waverley greens. The seats must be located in a sunny spot - not under trees. This action is appropriate as it is the view of Bondi Heights Precinct that the park has become exercise centric and less generational focused.</p>	<p>This has been requested under Request ID – 2444235. Awaiting update.</p>	In progress
Dover Heights	Hunter Ward	15/10/24	<p>That the pampas grass at Blair and Mitchell Streets be removed as it is a danger to pedestrians. (North Bondi)</p>	<p>Update as at December 2024 - Council has plans to upgrade the Pedestrian Crossing at Blair and Mitchell early next year. As part of this work, landscaping will occur, and new plantings will be installed.</p>	In progress
Combined Precincts		24/10/24	<p>I move that Waverley Combined Precincts request Waverley Council embark on an extensive communication strategy to inform</p>	<p>Update as of December 2024 - At the 10 December 2024 Council Meeting, Council decided the following:</p>	In progress

**PRECINCT MOTIONS
April – December 2024**

			<p>residents of the NSW Housing Reforms and the serious implications of these reforms for Bondi/Waverley.</p> <p>(a) Combined Precincts request that Council commit appropriate funds and resources to fund this strategy.</p>	<p>That Council:</p> <ol style="list-style-type: none"> 1. Approves the communications strategy and key messages, as set out in the report, regarding the NSW Low- and Mid-Rise Housing Reforms. 2. Authorises the General Manager, in consultation with the mayor, to update the key messaging of each strategy, should the policy be adopted by the State Government Council will continue to keep the community informed on this matter. <p>Update as of October 2024- At the 29 October 2024 Council Meeting, Council decided the following:</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Notes that: <ol style="list-style-type: none"> (a) The Waverley local government area (LGA) is one of the most densely populated LGAs in Australia (b) The previous Mayor and General Manager and Council planners have met the Minister for Planning, the Hon Paul Scully, to discuss the State Government’s housing reforms and their impact and implications for Waverley. (c) As a result of that meeting, the Department of Planning and Environment and Council undertook to work together to clarify definitions such as ‘town centres’, and to achieve housing reform outcomes that are sensitive to residential and public amenity of the Waverley LGA. 2. Requests that the Mayor and Deputy Mayor seek an urgent meeting with the Minister for Planning and Public Places, the Hon Paul Scully, to discuss Council’s preferred options to deliver its housing targets. 3. Requests that Council’s Community Planning Advocate works with the Precincts and community groups to explain the new State Government’s housing reforms and their 	
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**PRECINCT MOTIONS
April – December 2024**

				<p>impacts on Waverley and prepares a report to the December Council meeting with a full proposal on a way forward, including budget.</p> <p>Council will continue to keep the community informed on this matter.</p>	
Bronte Beach	Lawson Ward	29/10/24	<p>Bronte Beach Precinct calls on Waverley Council to fund a community communication and information drive to inform people living in Bronte what the new State Government's Transport Oriented Development (TOD) provisions, Mid -rise and diverse housing provisions, Affordable housing bonus, floor space and height provisions planning changes mean for their area.</p>	<p>Update as of December 2024 - At the 10 December 2024 Council Meeting, Council decided the following:</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Approves the communications strategy and key messages, as set out in the report, regarding the NSW Low- and Mid-Rise Housing Reforms. 2. Authorises the General Manager, in consultation with the Mayor, to update the key messaging of each strategy, should the policy be adopted by the State Government Council will continue to keep the community informed on this matter. <p>Update as at October 2024 - At the 29 October 2024 Council Meeting, Council decided the following:</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Notes that: <ul style="list-style-type: none"> (a) The Waverley local government area (LGA) is one of the most densely populated LGAs in Australia (b) The previous Mayor and General Manager and Council planners have met the Minister for Planning, the Hon Paul Scully, to discuss the State Government's housing reforms and their impact and implications for Waverley. (c) As a result of that meeting, the Department of Planning and Environment and Council undertook to work together to clarify definitions such as 'town centres', and to achieve housing reform outcomes that are sensitive to residential and public amenity of the Waverley LGA. 2. Requests that the Mayor and Deputy Mayor seek an urgent meeting with the Minister for Planning and Public 	In progress

PRECINCT MOTIONS
April – December 2024

				<p>Places, the Hon Paul Scully, to discuss Council's preferred options to deliver its housing targets.</p> <p>3. Requests that Council's Community Planning Advocate works with the Precincts and community groups to explain the new State Government's housing reforms and their impacts on Waverley and prepares a report to the December Council meeting with a full proposal on a way forward, including budget.</p> <p>Council will continue to keep the community informed on this matter.</p>	
North Bondi	Bondi Ward	07/11/24	<p>PAVILION access to small unaffiliated community groups</p> <p>To ask that Council apply a blanket policy in relation to local community groups to have free access or discounted rates for the use of Bondi Pavilion facilities to hold meetings.</p>	<p>Update as of January 2025 - Council Officers anticipate a Report to Council by this financial year.</p> <p>Update as of November 2024 - Council is working on the implementation of a new online booking system this financial year for all of our community venues including the Pavilion. This will allow the community to have visibility of availability if they wish to book, and book online for most booking types.</p> <p>Council is also implementing a dedicated community venues booking team and has increased this team to meet the overwhelming demand for our venues. While adopting Council fees and charges for 24/25 financial year, Council asked officers to investigate the feasibility of a local's rate for the Pavilion, and the financial subsidy Council would be required to allocate to fund it. Officers will undertake this work as requested.</p> <p>To reduce the casual non-commercial hiring costs, Council has removed the requirement for casual hirers to have public liability insurance, and has taken out a group policy based on feedback from these hirers and the Precinct. This will reduce the costs for those hiring the venue.</p>	In progress

PRECINCT MOTIONS
April – December 2024

Bondi Heights	Waverley Ward	21/11/24	Motion [202411m2] Waverley Park's Bondi Road bus shelter – that, Council carries out repairs and full restoration of the Waverley Park bus shelter on Bondi Road, opposite flood street, and to the footpaths surrounding the bus shelter.	Update as of January 2025 - Council has allocated funds in the Current financial year. Design work is complete, and officers are currently awaiting heritage approval for the scope. Works include restoration of the shelter and surrounding landscaping/ civil works.	In progress
Vaucluse/ Diamond Bay	Hunter Ward	28/11/24	That Council address Diamond Bay Road to Craig Avenue by repairing and resurfacing it in its entirety.	Update as of January 2025 - This has been lodged as a request under ID#2452480 We will consider this as part of our program development, which will receive a condition assessment.	In progress
Bronte Beach	Lawson Ward	04/12/24	Leichhardt St. residents expressed concern over traffic/pedestrian safety in Leichhardt St. south due to speeding cars. BBP request that Waverley Council implement the following : - Speed reduction by way of traffic calming devices on Leichhardt St South between MacPherson and Varna Streets. - Reduction of traffic volume by introduction of one way from MacPherson to Varna St. - Construction of Cul de sac at Leichhardt and MacPherson St.	Update as of January 2025 - Council is currently reviewing the feedback received. Council Officers anticipate taking next steps to more defined options for this area in Q1. Update as of December 2024 - Thank you for your feedback. Council is currently undertaking a survey as part of a process to explore traffic calming and road safety on Leichhardt Street. The survey seeks to better understand issues and priorities, before developing solutions. It is open until December 23. Have your say at https://haveyoursay.waverley.nsw.gov.au/leichhardt-street-waverley . The team letterbox dropped all those residents within the study area as they are most impacted; however, anyone can have their say.	In progress
Combined Precincts		05/12/24	The Bondi Beach Promenade is a key public space and iconic destination, but it faces challenges such as aging infrastructure, limited accessibility, and climate impacts. Revitalisation is essential to modernise, improve accessibility, sustainability, and its role as a vibrant community hub. That the Combined Precinct requests Waverley Council prioritise a more attractive	Update as of December 2024 - Council does not have a particular package of work focussing on upgrading the Bondi Beach Promenade. Some key points to consider outlined below: • There are no short-medium term plans to redevelop the entire promenade as we anticipate this would be undertaken in parallel with future seawall upgrades (refer below); • the Bondi Park, Beach and Pavilion Plan of Management	In progress

**PRECINCT MOTIONS
April – December 2024**

			<p>and welcoming makeover of the Bondi Beach Promenade.</p>	<p>(and Conservation Management Plan) would inform any upgrades.</p> <ul style="list-style-type: none"> • we have plans to upgrade the southern section of pavement (close to the skate park) in concert with HVM works and replacement of pavement will be like for like to match the more contemporary parts of the promenade with paving bands and concrete. Note we have not been successful in receiving earlier promised funding for HVM measures from the federal government so these works are currently on hold. • the Skate Park Amenities plans also include significant upgrades to the promenade at that location (DA approved but has been on hold) <p>With regard to the seawall upgrades:</p> <ul style="list-style-type: none"> • This will be part of a larger piece of work related to the Coastal Management Plan (CMP) and work has already commenced on this. • An internal Coastal Management Working Group has been established to coordinate and prepare and deliver relevant projects in accordance with the State Government requirements and to support the protection and enhancement of our coastal assets. • Council has a Request For Tender out right now for Stage 2 Studies, including Seawall Assessment and remediation options, as part of the Coastal Management Program. Note it could be up to 3 years before the Coastal Management Plan will be finished, and access to State funding for capital projects like Seawalls would be available. <p>The Waverley Beaches Coastal Management Plan Stage 1 Report is available on the website https://www.waverley.nsw.gov.au/environment/water_and_the_coast/managing_our_coast CMPs enable the coordinated management of the coast,</p>	
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**PRECINCT MOTIONS
April – December 2024**

				<p>detailing how and when coastal management actions are to be implemented, and proposed cost-sharing arrangements between state and local government over a 10 year period, considering hazards to 2100. CMPs include:</p> <ul style="list-style-type: none"> • actions that ensure public access and safety in coastal areas • sea wall maintenance, positioning and construction requirements • coordinated Capital Works requirements for long term financial planning • development controls to achieve stated regional objectives and outcomes • actions that protect water quality outcomes across the area • planning decisions impacted by sea level rise and coastal processes. 	
Combined Precincts		05/12/24	I move that we organise a workshop in the new year to look at moving motions and business.	The PRC will discuss this workshop at their next meeting on 11 February 2025 and decide whether to have an internal or external Trainer.	In progress
Mill Hill / Bondi Junction	Lawson Ward	09/12/24	That the playground in Clemenston Park, Bondi Junction, be fully reopened as a matter of urgency, as part of it near the train has been closed for at least a year. It is the only local playground for children in the area, and it is important that it be repaired and reopened.	<p>Update January 2025 – The scope of works for repair have been developed and funding options are being considered.</p> <p>Update December 2024 -Request raised under ID 2453974. Awaiting advice.</p>	In progress

**ALL MOTIONS FROM PRECINCTS
April – December 2024**

The tables below show all Motions from Precincts, including Motions which have been classified as 'Complete and In Progress.' They have been displayed according to Ward, in chronological order from April – December 2024.

BONDI WARD

**PRECINCT MOTIONS
April – December 2024**

Precinct	Ward	Meeting Date	Motion	Council Response	Status
Bondi Beach	Bondi Ward	08/04/24	<p>Bondi Beach Precinct thanks the Director of Planning for his frank explanations of various planning issues in Waverley and requests Councillors and Council Officers to investigate ways to address what the Planning Director described as the ‘wicked problem’ of the serious structural damage being caused to nearby buildings in the Bondi Basin by property development, and in particular, requests Council to investigate developing specific new geotechnical controls to stop the reality of damage to buildings resulting from excavation in the unstable sand that characterises the Bondi Basin.</p> <p>Background: Attached is a letter sent to residents dated 24 May 2021 regarding vibration from a development at 43-45 Hall Street, placing responsibility for damage on the ‘poor foundation preparation’ of existing buildings, many of which are approaching 100 years of age. It is hoped that Council rejects this contemptuous attempt to whitewash the damage caused by the excavation itself.</p> <p>Currently, approval has been given for two separate consolidated development sites directly opposite: 28 Hall Street and 38 Hall Street, the second of which has recently commenced demolition. Both</p>	<p>Waverley Council’s Development Control Plan (DCP) contains provisions and guidelines relevant to geotechnical considerations.</p> <p>Part B4 of the DCP, Coastal Risk Management provides for risks from erosion, inundation and geotechnical instability. Under the DCP, any application for new buildings, significant alterations and/or additions to existing buildings and/or new swimming pools on properties identified as affected by ‘Coastal Inundation’ or ‘Geotechnical Risk’ are required to submit a Coastal Risk Assessment; and/or Geotechnical Risk Assessment.</p> <p>The Waverley Council mapping tool identifies the ‘Geotechnical Risk’ or ‘Coastal Inundation’ Layer. For more information on Waverley’s mapping tool, please access the link here.</p> <p>Geotechnical reports are also required where excavation is proposed for development at or near cliff faces; greater than 2 metres; and/or the sites has a slope of 25% or more.</p> <p>Page 23 of the Waverley Council’s Development Application Guide outlines more specifically the application requirements for geotechnical reports. Notably, if Council deems appropriate a Geotechnical may be requested for a site.</p> <p>Provided that the builder is adhering to the National Construction Code, conditions of development approval and engineering /geotechnical certification, excavation risks and hazards are effectively mitigated.</p> <p>At this stage, Council is not considering any further amendments to the Waverley DCP with respect to potential risks associated with excavation. Council cannot act on any matter on a building site (including illegal or unauthorised works) when a Private Certifying Authority (PCA) has been appointed to that site. Council would only become involved where a developer or property owner fails to comply with a Written Direction Notice issued by the PCA and notified to Council.</p>	Complete

**PRECINCT MOTIONS
April – December 2024**

			<p>projects involve excavations for two levels of car parking.</p> <p>This is very concerning as there is currently no study measuring the cumulative impact of ongoing excavations in the sandhills in the Bondi Basin and particularly in the intensive development area of around Hall St. There is also no attempt to stage these developments, which would allow the impacts to be assessed in a timely manner, not to mention ease the strain on the amenity of the Bondi residents.</p> <p>Some of the developments in the Bondi Basin which have resulted in damage include:</p> <ul style="list-style-type: none"> • 21 Curlewis St, which resulted in the partial collapse of an adjoining house; SafeWork NSW advises the site is subject to current legal proceedings • 17 Lamrock Avenue, which caused visible damage to the facade of the adjoining building at 19 Lamrock • 1 Lamrock Avenue, where more than a decade ago an inter-war strata apartment block was so damaged by work on the adjoining development site on the corner of Lamrock and Jaques, that the owners were forced to find a buyer for the building which was then demolished. 		
Bondi Beach	Bondi Ward	08/04/24	Bondi Beach Precinct requests that the community is consulted about 1. the location of the Mermaids and	Council notes the Precincts motion and has shared it with the General Manager, Director of Community, Culture and Customer Experience and Director of Assets and Operations.	Complete

**PRECINCT MOTIONS
April – December 2024**

		<p>2. whether there is a preference for the original mermaid statues to be recast or for a mermaid inspired design.</p> <p>Background: As Council is aware Bondi Beach Precinct voted unanimously to have a replica of the Bondi Mermaids installed in their original location in 2013. This was agreed on by Council in their Waverley Public Art Master Plan (see p 12) with the proviso that:</p> <p>the location is subject to extreme and ever-changing weather conditions, including rain and storm conditions, and precipitation as well as a high level of public engagement. Proposals must exhibit a clear understanding of the impact of these conditions and outline measure undertaken to ensure artwork can withstand them. the location is subject to extreme and ever-changing weather conditions, including rain and storm conditions, and precipitation as well as a high level of public engagement. Proposals must exhibit a clear understanding of the impact of these conditions and outline measure undertaken to ensure artwork can withstand them.</p> <p>An overview of this was sent to Council after our February meeting. Without any consultation on location, Council determined the location and asked for mermaid themed designs to be submitted.</p> <p>Mayor Masselos in a media release said:</p>	<p>As per prior advice, in the Waverley Council Public Art Masterplan (P12), the location [of the Mermaids] is subject to extreme and ever-changing weather conditions, including rain and storm conditions, and precipitation as well as a high level of public engagement. Proposals must exhibit a clear understanding of the impact of these conditions and outline measure undertaken to ensure artwork can withstand them.</p> <p>You can read about it at https://www.waverley.nsw.gov.au/__data/assets/pdf_file/0008/83258/0926_-_Public_Art_Masterplan-March2020_FINAL-compressed.pdf</p> <p>Please note, this page was requested as an updated aspects to the Masterplan and was approved via Council during the term of the previous Mayor.</p> <p>A consultation for The Bondi Mermaids public artwork is currently live on Have Your Say Waverley. Council encourages the Precinct to provide feedback on the design as part of the current consultation being undertaken: https://haveyoursay.waverley.nsw.gov.au/bondi-mermaids</p> <p>The project will also be going to next Arts, Culture and Creativity Advisory Committee and will be shared for their information and review, as per Council’s Public Art Commissioning Consultation and Approval Process.</p>	
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**PRECINCT MOTIONS
April – December 2024**

			<p>“Big Rock commands an awe-inspiring location but it’s safer and more enjoyable for everyone to have this new mermaid sculpture on terra firma.”</p> <p>The terra firma she is alluding to (I assume a rock is not terra firma) also has its share of 'risks'. The south park is heavily utilised by dogs, children, exercise groups etc, is exposed to the same harsh conditions as Big Rock (except waves, hopefully). The park has always been subject to erosion in heavy rain and has been covered in sand in particularly fierce storms.</p> <p>In fact you can see the erosion in this park after the last heavy downpour right now.</p>		
Bondi	Bondi Ward	17/04/24	<p>Bondi Precinct requests the council to undertake a public relations campaign to educate the community about the impact of the new NSW Housing Reforms. This includes social media, flyers, letter box drop and other resources that can be shared within the community.</p>	<p>Bondi Precinct previously raised this matter in February 2024 and have since been advised of the following Council resolution (from 20 February 2024) on this matter.</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Approves the submission to the Department of Planning Housing and Infrastructure attached to the report (Attachments 2 and 3) raising concerns with the Explanation of Intended Effect: Changes to Create Low- and Mid-Rise Housing. 2. Urgently writes to the Premier, the Hon. Chris Minns, the Hon. Paul Scully and the Hon. Penny Sharpe to: <ol style="list-style-type: none"> (a) Raise key concerns outlined in the Council submission, including the potential substantial impacts on heritage in Waverley, the timing of exhibition and lack of genuine community and council consultation. (b) Request that Heritage Conservation Areas and Heritage Items be exempt from any proposed changes, if finalised. (c) Request that updated Region and City plans and any associated changes to housing targets be released before any planned reform is advanced. (d) Urgently seek a meeting with the Hon. Paul Scully and the 	Complete

**PRECINCT MOTIONS
April – December 2024**

				<p>Hon. Penny Sharpe to reiterate the concerns raised.</p> <p>3. Notes that Waverley is the second-densest local government area in NSW and already represents the range of housing types suggested by the NSW housing reforms. Further density will significantly impact the amenity, biodiversity and tree canopy of Waverley.</p> <p>4. Calls on the NSW Government to hold a community forum/s to inform and take feedback from residents about the proposed rezoning changes.</p> <p>5. Notes that the Council’s infrastructure is already at capacity, and without significant upgrades provided by the NSW government the proposed housing policies and population densities will be unable to be met. Schools, adequate hospital facilities, and stormwater and sewage capacity are currently struggling to cope.</p> <p>Please note #4.</p> <p>A parliamentary inquiry is currently occurring, and the Legislative Council Portfolio Committee are preparing their report. This report is due in September 2024.</p> <p>Once the outcomes of the above are known, Council will inform the community of the outcomes, outline the subsequent steps, and proceed with the development of a campaign, if required.</p>	
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**PRECINCT MOTIONS
April – December 2024**

Bondi	Bondi Ward	17/04/24	<p>Bondi Precinct strongly opposes the proposed amendments to Waverley’s Development Control Plan (DECP), which would remove maximum excavation volumes for lower density development and for larger developments (such as residential flat building, commercial uses, multi-storey mixed use, and shop top housing developments).</p> <p>The proposed amendments will wind back the “strengthened” controls that only came into force in 2022 and which were drafted in response to residents’ and Precincts’ concerns (as reported extensively in the media) relating to excessive site excavation resulting in collapsed buildings and damage to neighbouring properties.</p> <p>Bondi Precinct is deeply concerned that excessive site excavation and disturbance destabilises land, changes ground water flows, sees the removal of canopy cover, compromises the structural integrity of the development site and surrounding properties and potentially puts lives at risk.</p>	Bondi Precinct have submitted their feedback to dasubmissions@waverley.nsw.com.au .	Complete
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**PRECINCT MOTIONS
April – December 2024**

Bondi	Bondi Ward	17/04/24	<p>Bondi Precinct writes to all Waverley Councillors informing them of the strong resident opposition to the proposed Waverley Development Control Plan (WCP) Excavation Amendments.</p> <p>Bondi Precinct requests that Councillors consider the many concerns of residents before deciding their vote on the adoption of these amendments and whether other solutions can be found to the issues raised in the Officers' Report regarding the calculation of excavation volume. BP executive to report back.</p>	<p>Bondi Precinct wrote to Councillors individually as per the motion from the Precinct meeting. Approximately four responded as of 22 May 2024.</p>	Complete
Bondi	Bondi Ward	17/04/24	<p>Bondi Precinct is concerned about the impact of major events being staged on Bondi Beach and opposes large-scale commercial events which close off access for numerous days.</p> <p>These events see the beach, Pavilion and often parkland all blocked and major sections fenced off for more than a week. They have a major impact on residents as well as visitors who use the beach for multiple activities.</p> <p>By way of example was the Mardi Gras event which was a purely commercial event with tickets priced at more than \$250.00. This event impacted not only the parkland surrounding the beach, but the huge stage took up most of the southern walkway along the beach for more than 10 days. (The equipment also was stored within the back of the pavilion).</p>	<p>Council thanks the Precinct for their feedback.</p> <p>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.</p> <p>As well as the benefits above, Waverley Council is conscious of the impact events have on the local community and therefore hosts very few large-scale events each year. Council also manages these events closely, so access is maintained as much as possible, for example full beach access was provided at all times during the Bondi Beach Party bump in, bump out and event itself.</p> <p>All major events held in Waverley are required to go to Council for approval. This includes the Sydney Gay and Lesbian Mardi Gras 2024 Bondi Beach Party.</p>	Complete

**PRECINCT MOTIONS
April – December 2024**

				<p>This event was approved by Waverley Council at the Council meeting that took place on 15 August 2023. Minutes of the meeting can be viewed by clicking on the following link: Minutes of Council - Tuesday, 15 August 2023 (infocouncil.biz)</p> <p>Please note, commercial events or events of a commercial nature indicate event organisers that aren't registered not for profit or charitable organisations. Sydney Gay and Lesbian Mardi Gras is a registered Not for Profit organisation.</p>	
Bondi Beach	Bondi Ward	03/06/24	<p>THAT Bondi Beach Precinct expresses its deep-felt gratitude to Lenore Kulakauskas for her tireless work on the executive of Bondi Beach precinct and in support of the Bondi Beach community and urges her to maintain her involvement in this place which has benefited from her energy and dedication.</p>	<p>Noted. Council also thanks Lenore Kulakauskas for her years of service to Precincts and the Bondi Beach community.</p>	Complete

**PRECINCT MOTIONS
April – December 2024**

Bondi Beach	Bondi Ward	03/06/24	<p>THAT Bondi Beach Precinct urges council to maintain its support for Flickerfest, ongoing, in the Pavilion, noting that this international short film festival grew from small beginnings and is a highly valued cultural event among the Waverley community and beyond.</p>	<p>At the 18 June Council Meeting, Council decided the following: MOTION / DECISION That Council:</p> <ol style="list-style-type: none"> 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. In accordance with section 356 of the Local Government Act 1993, grants \$142,644 of in-kind support and \$50,360 in cash to Flickerfest Pty Ltd to support the cost of Flickerfest 2025, subject to Flickerfest Pty Ltd: <ol style="list-style-type: none"> (a) Providing Council with audited financial statements in a timely manner following the end of financial year, including itemised salaries of directors and key management personnel. Agreeing to pack up all chairs following each outdoor screening to provide daytime public access to the grassed area of the Garu Courtyard. (c) Acknowledging that the Pavilion’s commercial tenants are able to operate as per the conditions of the tenant’s lease or licence agreement. (d) Being responsible for funding grass remediation (if required), daily event venue cleaning costs and banner installation/deinstallation costs. (e) Having ongoing compliance with all relevant employment, industrial and Award legislation and requirements. 3. Notes that Flickerfest Pty Ltd is a for-profit enterprise. 4. Authorises the General Manager or delegate to execute an event licence with Flickerfest Pty Ltd to deliver Flickerfest 2025. <p>This can be viewed online at https://waverley.infocouncil.biz/</p>	Complete
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**PRECINCT MOTIONS
April – December 2024**

Bondi Beach	Bondi Ward	03/06/24	THAT Bondi Beach Precinct urges council as a matter of priority to re-consider the loss of budget allocation for the skate park toilets by amending the Long-Term Financial Plan so that these can be built at the same time as the rebuilding of the skate park itself.	Council officers will include this in the development of the next iteration of the Long-Term Financial Plan which will be considered by Council in April 2025.	IN PROGRESS
Bondi Beach	Bondi Ward	03/06/24	THAT Bondi Beach Precinct asks council to examine the provision of public toilets at world famous Bondi Beach advising that there is often serious shortage of facilities and that the so-called temporary facilities at the rear of the surf club be retained & possibly new and extra facilities be included in the surf club.	Council will be monitoring the patronage of the toilets in both the Bondi Pavilion and the temporary amenities (which will reopen in early September) over the 2024/25 summer to inform further planning. Council is working with the Surf Club to include additional public toilets within the new Surf Club.	Complete
Bondi Beach	Bondi Ward	03/06/24	Bondi Beach Precinct asks council for an update on the following: (i) The concrete bollards as per the council February 2024 Response Report and approvals for the Safety by Design in Public Places - Bondi Beach and Park - Final Design (ii) Are the bollards still required? BBP notes that neither Bronte nor Manly have bollards. (iii) Has the safety by design project received funding?	There is no change to the requirements for bollards and other safety by design features. No grant funding has been received to date.	Complete
Bondi Beach	Bondi Ward	03/06/24	THAT Bondi Beach Precinct asks whether Councillors, given the damage to private property being caused by construction in Bondi Beach, are willing to start lobbying for an end to the system of private certification and a return to elected councillors of the ability to determine individual Development Applications.	The Precinct motion has been sent to all Councillors via the CLC on 15 August (minutes were received 15 August). We suggest contacting your Councillors directly post the NSW Local Government Elections on 14 September 2024 to take up this matter.	Complete

PRECINCT MOTIONS
April – December 2024

Bondi Beach	Bondi Ward	03/06/24	THAT Bondi Beach Precinct urges council to ensure that the inaugural Bondi Wood Film Festival, featuring films from Bondi Beach creative community continues its association with the Pavilion so that it grows into another major cultural event at Bondi Beach	Council has approved support for this year's Bondi Wood.	Complete
Bondi Beach	Bondi Ward	03/06/24	THAT Bondi Beach Precinct expresses dismay about how the Bondi mermaid sculpture process has progressed and urges that Council reassess its current status with a view to reviving the original form of the mermaids, cast in bronze and positioned on the Ben Buckler headland.	<p>Council notes the Precincts motion and has shared it with the General Manager, Director of Community, Culture and Customer Experience and Director of Assets and Operations.</p> <p>As per prior advice, in the Waverley Council Public Art Masterplan (P12), the location [of the Mermaids] is subject to extreme and ever-changing weather conditions, including rain and storm conditions, and precipitation as well as a high level of public engagement. Proposals must exhibit a clear understanding of the impact of these conditions and outline measure undertaken to ensure artwork can withstand them.</p> <p>You can read about it at https://www.waverley.nsw.gov.au/__data/assets/pdf_file/0008/83258/0926_-_Public_Art_Masterplan-March2020_FINAL-compressed.pdf</p> <p>Please note, this page was requested as an updated aspects to the Masterplan and was approved via Council during the term of the previous Mayor.</p> <p>A consultation for The Bondi Mermaids public artwork is currently live on Have Your Say Waverley. Council encourages the Precinct to provide feedback on the design as part of the current consultation being undertaken: https://haveyoursay.waverley.nsw.gov.au/bondi-mermaids</p> <p>The project will also be going to next Arts, Culture and Creativity Advisory Committee and will be shared for their information and review, as per Council's Public Art Commissioning Consultation and Approval Process.</p>	Complete

PRECINCT MOTIONS
April – December 2024

Bondi	Bondi Ward	05/06/24	<p>Waverley is the second most densely populated LGA in Australia. Waverley has already met its housing targets and is currently witnessing a building boom throughout the LGA which is placing enormous pressure on existing infrastructure, such as drains, roads, sewerage and footpaths, and social infrastructure such as schools.</p> <p>Large – scale development also seriously impacting the area’s natural environment including the parks, trees and beaches.</p> <p>Bondi Precinct believes the new housing targets set by the NSW Government could lead to rezoning of low – medium density areas and more large-scale building applications by developers.</p> <p>Bondi Precinct calls on Waverley Council to conduct a full community consultation with options on the next steps before any decision or plans are approved.</p>	<p>The Mid- Low Housing Targets were set by the NSW State Government. Waverley is required to build 2400 new completed homes by 2029. This increase was predicated on the new housing delivery associated with the Low- and Mid-Rise Housing Reforms, taking into consideration Planned Growth and Projected Growth.</p> <p>These reforms are planned to apply to R3 and R4 Zones, around key centres. Council’s submission suggests that predicts centres could be Bondi Junction, Bondi Road, Bondi Beach and Rose Bay (OSH Rd) – this will likely be confirmed by the end of 2024 when the Low- and Mid-Rise reforms are finalised by the NSW Government.</p> <p>Council’s Manager of Strategic Planning met with the Combined Precincts in August 2024 and presented on this matter. The presentation was shared with the Convenor of Bondi Precinct.</p> <p>Once further information is available, Council will inform Precincts and the wider community.</p>	Complete
Bondi	Bondi Ward	05/06/24	<p>BP requests that a ‘community and individual resident charge’ be added to the hiring fees and charges schedule for the Bondi Pavilion. This charge should be set at a 50% discount to the Standard rate and that public liability insurance be waived for individual local residents. BP requests transparency of the booking system and options to book personally at the Pavilion or over the telephone</p>	<p>Council is working on the implementation of a new online booking system this financial year for all of our community venues including the Pavilion. This will allow the community to have visibility of availability if they wish to book, and book online for most booking types. Council is also implementing a dedicated community venues booking team and has increased this team to meet the overwhelming demand for our venues. While adopting Council fees and charges for 24/25 financial year, Council asked officers to investigate the feasibility of a local’s rate for the Pavilion, and the financial subsidy Council would be required to allocate to fund it. Officers will undertake this work as requested.</p>	Complete

**PRECINCT MOTIONS
April – December 2024**

				To reduce the casual non-commercial hiring costs, Council has removed the requirement for casual hirers to have public liability insurance and has taken out a group policy based on feedback from these hirers and the Precinct. This will reduce the costs for those hiring the venue.	
Bondi	Bondi Ward	05/06/24	Bondi Precinct requests that Waverley Council treat Floodplain Management throughout the entire LGA as a matter of urgency.	<p>Update as at Jan 2025 - Update as of December 2024 - Council has held 2 Floodplain Management Committee Meetings this year, with the last meeting held on 13 November 2024. The next one will be held in March 2025. The consultant has recently completed the model review and sensitivity analysis and incorporated associated investigations in the project.</p> <p>May 2024 Update - Waverley Council Flood Risk Management Study and Plan Community Consultation occurred from June – July 2021. This consultation sought community feedback to help Council better understand, plan and respond to flooding. Residents were asked to use the map and survey our Have Your Say website to submit information, and photos if you have them, of flooding residents have experienced. Council is currently reviewing the information received to validate and refine flood modelling and to consider mitigation options. The Floodplain Committee will meet again in late 2024, potentially in November. This is TBA.</p>	In progress
Bondi	Bondi Ward	14/08/24	Bondi Precinct believes Council's proposed pricing offer for local residents to use the Pavilion as a community centre is insufficient. Bondi Precinct believes charges for local residents should be set at a 50 per cent discount to the Standard rate. Bondi Precinct believes making it more financially accessible will allow greater use of the Pavilion by community groups.	<p>As advised in the last response to Bondi Precinct, while adopting Council fees and charges for 24/25 financial year, Council asked officers to investigate the feasibility of a local's rate for the Pavilion, and the financial subsidy Council would be required to allocate to fund it. Officers are undertaking this work as requested.</p> <p>We have noted the Precincts motion, and this will contribute towards Council's review. We also note the comment in regard to community groups usage and highlight that Council has a Charity / Not for Profit groups / Rehearsals rate for Pavilion hire.</p>	Complete

PRECINCT MOTIONS
April – December 2024

Bondi	Bondi Ward	14/08/24	Bondi Precinct extends its sincere thanks to the three Bondi Ward Councillors, Dominic Wy Kanak, Leon Goltsman and Michelle Gray, for their contribution to Waverley and in particular their support of residents and local Precinct issues.	Noted.	Complete
Bondi	Bondi Ward	14/08/24	Bondi Precinct requests a detailed summary of revenue the Council has collected from parking fines over the last 3 years in the Bondi, Bondi Beach and North Bondi zones. We would also like a breakdown of where these fines have been collected and the percentage increase/ decrease over this period.	Each year, Council is required to make available a set of audited financial statements. These statements set out the financial performance, financial position and cash flows of Council for the relevant financial year. You can view the statements here: www.waverley.nsw.gov.au/council/policies_procedures_and_plans/annual_statement_of_accounts Regarding the detailed requests from the Precinct, this information is not open access information under the GIPA Act and must be applied for. See Council's website for details: www.waverley.nsw.gov.au/council/access_to_information	Complete
Bondi	Bondi Ward	30/10/24	Bondi Precinct notes Waverley Council's decision on 29 October 2024 re: community calls for an awareness campaign alerting Waverley resident to the serious impacts of the NSW low-mid level housing reforms. Bondi Precinct requests council consult the community before finalising any "masterplan" that involves zoning and other changes, particularly height and FSRs Bondi Precinct also requests that Council consult the community before suggesting any community/crown assets for potential uplift.	Council's approach to Community Consultation, including matters related to Planning is outlined in the Community Engagement Strategy at https://www.waverley.nsw.gov.au/__data/assets/pdf_file/0020/163424/Community_Engagement_Strategy_2023.pdf	Complete

PRECINCT MOTIONS
April – December 2024

Bondi	Bondi Ward	30/10/24	Bondi Precinct notes the response from council officers (Response Report, August 2024 meetings) regarding requests for a discounted rate for local residents to use the Bondi Pavilion and that an investigation into the feasibility of a discounted rate is currently underway. Bondi Precinct requests a timeline for this investigation and also reiterates the need for a discounted rate for individuals and groups that do not qualify as a registered Not for Profit or charity. Council could include quotas or conditions governing use.	Council Officers anticipate a Report to Council by this financial year.	Complete
Bondi	Bondi Ward	30/10/24	Bondi Precinct writes to the Manager of integrated Transport and reiterates the Precinct support for a 40km speed limit across Bondi Basin and requests this be considered as part of the Local Area Traffic Management Plan.	Update as of January 2025 - This is being considered as part of the LATM (Local Area Traffic Management Study). This is an ongoing strategic Council priority.	Complete
Bondi	Bondi Ward	30/10/24	That Waverley Council Officers introduce zoned & timed parking signage in Area 8 on Blair St. between Wairoa and Glenayr Avenues to allow residents to park near their homes, as a matter of urgency.	Update as at January 2025 - In late 2024, Council resolved to move forward on this request. Council is working to implement this in early 2025.	Complete
North Bondi	Bondi Ward	07/11/24	In the light of the newly elected Council, we Resolved we request that the Return to Earn units are returned to the original location behind the Pavilion	Unfortunately, the previous large Return and Earn machine located at Bondi Beach was problematic for Council and residents. We experienced issues with increased litter and illegally dumped items in and around the machines. These items included shopping trollies, stolen residential recycling bins, empty cardboard boxes and plastic bags. Council also experience increase in violence amongst our rough sleeper's community who collect and hoard containers and around the Bondi Pavilion. Unfortunately, Council had to divert our resources from the Parks maintenance to assist on minimising these issues. Due to the Heritage significance of	Complete

**PRECINCT MOTIONS
April – December 2024**

				<p>Bondi Beach, it would be unlikely that a large machine would be approved to be permanently installed within Bondi Park. The Return & Earn machines located within Bondi Junction provide a central location for Waverley residents to utilise the scheme. We note that most Waverley residents visit Bondi Junction precinct for shopping and entertainment. The shop front machines have resulted in a significant reduction in the above issues that were experienced at the Bondi Beach location. Bondi Junction is just a short 3.2kms from Bondi Beach. Our Northern residents may also find it convenient to access the Return & Earn machines located in the Diamond Bay Bowling club. It is important to note that Return and Earn is administered by scheme coordinator, Exchange for Change. The network operator, TOMRA Cleanaway, is responsible for setting up and running the return point network and meeting collection targets, and the NSW Environment Protection Authority (EPA) is responsible for regulating the scheme.</p> <p>With the closure of the North Bondi Terminus collection point Council is continuing to work with Tomra and businesses to explore options for smaller Return and Earn express machines in the Bondi Beach Precinct.</p>	
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PRECINCT MOTIONS
April – December 2024

North Bondi	Bondi Ward	07/11/24	That Precinct members meet on site with Open Spaces as soon as possible to discuss ongoing maintenance concerns.	<p>Council's Manager of Open Spaces advised that he met with Jamie Mackay in October at Biddigal Reserve to go over some of his concerns.</p> <p>In response to this meeting, Council has done the following:</p> <ul style="list-style-type: none"> • Painted the fence • Committed to replanting the garden beds along Ramsgate Avenue and down the side of the unit block at 77 Ramsgate Avenue. • Re-turfing the lower slopes in front of the kids pool • Replaced the playground swing and spinner <p>The Manager of Open Spaces explained to Jamie that Council cannot commit to planting any trees or adding playground equipment at this stage as the park upgrade is with our Parks Planning & Recreation Infrastructure Services team and must follow Council process. The team have a copy of the report Jamie did for North Bondi Precinct (attached) and will consider the feedback as part of the upgrade.</p> <p>Please note, the Biddigal Reserve Upgrade to replace all the old retaining walls and upgrade of the playground is currently scheduled in the long-term financial plan for 2028/29 - 2029/30. In the meantime, Council continue to maintain the park and playground making necessary repairs or replacements such as the like for like replacements the swing and rocker currently being completed. Council will also plant new trees along the back at Ramsgate Avenue where we've had tree loss this December.</p> <p>If you have any further request, please log your request via our online customer request system: https://www.waverley.nsw.gov.au/top/contact_us/request</p> <p>If you wish for park maintenance budgets to be placed higher on Council's priority list, please make a submission to our Strategic Asset Management Plan budget prioritisation which is out for community consultation now at How would you prioritise and allocate Waverley's Asset Renewal Budget? Have Your Say Waverley</p>	Complete
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**PRECINCT MOTIONS
April – December 2024**

North Bondi	Bondi Ward	07/11/24	<p>PAVILION access to small unaffiliated community groups</p> <p>To ask that Council apply a blanket policy in relation to local community groups to have free access or discounted rates for the use of Bondi Pavilion facilities to hold meetings.</p>	<p>Update as of January 2025 - Council Officers anticipate a Report to Council by this financial year.</p> <p>Update as of November 2024 - Council is working on the implementation of a new online booking system this financial year for all of our community venues including the Pavilion. This will allow the community to have visibility of availability if they wish to book, and book online for most booking types.</p> <p>Council is also implementing a dedicated community venues booking team and has increased this team to meet the overwhelming demand for our venues. While adopting Council fees and charges for 24/25 financial year, Council asked officers to investigate the feasibility of a local's rate for the Pavilion, and the financial subsidy Council would be required to allocate to fund it. Officers will undertake this work as requested.</p> <p>To reduce the casual non-commercial hiring costs, Council has removed the requirement for casual hirers to have public liability insurance, and has taken out a group policy based on feedback from these hirers and the Precinct. This will reduce the costs for those hiring the venue.</p>	In progress
North Bondi	Bondi Ward	07/11/24	<p>The Precinct requests that Council consult the community before finalising any "masterplan" that involves zoning and other changes, particularly height and FSRs and requests that Council consult the community before suggesting any community/crown assets for potential uplift.</p>	<p>Council's Community Engagement Strategy is underpinned by a commitment to engage with the community in an inclusive transparent and accountable way to make fair and equitable decisions that reflect the needs of the community. At this stage there is no decision to prepare or "finalise" a masterplan.</p> <p>Nevertheless, if Council in the future resolves to prepare any plan, strategy or place making project, the Waverley Community Engagement Strategy outlines processes which are required to be complied with to provide an opportunity for the community to be engaged and consulted.</p> <p>Council's requirements regarding Community Engagement are outlined in the Community Engagement Strategy at https://www.waverley.nsw.gov.au/__data/assets/pdf_file/0020/163424/Community_Engagement_Strategy_2023.pdf</p>	Complete

**PRECINCT MOTIONS
April – December 2024**

North Bondi	Bondi Ward	07/11/24	We request that Council honour the normal process of actioning a RPS, and accept the petition presented (with X number of signatures) and proceed as soon as possible to action the RPS.	At the 26 November 2024 Council Meeting, Council unanimously decided: That Council: 1. Notes the petition on introducing a resident parking scheme on the south side of Blair Street, North Bondi. 2. Installs '2P, 8 am–10 pm, Permit Holders Excepted Area 8' parking restrictions on the south side of Blair Street, between Glenayr Avenue and Gould Street, North Bondi. L Martin (chief petitioner) addressed the meeting. View the minutes at https://waverley.infocouncil.biz/ https://waverley.infocouncil.biz/RedirectToDoc.aspx?URL=Open/2024/11/CM_20241126_MIN_778.PDF	Complete
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HUNTER WARD

Precinct	Ward	Meeting Date	Motion	Council Response	Status
Dover Heights	Hunter Ward	20/05/24	DHP requests that the large electrical box [at Pump Station] be moved closer to the street and the electrical cabinet and have it equidistant between the affected houses. Any and all noise or hum from this box should be investigated and mitigated.	Convenor has sent request directly to SW.	Complete
Dover Heights	Hunter Ward	20/05/24	DHP request that a non-see-through vertical paling fence preferably made of coloured plastic wood and 316 stainless steel screws be placed to the west of the bollards at the end of Eastern Ave to hide the above ground assets from view.	Convenor has sent request directly to SW.	Complete
Dover Heights	Hunter Ward	20/05/24	DHP requests the flat concrete surface be coloured green (not painted) to match the surrounding grass colour	Convenor has sent request directly to SW.	Complete

**PRECINCT MOTIONS
April – December 2024**

Dover Heights	Hunter Ward	20/05/24	DHP requests that all metal above ground cabinets, fencing, hinges, vent piping, lighting fixtures and all other metal items be fabricated from 2205 grade stainless steel.	Convenor has sent request directly to SW.	Complete
Dover Heights	Hunter Ward	20/05/24	DHP requests that Sydney Water explain the size of the drain grate and minimize any impact to the driveway to 57 Eastern Ave	Convenor has sent request directly to SW.	Complete
Dover Heights	Hunter Ward	20/05/24	DHP requests that Sydney Water notes the landslip at the end of Oceanview Ave and explain how the proposed pumping station at Eastern Reserve will be immune from similar landslips	Convenor has sent request directly to SW.	Complete
Dover Heights	Hunter Ward	20/05/24	DHP requests that the pumping station project at Eastern Reserve be abandoned due to safety concerns of adjacent and nearby properties	Convenor has sent request directly to SW.	Complete
Dover Heights	Hunter Ward	20/05/24	DHP requests that Sydney Water provide geotechnical reports for the project with detailed depth of drilling, excavation plans and 3D models of the nearby caves.	Convenor has sent request directly to SW.	Complete
Dover Heights	Hunter Ward	20/05/24	DHP requests that council fast track the Coastal Reserves Plan of Management. Most of a year has gone by and nothing has progress beyond the ideas phase. Please reengage so we can have our say on the future of the Dover Heights Coastal Reserves.	<p>Update January 2025 - The Parks, Planning and Recreation team are finalising the draft PoM in preparation for round 2 community consultation and a Councillor briefing session, we are currently undertaking final edits and preparing the necessary mapping for the 14 parks and reserves covered in the PoM. We are aiming to complete in time for a Councillor briefing in April, with the second round of Community Consultation targeted for May/ June 2025.</p> <p>Update May 2024 - The Coastal Reserves PoM is still progressing with the final technical study for Universal Access currently being completed. The next step is to present the key ideas and recommendations to Council for endorsement and approval to</p>	In progress

**PRECINCT MOTIONS
April – December 2024**

				<p>commence Round 2 community consultation. Unfortunately, Council staff have been engaged on many other projects across Council and external consultants reports had not been concluded in time to enable Officers to get a report to the last Council meeting in August before the caretaker period for Council local elections.</p> <p>Before a Council report goes up, Councillors are given an opportunity to further review the key ideas and recommendations and ask Officers questions through a Councillor Briefing Session.</p>	
Dover Heights	Hunter Ward	20/05/24	DHP request that council cut back or spray effective weed killer on the Buddleja that has grown back with a vengeance at the south end of Weonga Reserve on the slope	<p>Update January 2025 - Council is continuing to conduct intensive treatment of the Buddleja as needed and feasibility and safety of removing the remaining plants. If not successful Council will look at getting contractors to cut back again.</p> <p>Council notes this motion was raised in August + November 2023. As previously advised, this is still in progress.</p>	In progress
Vaucluse/ Diamond Bay	Hunter Ward	27/06/24	<p>As a preventative action and in order to save lives and to assist with public safety the Precinct proposes that Council investigate in conjunction with the NSW Police the feasibility of installing security cameras at suitable locations along the new boardwalk /coastal works.</p> <p>In January 2025 – The Precinct advised that cameras should be on the boardwalk area to deter negative behaviour. We are keen to have at least two cameras at either end of DB Gully, particularly the north side that has been the scene of a number of people breaking the law by climbing the fence, and putting their lives at serious risk.</p> <p>One of the residents in Ethel St complained about the increase in break ins in that area.</p>	<p>Update as of January 2025 -</p> <p>At the 10 December Council Meeting, Council resolved the following motion:</p> <p>CM/7.5/24.12 Antisemitic Graffiti - Council Response (A23/0761)</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Notes the resolution CM/6.1/24.11 in which Council will host a Mayoral roundtable with the Sydney Jewish Museum, NSW Jewish Board of Deputies and other stakeholders in early 2025. 2. Continues to: <ol style="list-style-type: none"> (a) Work with the Waverley community and NSW Police to ensure Council is resourced and equipped to respond to instances of antisemitic graffiti and vandalism now and into the future. (b) Undertake a holistic CCTV network review and explore appropriate infrastructure where more sophisticated CCTV cameras can be installed with a report to come back to Council no later than March 2025 on the findings of the review. (c) Maintain a register of antisemitic graffiti (which includes the 	In progress

PRECINCT MOTIONS
April – December 2024

			<p>The area has also been the target of antisemitic acts of violence, so perhaps now more than ever the issue of CCTV cameras needs to be addressed by Council and State Government.</p>	<p>date, time and location of each incident) and provide that register every six months to the NSW Police, NSW Jewish Board of Deputies and the Special Envoy to Combat Antisemitism in Australia.</p> <p>3. Holds a Councillor workshop no later than February 2025 to review and provide feedback on the holistic CCTV network audit and potential upgrades (including budget implications).</p> <p>4. Officers to review and update Council's current CCTV Code of Practice and Policy in a report to come back to Council at the same time as the report in 2(b) to include the following:</p> <p>(a) Data retention policy and specifically how long will the CCTV footage and metadata be held and privacy implications.</p> <p>(b) Access and privacy framework including who will have access to the CCTV footage and metadata and on what basis.</p> <p>The request from the Precinct will be considered as part of the CCTV review currently in progress and further updates will be provided as this work progresses.</p> <p>June 2024 Update - Council Officers would like some additional information from the Precinct including specific concerns that they feel need to be addressed. Council will then address and send out a survey to the community.</p>	
Vaucluse/ Diamond Bay	Hunter Ward	27/06/24	<p>The parking sign outside the Childcare Centre on OSH Road states parking 15min only 24/7. That this be changed to limited parking only during pick up and drop off times.</p>	<p>Request has been submitted to Transport for NSW / Service NSW. Awaiting update.</p>	Complete
Vaucluse/ Diamond Bay	Hunter Ward	27/06/24	<p>Minutes of previous meeting held on 14 March 2024 were accepted with amendments to Councillor Nemesh's comments. "As a result of the changes to the Boardwalk, there has been a significant blowout in the cost of the Boardwalk, with the cost doubling" is to be added.</p>	<p>Noted</p>	Complete

PRECINCT MOTIONS
April – December 2024

Rose Bay	Hunter Ward	01/07/24	That the Rose Bay Precinct support the request being made by residents that the Council should take action to approve a Residents Parking Scheme for the following streets: <ul style="list-style-type: none"> • Warners Avenue, North Bondi NSW 2026 • Brassie Street, North Bondi NSW 2026 • Niblick Street, North Bondi NSW 2026 • 36, 38 & 40 Blair Street, North Bondi NSW 2026. 	Noted. In March 2024, Council resolved to undertake a Resident Parking Scheme (RPS) review to address key issues and consider improvements. The resolution proposed a preliminary Terms of Reference and specified the need to establish a 'Review Committee' consisting of the Mayor, two Councillors and local residents to steer the process. The purpose of the RPS Review Committee is to oversee the resident parking scheme review, administered and operated by Council. Find out more here Resident Parking Scheme Review Committee - Waverley Council	Complete
Dover Heights	Hunter Ward	15/10/24	That Council take out a rescission motion against their motion moved to change the name of Cadigal Place to Gadigal Place and be requested to withdraw its application with the Geographic Naming Board if the application has already been made.	At the 29 October 2024 Council meeting, the following was decided: That Council: 1. Withdraws its application to the Geographical Names Board to change the name of Cadigal Place to Gadigal Place. 2. Advises the residents of Cadigal Place of Council's decision, as well as the Dover Heights Precinct.	Complete
Dover Heights	Hunter Ward	15/10/24	That the pampas grass at Blair and Mitchell Sts. be removed as it is a danger to pedestrians. (North Bondi)	Update as of December 2024 - Council has plans to upgrade the Pedestrian Crossing at Blair and Mitchell early next year. As part of this work, landscaping will occur, and new plantings will be installed.	In progress
Dover Heights	Hunter Ward	15/10/24	That centreline marking be extended for the entire length of Military Rd.	Update Jan 2025 - Council investigated this request and deemed a Line marking is not required at this location. Council has found there are no clear safety benefits to doing this and experience has shown, in the wrong context Centreline markings increase vehicle speeds.	Complete

PRECINCT MOTIONS
April – December 2024

Vaucluse/ Diamond Bay	Hunter Ward	28/11/24	<p>Motion for Pedestrian Safety That pedestrian safety not be put at risk by bikes or scooters at Bondi Junction and Mall where there are dedicated bike lanes and roads.</p> <p>1) Bikes and scooters be banned from riding on footpaths and malls. 2) Bikes and scooters parking be banned on footpaths and malls and restricted to parking on designated roads. 3) A “STOP SIGN” be placed at pedestrian crossing on corner of Spring Street and Denison Road to stop bikes and scooters racing across this pedestrian crossing. It is a blind spot for cars. 4) A safety limit be set of 5km/hr for bikes and scooters in this area of Bondi Junction.</p>	<p>1 and 4 - Riding on the footpath is enforced by NSW Police under the Road Rules. Council has no jurisdiction on this matter.</p> <p>Some detail below on legislation and what is enforced by Polce.</p> <p>Riding on a footpath Generally, bicycle riders must not ride on a footpath. However, children under the age of 16 years can ride on the footpath unless there is a NO BICYCLES sign.</p> <p>Bicycle riders aged 16 years and over must not ride on a footpath unless they are:</p> <ul style="list-style-type: none"> • an adult supervising a child under the age of 16 • accompanying a child under the age of 16 where all children are under the supervision of an adult • a postal worker riding a bicycle in the course of their work duties • a rider carrying a child under 10 as a passenger • a rider with a medical condition who is carrying a medical certificate that states a medical practitioner believes the rider should be allowed to ride on the footpath • a rider accompanying a rider with a medical condition. <p>Road Rules 2014 250 Riding on a footpath or shared path (1) The rider of a bicycle who is 16 years old or older must not ride on a footpath unless— (a) if the rider is an adult—the rider is accompanying a child under 16 years of age who is riding on the footpath and the child is under the rider’s supervision, or (b) if the rider is not an adult—the rider is accompanying a child under 16 years of age who is riding on the footpath under the supervision of an adult and the rider is also under the supervision of the adult, or (c) the rider is a postal worker who is riding the bicycle in the</p>	Complete
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**PRECINCT MOTIONS
April – December 2024**

				<p>course of his or her duties as a postal worker, or (d) the rider is carrying a person who is under 10 years old as a passenger on the bicycle or in or on a bicycle trailer towed by the bicycle and the bicycle is not a pedicab. Maximum penalty—20 penalty units. Note 1— Bicycle trailer is defined in rule 257 and footpath and postal worker are defined in the Dictionary. Note 2— Subrule (1) is not uniform with the corresponding subrule in rule 250 of the Australian Road Rules. However, the corresponding subrule in the Australian Road Rules allows another law of this jurisdiction to prohibit a rider of a bicycle who is 12 years old or older from riding on a footpath. Different rules may apply in other Australian jurisdictions. Note 3— A rider of a bicycle who is under 16 years of age may ride on a footpath unless such a rider is prohibited from doing so under rule 250-1 or rule 252. (1A) A rider of a bicycle does not have to comply with subrule (1) if— (a) the rider is carrying a medical certificate that states a medical practitioner believes the rider should be allowed to ride on the footpath because of a medical condition the rider has, and (b) the rider is complying with any conditions stated in the medical certificate, and (c) no other law of this jurisdiction states that this subrule does not apply. Note— Medical certificate and medical practitioner are defined the Dictionary and medical condition is defined in subrule (3). (1B) Also, a rider of a bicycle does not have to comply with subrule (1) if the rider is accompanying another person who is exempt under subrule (1A). (1C) However, the rider is exempt under subrule (1A) or (1B) only if the rider who is carrying the medical certificate immediately</p>	
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**PRECINCT MOTIONS
April – December 2024**

				<p>produces the medical certificate when an authorised person asks to see the certificate.</p> <p>Note— Authorised person and medical certificate are defined in the Dictionary.</p> <p>(1C-1) A rider is not exempt under subrule (1A) or (1B) if there is a bicycle path or shared path available near the footpath.</p> <p>Note 1— Bicycle path is defined in rule 239.</p> <p>Note 2— This subrule is an additional NSW subrule. There is no corresponding subrule in rule 250 of the Australian Road Rules.</p> <p>(2) The rider of a bicycle riding on a footpath or shared path must—</p> <p>(a) keep to the left of the footpath or shared path unless it is impracticable to do so, and</p> <p>(b) give way to any pedestrian on the footpath or shared path.</p> <p>Maximum penalty—20 penalty units.</p> <p>Note 1— Pedestrian is defined in rule 18, and shared path is defined in rule 242.</p> <p>Note 2— For subrule (2), give way means the rider must slow down and, if necessary, stop to avoid a collision—see the definition in the Dictionary.</p> <p>(3) In this rule— adult means an individual who is 18 years old or older.</p> <p>Note— There is no corresponding definition for this term for the purposes of rule 250 of the Australian Road Rules. The definition is required for the purposes of subrule (1)(a) and (b). footpath does not include a separated footpath. medical condition means a medical condition that makes it impractical or unsafe for a person who has the condition to ride a bicycle on the road.</p> <p>Note—</p>	
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**PRECINCT MOTIONS
April – December 2024**

				<p>There is no corresponding definition for this term for the purposes of rule 250 of the Australian Road Rules. The definition is required for the purposes of subrule (1A).</p> <p>Note— Separated footpath is defined in rule 239.</p> <p>245-1 NSW rule: riding a bicycle negligently, furiously or recklessly (1) The rider of a bicycle must not ride the bicycle— (a) negligently, or (b) furiously, or (c) recklessly. Maximum penalty—20 penalty units. (2) An offence against subrule (1) is not a strict liability offence</p> <p>2. Bike Parking - Council has recently installed 3x bike parking locations in Bondi Junction.</p> <p>We continue to look for more appropriate locations within the LGA. Council is in ongoing discussions with bike share operators on how to improve the placement of bikes.</p> <p>Enforcement and impounding are continually being discussed with the providers. Council have found that under the Legislation it is difficult to impound bikes because we need to substantiate that they have been abandoned for 7 days or more. This is still an option that we are investigating.</p> <p>3. The Road Act prohibits placing stop signs for just one mode of Transport as this can confuse other vehicles. Research shows this type of traffic-controlled device does not have the desired outcome. Council will continue to monitor these intersections ongoing to search for improvements.</p>	
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**PRECINCT MOTIONS
April – December 2024**

Vaucluse/ Diamond Bay	Hunter Ward	28/11/24	Motion to Resurface Diamond Bay Road That Council address Diamond Bay Road to Craig Avenue by repairing and resurfacing it in its entirety.	Update Jan 2025 - This has been lodged as a request under ID#2452480 We will consider this as part of our program development, which will receive a condition assessment.	In progress
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LAWSON WARD

Precinct	Ward	Meeting Date	Motion	Council Response	Status
Bronte Beach	Lawson Ward	26/06/24	<p>Background -There was concern expressed about the proliferation of cats in our Precinct area and not only the harm they cause to our wildlife with a number of residents noting they had found dead birds and ringtail possums in their gardens. One resident has been unable to leave her windows open as cats having been invading her house and excreting on her floors.</p> <p>It was noted that the RSPCA had recommended Cat control at night and the A.C.T has introduced cat controls at night .</p> <p>BB Precinct requests that Waverley Council considers requiring cat owners to keep their cats indoors at night from sunrise to sunset and investigate enforcement options such as registration.</p>	<p>Waverley Council does not currently have an adopted position on mandating cat containment. This matter must be undertaken via a notice of motion of Council.</p> <p>Council Officers have advised the Executive Leadership and Councillors of this matter.</p> <p>We recommend the Precinct also write to their Councillors on this matter too.</p>	Complete

**PRECINCT MOTIONS
April – December 2024**

Bronte Beach	Lawson Ward	26/06/24	Background -There were considerable concerns regarding 13 Calga Ave. and Council not responding to a FOI request over issues raised in connection with that DA. BBPrecinct requests that the Freedom of Information requested for 13 Calga Ave. is formally acted on as a matter of urgency.	A request for information regarding the development at 13 Calga Avenue was processed informally under the GIPA Act. All information requested has been released and the matter is now closed.	Complete
Bronte	Lawson Ward	02/09/24	That Bronte Precinct calls for a DA to be submitted by Waverley College for their proposed works on the junior school campus in the heritage listed 'Jungle', i.e. the area east of the escarpment, to ensure transparency to the Council and the local residents of what is proposed, and to ensure that the formal Council control and approval process is followed.	<p>Waverley College is proposing to undertake landscaping works to the southern end of the Wingara space, approximately 1 fifth of the total area covered by bushland. This project is known as the Waverley College Wingara Project Landscape regeneration.</p> <p>The proposal includes the routine maintenance of landscaping, installation of pavers, fences, stairs, handrails, steel step ladders, sandstone retaining walls, hammock, climbing structures, protection of existing trees within the tree protection zones, removal of some existing vegetation and retention and protection of natural sandstone rock formations.</p> <p>Exempt Development - State Environmental Planning Policy (Transport and Infrastructure) 2021</p> <p>In NSW, there are eleven State and Environmental Planning Policies (SEPPs), several of which engage with exempt development. The provisions of exempt development override local controls and provide an avenue for some forms of development, without the requirement to lodge a development application.</p> <p>The relevant legislation pertaining to the proposal of the Waverley College Wingara Project Landscape regeneration is the State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP). The Transport and Infrastructure SEPP allows development within the boundaries of a school to be categorised as exempt development if it is for the</p>	Complete

**PRECINCT MOTIONS
April – December 2024**

				<p>purposes of removal or pruning of a tree, landscaping, play equipment where adequate safety provisions are provided, routine maintenance and walking paths, boardwalks, ramps, minor pedestrian bridges, stairways, gates, seats, barbeques, shelters and shade structures.</p> <p>As mentioned, the provisions of exempt development override local controls and provide schools like Waverley College to develop on their land without the requirement to lodge a development application. Waverley College is entitled to apply the provisions of the Transport and Infrastructure SEPP and have submitted written advice outlining how the relevant provisions of the SEPP are satisfied. As Council is not the relevant planning authority in this matter, we do not have a role in reviewing or endorsing this advice and are encouraging Waverley College to enhance the community’s awareness of this project.</p>	
Bronte	Lawson Ward	02/09/24	Bronte Precinct request council to investigate a residential Parking Scheme in Belgrave, Murray, Birrell, Alfred, Read, Brown and Dickson St.	<p>Council approved a comprehensive RPS Review process earlier this year. As part of that process, we also onboarded an RPS Review Advisory Committee consisting of several residents. The Advisory Committee will be meeting for the first time post-local elections, at which time the process will kick-off in earnest.</p> <p>To seek a comprehensive approach that considers many factors related to parking needs, we are seeking to refrain from implementing any RPS additions in the short-term until the review concludes. This is anticipated to occur in mid-2025. The good news is that we will be considering all areas for RPS as part of the review, with the aim to minimise unintended knock-on effects.</p> <p>RPS Review Report: You can find more information on the process in the following links: https://waverley.infocouncil.biz/Open/2024/03/CM_20240319_A GN_770_AT.PDF [pg. 139] Review Committee:</p>	Complete

PRECINCT MOTIONS
April – December 2024

				https://waverley.infocouncil.biz/Open/2024/06/CM_20240618_AGN_773_AT.PDF [pg. 264]	
Bronte Beach	Lawson Ward	29/10/24	The Bronte Beach Precinct calls on Waverley Council to fund a community communication and information drive to inform people living in Bronte what the new State Government's Transport Oriented Development (TOD) provisions, Mid-rise and diverse housing provisions, Affordable housing bonus, floor space and height provisions planning changes mean for their area.	<p>Update as of December 2024 - At the 10 December 2024 Council Meeting, Council decided the following:</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Approves the communications strategy and key messages, as set out in the report, regarding the NSW Low- and Mid-Rise Housing Reforms. 2. Authorises the General Manager, in consultation with the Mayor, to update the key messaging of each strategy, should the policy be adopted by the State Government Council will continue to keep the community informed on this matter. <p>Update as at October 2024 - At the 29 October 2024 Council Meeting, Council decided the following:</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Notes that: <ol style="list-style-type: none"> (a) The Waverley local government area (LGA) is one of the most densely populated LGAs in Australia (b) The previous Mayor and General Manager and Council planners have met the Minister for Planning, the Hon Paul Scully, to discuss the State Government's housing reforms and their impact and implications for Waverley. (c) As a result of that meeting, the Department of Planning and Environment and Council undertook to work together to clarify definitions such as 'town centres', and to achieve housing reform outcomes that are sensitive to residential and public amenity of the Waverley LGA. 2. Requests that the Mayor and Deputy Mayor seek an urgent meeting with the Minister for Planning and Public Places, the Hon Paul Scully, to discuss Council's preferred options to deliver its housing targets. 3. Requests that Council's Community Planning Advocate works 	In progress

PRECINCT MOTIONS
April – December 2024

				with the Precincts and community groups to explain the new State Government's housing reforms and their impacts on Waverley and prepares a report to the December Council meeting with a full proposal on a way forward, including budget. Council will continue to keep the community informed on this matter.	
Bronte Beach	Lawson Ward	29/10/24	BBP requests that Waverley Council considers changing the Dog Poo waste bags made available by WC in favour of those used by Randwick Council which are genuinely biodegradable.	Council uses degradable bags which will oxidise and degrade after disposal when exposed to sunlight and heat. Council does not use biodegradable bags such as compostable bags as these are more expensive and would cost Council and extra \$50,000per year plus extra servicing due to the lower amount of bags contained on one biodegradable roll. Council's priority is to ensure that all services meet our sustainable procurement policy objectives. This means balancing the needs of the community and the environment with Council's financial obligations. As dog waste bags are disposed of in the red lidded bin and destined for landfill, the environmental impact of purchasing compostable bags is not significant enough to justify the considerably higher cost.	Complete
Bronte Beach	Lawson Ward	04/12/24	Leichhardt St. residents expressed concern over traffic/pedestrian safety in Leichhardt St. south due to speeding cars. BBP request that Waverley Council implement the following : - Speed reduction by way of traffic calming devices on Leichhardt St. South between MacPherson and Varna Streets. - Reduction of traffic volume by introduction of one way from MacPherson to Varna St. - Construction of Cul de sac at Leichhardt and MacPherson St.	Update as at Jan 2025 - Council is currently reviewing the feedback received. Council Officers anticipate taking next steps to more defined options for this area in Q1. Update December 2024 - Thank you for your feedback. Council is currently undertaking a survey as part of a process to explore traffic calming and road safety on Leichhardt Street. The survey seeks to better understand issues and priorities, before developing solutions. It is open until December 23. Have your say at https://haveyoursay.waverley.nsw.gov.au/leichhardt-street-waverley . The team letterbox dropped all those residents within the study area as they are most impacted; however, anyone can have their say.	In progress

**PRECINCT MOTIONS
April – December 2024**

Bronte Beach	Lawson Ward	04/12/24	<p>Concern was expressed over pedestrian safety outside Woolworths when trucks are parked on the eastern side of MacPherson St. due to a lack of visibility.</p> <p>BBP requests that Waverley Council changes the truck parking sign from the eastern side of MacPherson St. to the western side of MacPherson Street outside Woolworths and advise residents when the signage will be changed.</p>	<p>Update Jan 2025 - Truck parking in this location has been moved to other side of the crossing (west). Council will continue to monitor the area. Closed.</p> <p>Update December 2024 - Council officers are very much aware of these concerns. We have been making refinements to the crossing since its construction. The truck parking zone is anticipated to be shifted to the western side before the end of the month. The work instructions have been issued; we are awaiting staff to action.</p>	Complete
Bronte Beach	Lawson Ward	04/12/24	<p>Following a motion concerning Poo bags at the previous meeting, in which Council responded that although the Poo bags were not fully biodegradable as the cost is \$50,000 for the purchase of Randwick Council's Poo bags it was too expensive to adopt such bags.</p> <p>BBP requests that Waverley Council in light of Poo bags generating micro plastics. that Council spend the additional funds required purchase fully biodegradable Poo bags.</p>	<p>Unfortunately, under the current budget it is not possible to fund the additional cost related to biodegradable bags. Council delivers a wide range of services and a reduction in other services would be required to fund this.</p>	Complete
Mill Hill / Bondi Junction	Lawson Ward	09/12/24	<p>That the Mill Hill Bondi Junction Precinct submits an objection to the State Government regarding the proposed height increase for 362-374 & 376-384 Oxford Street, Bondi Junction, as well as 194-214 Oxford Street and 2 Nelson Street, Bondi Junction (the twin towers), beyond the existing approvals.</p>	<p>With Precinct to action.</p>	Complete

**PRECINCT MOTIONS
April – December 2024**

Mill Hill / Bondi Junction	Lawson Ward	09/12/24	That the Lawson Ward Councillors oppose the proposed Bondi Junction Evening, Culture, and Entertainment Strategy and call for more consultation with residents who will be affected by the impact of traffic (both pedestrian and vehicular), antisocial behaviour, costs to ratepayers, noise, and the proposal to increase the residential nature of the area, which seems to conflict with these changes. Additionally, there is no economic model demonstrating how more facilities, such as restaurants, will survive.	CLC has sent to Lawson Ward Councillors and Director of Planning, Sustainability and Compliance.	Complete
Mill Hill / Bondi Junction	Lawson Ward	09/12/24	That the playground in Clemenston Park, Bondi Junction, be fully reopened as a matter of urgency, as part of it near the train has been closed for at least a year. It is the only local playground for children in the area, and it is important that it be repaired and reopened.	Update January 2025 – The scope of works for repair have been developed and funding options are being considered. Update December 2024 -Request raised under ID 2453974. Awaiting advice.	In progress
Mill Hill / Bondi Junction	Lawson Ward	09/12/24	That our State Member of Parliament, Dr Marjorie O'Neill, MP, be invited to our next Mill Hill Bondi Junction Precinct meeting to discuss the State Government's plans for residential housing and changes to the rules for State Significant Applications.	With Precinct to action.	Complete
Mill Hill / Bondi Junction	Lawson Ward	09/12/24	That the area from Denison Street in the east to York Road in the west, and to Oxford Street in the north, be renamed from Bondi Junction to Mill Hill or, at the very least, Queens Park. This would help differentiate the heritage conservation area from the commercial area of Bondi Junction, which is likely to be earmarked	The Geographical Names Association advised: Mill Hill is officially an Urban Place, which was assigned in 1988 – (See screen shot from the Geographical Names Register below). An urban place is defined as “a place, site or precinct in an urban landscape, the name of which is in current use, but the limits of which have not been defined under the address locality program.”	Complete

**PRECINCT MOTIONS
April – December 2024**

			<p>for a substantial increase in housing density.</p>	<p>http://www.gnb.nsw.gov.au/__data/assets/pdf_file/0011/59627/Glossary_of_Designation_Values.pdf</p> <p>This means that local usage of the name is recognised, but it is not part of an official address which is a road number, road name and suburb (address locality).</p> <p>GNB has statutory responsible for determining address localities (suburbs) in NSW. It does so with advice and endorsement from Council.</p> <p>Principles around address locality creation and naming are defined in the Addressing User Manual, section 6.8 http://www.gnb.nsw.gov.au/__data/assets/pdf_file/0007/199411/NSW_AUM_July2018_Final.pdf</p> <p>Section 6.8.4 of the manual does state that new suburbs should be of “a reasonable size for practical purposes, such as including a shopping precinct or community school. Within urban areas an ideal size is around 500ha, with a preferred minimum area of 100ha.”. It is noted that there are ‘smaller’ micro suburbs in existence, however, these were created prior to the release of the Addressing User Manual in 2014, which included new rules.</p>	
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WAVERLEY WARD

**PRECINCT MOTIONS
April – December 2024**

Precinct	Ward	Meeting Date	Motion	Council Response	Status
Bondi Heights	Waverley Ward	17/06/24	BHP reiterates our previous request to urgently upgrade the footpaths on King Street as a priority plus other surroundings in Ocean and Bennett Street (near Stephen St Park).	King Street footpath is included in this year's capital works program (C1166-2024/25 - FC - KING STREET, OCEAN STREET to BENNETT STREET) The work is scheduled to begin at the end of this year, as it requires design and procurement.	Complete
Bondi Heights	Waverley Ward	17/06/24	General Parking at Eastgate Shopping centre be increased to 2 hours for ALL customers to the centre.	Between 30 April and 27 May 2024, Waverley residents were asked to provide feedback on the Draft Operational Plan 2024/25 including the Budget, Statement of Revenue Policy and Stormwater Management Service charge; Proposed Pricing Policy, Schedule of Fees and Charges 2024/25; and Long-Term Financial Plan 6.2 (2024/25-2034/35). As part of this, Pricing for Waverley Council's carparks were included. The schedule of Fees and Charges is a list of all chargeable services and facilities offered to the community. Fees and charges are determined by Council each year and contribute towards providing services and facilities for the Waverley local government area. This was endorsed by Council in June 2024. Business Papers (infocouncil.biz)	Complete

PRECINCT MOTIONS
April – December 2024

Bondi Heights	Waverley Ward	17/06/24	BHP is concerned that those residents who own property that has been identified as a flood risk have not received a flyer on the Flood Risk Study.	<p>The following Communications were distributed to residents to ensure they were notified of the consultation regarding the flood study.</p> <ol style="list-style-type: none"> 1. A letterbox-drop company was engaged to deliver non-addressed letters to ground-level mailboxes across the LGA. They delivered 36K across Council. This company delivers to ground floor homes and businesses and others with accessible mailboxes. 2. Other communications and engagements were: <ol style="list-style-type: none"> a. Have Your Say web page survey b. Face to Face: The project team held four Have Your Say pop-ups. Kimberley Community Hall (Vaucluse), Hugh Bamford Reserve (North Bondi), Margaret Whitlam Recreation Centre (Bondi Junction) and Waverley Library, (Bondi Junction). Information about these was placed on the HYS page and also promoted via Facebook the week of the sessions. c. Wentworth Courier: Mayor's message d. Waverley Weekly – e-newsletter e. Have Your Say monthly newsletter f. Have your say automated email on launch of the project page g. Facebook and Instagram 	Complete
Bondi Heights	Waverley Ward	19/08/24	Motion [202408m2] Council newsletter promotes expired events – That, the bondi heights precinct recommends council newsletters are delivered before the promoted activities are scheduled to take place.	<p>Can the Precinct please advise which Newsletter they are referring to?</p> <p>I will inform the Communications team of the error in regard to all printed and mailed communications.</p>	Complete

PRECINCT MOTIONS
April – December 2024

Bondi Heights	Waverley Ward	19/08/24	Question to Council [202408q1] unlawful riding on pedestrian only footpaths – What is council going to do about unlawful riding on footpaths?	<p>Riding on the footpath is enforced by NSW Police under the Road Rules.</p> <p>Council has no jurisdiction on this matter.</p> <p>Some detail below on legislation and what is in enforced by Police.</p> <p>Riding on a footpath Generally, bicycle riders must not ride on a footpath. However, children under the age of 16 years can ride on the footpath unless there is a NO BICYCLES sign.</p> <p>Bicycle riders aged 16 years and over must not ride on a footpath unless they are:</p> <ul style="list-style-type: none"> • an adult supervising a child under the age of 16 • accompanying a child under the age of 16 where all children are under the supervision of an adult • a postal worker riding a bicycle in the course of their work duties • a rider carrying a child under 10 as a passenger • a rider with a medical condition who is carrying a medical certificate that states a medical practitioner believes the rider should be allowed to ride on the footpath • a rider accompanying a rider with a medical condition. <p>Additional Information can be sourced under Road Rules 2014</p> <p>250 Riding on a footpath or shared path (1) The rider of a bicycle who is 16 years old or older must not ride on a footpath unless— (a) if the rider is an adult—the rider is accompanying a child under 16 years of age who is riding on the footpath and the child is under the rider’s supervision, or (b) if the rider is not an adult—the rider is accompanying a child under 16 years of age who is riding on the footpath under the supervision of an adult and the rider is also under the supervision</p>	Complete
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**PRECINCT MOTIONS
April – December 2024**

				<p>of the adult, or</p> <p>(c) the rider is a postal worker who is riding the bicycle in the course of his or her duties as a postal worker, or</p> <p>(d) the rider is carrying a person who is under 10 years old as a passenger on the bicycle or in or on a bicycle trailer towed by the bicycle and the bicycle is not a pedicab.</p> <p>Maximum penalty—20 penalty units.</p> <p>Note 1— Bicycle trailer is defined in rule 257 and footpath and postal worker are defined in the Dictionary.</p> <p>Note 2— Subrule (1) is not uniform with the corresponding subrule in rule 250 of the Australian Road Rules. However, the corresponding subrule in the Australian Road Rules allows another law of this jurisdiction to prohibit a rider of a bicycle who is 12 years old or older from riding on a footpath. Different rules may apply in other Australian jurisdictions.</p> <p>Note 3—A rider of a bicycle who is under 16 years of age may ride on a footpath unless such a rider is prohibited from doing so under rule 250-1 or rule 252.</p> <p>(1A) A rider of a bicycle does not have to comply with subrule (1) if—</p> <p>(a) the rider is carrying a medical certificate that states a medical practitioner believes the rider should be allowed to ride on the footpath because of a medical condition the rider has, and</p> <p>(b) the rider is complying with any conditions stated in the medical certificate, and</p> <p>(c) no other law of this jurisdiction states that this subrule does not apply.</p> <p>Note— Medical certificate and medical practitioner are defined the Dictionary and medical condition is defined in subrule (3).</p> <p>(1B) Also, a rider of a bicycle does not have to comply with subrule (1) if the rider is accompanying another person who is exempt under subrule (1A).</p> <p>(1C) However, the rider is exempt under subrule (1A) or (1B) only if</p>	
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**PRECINCT MOTIONS
April – December 2024**

				<p>the rider who is carrying the medical certificate immediately produces the medical certificate when an authorised person asks to see the certificate.</p> <p>Note— Authorised person and medical certificate are defined in the Dictionary.</p> <p>(1C-1) A rider is not exempt under subrule (1A) or (1B) if there is a bicycle path or shared path available near the footpath.</p> <p>Note 1— Bicycle path is defined in rule 239.</p> <p>Note 2— This subrule is an additional NSW subrule. There is no corresponding subrule in rule 250 of the Australian Road Rules.</p> <p>(2) The rider of a bicycle riding on a footpath or shared path must—</p> <p>(a) keep to the left of the footpath or shared path unless it is impracticable to do so, and</p> <p>(b) give way to any pedestrian on the footpath or shared path.</p> <p>Maximum penalty—20 penalty units.</p> <p>Note 1— Pedestrian is defined in rule 18, and shared path is defined in rule 242.</p> <p>Note 2— For subrule (2), give way means the rider must slow down and, if necessary, stop to avoid a collision—see the definition in the Dictionary.</p> <p>(3) In this rule— adult means an individual who is 18 years old or older.</p> <p>Note— There is no corresponding definition for this term for the purposes of rule 250 of the Australian Road Rules. The definition is required for the purposes of subrule (1)(a) and (b). footpath does not include a separated footpath. medical condition means a medical condition that makes it impractical or unsafe for a person who has the condition to ride a bicycle on the road.</p> <p>Note—</p>	
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PRECINCT MOTIONS
April – December 2024

				<p>There is no corresponding definition for this term for the purposes of rule 250 of the Australian Road Rules. The definition is required for the purposes of subrule (1A).</p> <p>Note— Separated footpath is defined in rule 239.</p> <p>245-1 NSW rule: riding a bicycle negligently, furiously or recklessly (1) The rider of a bicycle must not ride the bicycle— (a) negligently, or (b) furiously, or (c) recklessly. Maximum penalty—20 penalty units. (2) An offence against subrule (1) is not a strict liability offence.</p>	
Bondi Heights	Waverley Ward	14/10/24	<p>Motion (2024 10m2) Bench seat installations Waverley Park – that the Bondi Heights Precinct supports the installation of two or more bench seats in Waverley Park. Located on the Birrell street side, between Henrietta and Langlee streets, opposite the Avery restaurant in the Waverley greens. The seats must be located in a sunny spot - not under trees. This action is appropriate as it is the view of Bondi Heights Precinct that the park has become exercise centric and less generational focused.</p>	<p>This has been requested under Request ID – 2444235. Awaiting update.</p>	In progress

**PRECINCT MOTIONS
April – December 2024**

<p>Bronte</p>	<p>Waverley Ward</p>	<p>04/11/24</p>	<p>That Bronte Precinct request Council to provide a review of the costs of SBTS. This includes the all the costs and benefits associated with the event and itemising the environmental costs.</p>	<p>Costs are as follows:</p> <ul style="list-style-type: none"> o 2024 Grants and Donations: <ul style="list-style-type: none"> ▪ Mayor’s Prize: \$ 5,000 ▪ Tactile Tours Small Grant: \$5,000 ▪ Community Grant: \$10,000 o 2024 Traffic and Transport: \$125,000 o 2024 Various Other costs such as security and signage: \$13,000 o Staff / Officer time is not budgeted / costed as part of SBTS. <p>Please note the costs change from year to year depending on various factors.</p> <ul style="list-style-type: none"> • How much do council spend each year on the regeneration of the area? <p>It varies year to year, mostly depending on the amount of rain. Last year and this year re-turfing cost \$2,000 to purchase the turf. The work was done in-house utilising Council Open Spaces staff.</p> <ul style="list-style-type: none"> • Are they reviewing that every year to check if costs are increasing? <p>Council has tight budget controls and seek the most efficient contracts and services as per our procurement processes.</p> <ul style="list-style-type: none"> • What consultations are being done? <p>Council understands that events held in the LGA have an impact on residents, and work to minimise these impacts as much as possible. Some of the consultation undertaken include:</p> <ul style="list-style-type: none"> - An annual High Impact Event report is provided to Council every year for endorsement. This includes consideration and discussion of all Council’s High Impact events, including Sculpture by the Sea, (and City2 Surf, Festival of the Winds etc.) - Resident notification letters are provided to all impacted residents for all High Impact events, including Sculpture by the Sea. As well as emailed to all Waverley Precinct committee convenors. - Similarly, as per other High Impact events in Waverley, 	<p>Complete</p>
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**PRECINCT MOTIONS
April – December 2024**

				<p>Eastern Suburbs Traffic Police and Transport for NSW are key stakeholders in the consultation process.</p> <p>- The event and any impacts are discussed with residents when residents get in touch with us regarding specific matters.</p> <ul style="list-style-type: none"> • In regard to the feedback received from the Precinct Thank you for the feedback and it is noted, and we will incorporate into our planning. The decision on the holding of Sculptures by the Sea and the frequency they are held is a decision of Council. 	
Bondi Heights	Waverley Ward	21/11/24	Motion [202411m2] Waverley Park's Bondi Road bus shelter – that, Council carries out repairs and full restoration of the Waverley Park bus shelter on Bondi Road, opposite flood street, and to the footpaths surrounding the bus shelter.	Update Jan 2025 - Council has allocated funds in the Current financial year. Design work is complete, and officers are currently awaiting heritage approval for the scope. Works include restoration of the shelter and surrounding landscaping/ civil works.	In progress

LAWSON / WAVERLEY WARD (Charing Cross Precinct)

Precinct	Ward	Meeting Date	Motion	Council Response	Status
Charing Cross	Lawson Ward / Waverley Ward	10/07/24	This Precinct proposes that Waverley Council does not adopt this amendment - Planning Proposal Amendment to Clause 4.4A PP-1/2024/A - without analysing the potential impacts on the Waverley areas, particularly the historic parts of Waverley, where density is at already greatest and, further potential for loss of amenity and private green space is threatened and. The stormwater system at its capacity. Recommend this motion be put up at the Combined Precinct Meeting on August 1st.	<p>Motion has been forwarded to the Strategic Town Planning team. Please note, this consultation is now closed.</p> <p>This consultation was open for feedback from Friday 10 May to Friday 7 June.</p> <p>A post-consultation exhibition report was reported to Council on June 18. There was broad support from the community for this change.</p> <p>At this meeting, Council decided the following:</p> <p>CM/7.12/24.06 Planning Proposal - Clause 4.4A - Post-Exhibition (PP-1/2024) MOTION / UNANIMOUS DECISION</p> <p>That Council:</p> <p>1. Exercises the delegations issued by the Minister under section 3.36</p>	Complete

PRECINCT MOTIONS
April – December 2024

				<p>of the Environmental Planning and Assessment Act 1979 to finalise the planning proposal on clause 4.4A (exceptions to floor space ratio) attached to the report (Attachment 1) and to amend the Waverley Local Environmental Plan 2012.</p> <p>2. Writes to all those who made submissions advising them of Council's decision.</p> <p>The amendment to the LEP was gazetted by the NSW Government on Friday the 19th of July. Find out more at https://waverley.infocouncil.biz/</p>	
Charing Cross	Lawson Ward/Waverley Ward	10/07/24	Due to increased and regular dumping of Rubbish in High Street and Judges Lane (reported on Snap Send Solve) we request that Waverley Council's Waste Management to conduct an audit of Bins in High Street Lane and Judges Lane. We also request an information campaign about dumping rubbish and request that Residents do not leave Bins in the Street making them targets for dumping.	<p>Council's Waste Compliance and Contamination Officer conducted an audit on Monday 12 August 2024 of the bins remaining in High Street and Judges Lane following collection services on Friday 9 August 2024.</p> <p>The outcome disclosed:</p> <ul style="list-style-type: none"> • There were 12 x 140l bins found in Judges Lane • There was 1 x 140l bin found in High Street <p>The ID number of the above bins was recorded and warning letters will be sent to identified residents requesting the bins be returned to the premises within 24 hours of collection.</p> <p>In addition to this, a flyer providing additional information will be letter box dropped to the surrounding area and we will continue to monitor the area. I have attached a copy of the flyer for your reference.</p>	Complete
Charing Cross	Lawson / Waverley Ward	27/11/24	Charing Cross Village Precinct requests that Waverley Council asks that the State Govt extend the public consultation period for developments of state significance to six weeks over all major national and public holidays, including Easter, Christmas, New Year, Australia Day and Anzac Day.	<p>Council Officers do not have the authority to make this request to the NSW State Government.</p> <p>We recommend the Precinct raise this directly with the NSW State Government and their local Members and Councillors.</p>	Complete
Charing Cross	Lawson / Waverley Ward	27/11/24	Charing Cross Village Precinct requests that Waverley Council extends the public consultation period for development applications to six weeks over all major national and public holidays, including	<p>Council's Community Participation Plan is underpinned by a commitment to engage with the community in an inclusive transparent and accountable way to make fair and equitable decisions that reflect the needs of the community.</p>	Complete

**PRECINCT MOTIONS
April – December 2024**

			Easter, Christmas, New Year, Australia Day and Anzac Day.	<p>If Council resolves to prepare any plan, strategy or place making project, the Waverley Community Engagement Strategy outlines processes which are required to be complied with to provide an opportunity for the community to be engaged and consulted.</p> <p>Council's requirements regarding Community Engagement are outlined in the Community Engagement Strategy at https://www.waverley.nsw.gov.au/__data/assets/pdf_file/0020/163424/Community_Engagement_Strategy_2023.pdf This includes the timing of consultations.</p> <p>On page 21 of the Strategy, it states:</p> <ul style="list-style-type: none"> • If the exhibition period is due to close on a weekend or a public holiday, Council may extend the exhibition to finish on the first available workday • The period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition. This timeframe is consistent with clause 16, Schedule 1 of the EP&A Act <p>This Strategy was consulted with the community in 2023 and was endorsed by Council in August 2023</p>	
Charing Cross	Lawson / Waverley Ward	27/11/24	Charing Cross Village Precinct requests that Waverley Council note and communicate to State Government the extreme concerns held in the community regarding the impacts of changes at Waverley College and that Waverley Council requires the college to provide publicly available, detailed, current, and plain English information regarding the project.	<p>Council's submission regarding Waverley College is online and can be viewed here> https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=PAE-77241495%2120241213T054957.555%20GMT</p> <p>As this is a State Significant Development, it will be assessed by the State Government.</p> <p>As of January 2025, the applicant/proponent is preparing responses to the submissions. https://www.planningportal.nsw.gov.au/major-projects/projects/alterations-and-additions-waverley-college</p>	Complete

PRECINCT MOTIONS
April – December 2024

Charing Cross	Lawson / Waverley Ward	27/11/24	Charing Cross Village Precinct requests that Waverley Council make available the planning officer with carriage of the development at Waverley College to provide a report on the development status from the Council's perspective at the next precinct meeting (February 2025).	Please see Council's submission at https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=PAE-77241495%2120241213T054957.555%20GMT As the proponent must be afforded due process, Council is unable to comment until the matter has been assessed by the State Government.	Complete
Charing Cross	Lawson / Waverley Ward	27/11/24	Charing Cross Village Precinct requests that Waverley College available the planning officer with carriage of the development at Waverley College to provide a report at the next precinct meeting (February 2025).	With Precinct to invite College to meeting.	Complete
Charing Cross	Lawson / Waverley Ward	27/11/24	This Precinct forms a Waverley College subcommittee to report back to the Precinct at each meeting and this is a standing item on the agenda	Noted	Complete
Charing Cross	Lawson / Waverley Ward	27/11/24	Charing Cross Village Precinct requests that Waverley Council review and improve the development application submission process and acknowledgements.	Thank you for your feedback. Council acknowledges submissions that have been received. As part of the assessment process, all submissions will be considered. Council cannot provide a specific response to concerns raised in individual submissions as these will be addressed in the assessment report.	Complete
Charing Cross	Lawson / Waverley Ward	27/11/24	Charing Cross Precinct requests that future developments must include an economic impact study	In regard to the Charing Cross Streetscape, the Review of Environmental Factors included commentary around the socio-economic impact of the project which is standard for a REF. This can be view on the HYS page for the project. https://haveyoursay.waverley.nsw.gov.au/Charingcross https://haveyoursay.waverley.nsw.gov.au/download_file/5978/836	Complete

PRECINCT MOTIONS
April – December 2024

Charing Cross	Lawson / Waverley Ward	27/11/24	Waverley Council to address with the increased number of rats in Charing Cross and surrounding streets	<p>Rat numbers increase when there is an abundance of food and places for them to live and breed. Under NSW legislation, it is the responsibility of owners and residents to prevent rats from harbouring and breeding on their property.</p> <p>Residents can help reduce rat numbers by doing the following:</p> <ul style="list-style-type: none"> • Use bins and don't allow rubbish to overflow • Ensure your bins have tight fitted lids with no holes or cracks • Make sure you place your recycling and rubbish out ONLY on your scheduled collection day • Vermin proof your premises by making sure there are no cracks, crevices, holes or other potential access points • Ensure access to cupboards containing food and food preparation materials are blocked • Make certain pet food is eaten soon after it is placed out and removed as soon as practicable • Ensure your home, shed and yard is free from overgrown vegetation and rubbish. Remember to trim vegetation away from roofs and external walls • Restrict access to water or water sources • Engage regular services of a professional pest controller. <p>Council undertakes baiting in and around Council facilities. In certain circumstances Council will consider engaging professional pest controllers to conduct baiting on public land.</p> <p>Council will continue to run educational campaigns to encourage responsible waste disposal to reduce the number of rats in the area.</p>	Complete
Charing Cross	Lawson / Waverley Ward	27/11/24	Request Council advises who provides permits and zoning for mobile transmission infrastructure (re: Legion Club Mobile Telephone Transmitters)	Update Jan 2025 - This is governed by the Federal Telecommunications Act. This is not within Council's jurisdiction.	Complete

COMBINED PRECINCTS

PRECINCT MOTIONS
April – December 2024

Precinct	Meeting Date	Motion	Council Response	Status
Combined Precincts	01/08/24	Move that the agenda be referred to the PRC for review.	PRC are meeting ahead of all CPMs moving forward.	Complete
Combined Precincts	01/08/24	The Combined Precincts wish to thank the retiring Councillors for their many years of service to the Waverley community.	Noted and sent to Councillors.	Complete
Combined Precincts	24/10/24	That, owing to the limited parking spaces in Bondi Junction, Council provide free parking in the Waverley Library car park and the Eastgate car park for Precinct Executives when attending Combined Precinct Meetings in Bondi Junction.	The General Manager advised that it would be possible to make this work with an additional hour of free parking at Waverley Library for the Precinct Executives attending a Combined Precincts Meeting. CLC to advise CPM attendees of the process for the next Combined Precincts Meeting.	Complete
Combined Precincts	24/10/24	I move that Council develop a policy aimed at ensuring that upon completion, Capital Works Projects, where the project has gone 20% over the expected budget or timeline, be reviewed to determine the effectiveness of the process and have the results be public. The Diamond Bay walkway is a perfect example of such a project.	Capital works projects are delivered in accordance with Council's Project Management Guidelines. The Waverley Project Management Guidelines have been developed to outline the project management framework, process and governance arrangements. Projects are monitored internally monthly and reported to the Executive, Council and the Audit Risk & Improvement Committee quarterly. This includes budget and program impacts. All projects also go through a project close-out process including lessons learnt. The reports which go to Council and to Audit and Risk Committee are publicly accessible.	Complete
Combined Precincts	24/10/24	I move that this meeting recommends to Council that it bring back the Capital Works Project Review Committee that was abandoned in 2017.	At the 29 October Council Meeting, it was decided that this Committee return. See the Council meeting minutes at https://waverley.infocouncil.biz/	Complete
Combined Precincts	24/10/24	I move that we in order to avoid long delays in residents accessing minutes of meetings, the Combined Precincts move that the minutes of Precinct meetings appear on Council website as soon as they are approved by the Convenor and Council- stating that they are yet to be ratified.	Council will do this moving forward. Executives should ensure the document: - Has a 'DRAFT' watermark and note when the minutes will be ratified clearly; or - Send the CLC a word document so that it can be updated to include a Draft Watermark and information about when they will	Complete

PRECINCT MOTIONS
April – December 2024

			<p>be ratified.</p> <p>Please note, according to the Precinct Policy (p30): Draft minutes, including minutes of an Annual General Meeting, received from the Precinct Executive Committee will be posted on the website and amended, if necessary, after endorsement at the next Precinct meeting.</p> <p>This will need to be amended when Council and the Precincts conduct a review of the Policy in 2025.</p>	
Combined Precincts	24/10/24	<p>I move that Council develop an explicit policy addressing all communication related issues involving Precincts aimed at enhancing communication channels with its constituents addressing issues such as:</p> <p>a. Precinct receiving response reports well before (at least a month) the next Precinct meeting</p> <p>b. Council having a charter that instructs all employees to respond to queries from constituents within 7-10 days.</p>	<p>The Precinct Policy sets out communication processes between Council and Precincts.</p> <p>a) Response Reports Many Precincts do not submit their Minutes to Council straight after their meeting, and can often take a few weeks or sometimes months, which delays the completion of the Response Report. Moving forward Council will aim to complete and send the Precinct Response Reports back to the Convenor two weeks after the Minutes have been received. Please note, the reason why Precincts receive their report a week/ a few days ahead of the meeting is to ensure the meeting has the latest information possible in real time, as often things change frequently.</p> <p>b) Service Charter Council does not have a charter for individual employees as all requests should go through our Customer Service Team (which has a Service Charter to respond to resident requests within 5 days). All Precinct related matters should go to the CLC.</p>	Complete

PRECINCT MOTIONS
April – December 2024

Combined Precincts	24/10/24	<p>I move that Waverley Combined Precincts request Waverley Council embark on an extensive communication strategy to inform residents of the NSW Housing Reforms and the serious implications of these reforms for Bondi/Waverley.</p> <p>(a) Combined Precincts request that Council commit appropriate funds and resources to fund this strategy.</p>	<p>Update as of December 2024 - At the 10 December 2024 Council Meeting, Council decided the following: That Council: 1. Approves the communications strategy and key messages, as set out in the report, regarding the NSW Low- and Mid-Rise Housing Reforms. 2. Authorises the General Manager, in consultation with the Mayor, to update the key messaging of each strategy, should the policy be adopted by the State Government Council will continue to keep the community informed on this matter.</p> <p>Update as of October 2024- At the 29 October 2024 Council Meeting, Council decided the following: That Council: 1. Notes that: (a) The Waverley local government area (LGA) is one of the most densely populated LGAs in Australia (b) The previous Mayor and General Manager and Council planners have met the Minister for Planning, the Hon Paul Scully, to discuss the State Government's housing reforms and their impact and implications for Waverley. (c) As a result of that meeting, the Department of Planning and Environment and Council undertook to work together to clarify definitions such as 'town centres', and to achieve housing reform outcomes that are sensitive to residential and public amenity of the Waverley LGA. 2. Requests that the Mayor and Deputy Mayor seek an urgent meeting with the Minister for Planning and Public Places, the Hon Paul Scully, to discuss Council's preferred options to deliver its housing targets.</p>	In progress
Combined Precincts	24/10/24	I move that Waverley Council does not adopt the amendment to Cl4.4A to the WLP (Planning Proposal Amendment to Clause	This consultation was open for feedback from Friday 10 May to Friday 7 June.	Complete

**PRECINCT MOTIONS
April – December 2024**

		<p>4.4A PP-1/2024/A -) without further analysing the potential impacts to the Waverley area - in particular to the historic parts of Waverley, where density is already at its greatest.</p>	<p>A post-consultation exhibition report was reported to Council on June 18 and there was broad support from the community for this change.</p> <p>At this meeting, Council decided the following: CM/7.12/24.06 Planning Proposal - Clause 4.4A - PostExhibition (PP-1/2024) MOTION / UNANIMOUS DECISION That Council:</p> <ol style="list-style-type: none"> 1. Exercises the delegations issued by the Minister under section 3.36 of the Environmental Planning and Assessment Act 1979 to finalise the planning proposal on clause 4.4A (exceptions to floor space ratio) attached to the report (Attachment 1) and to amend the Waverley Local Environmental Plan 2012. 2. Writes to all those who made submissions advising them of Council’s decision. <p>The amendment to the LEP was gazetted by the NSW Government on Friday 19 July. Find out more at https://waverley.infocouncil.biz/</p>	
Combined Precincts	05/12/24	<p>The Bondi Beach Promenade is a key public space and iconic destination, but it faces challenges such as aging infrastructure, limited accessibility, and climate impacts. Revitalisation is essential to modernise, improve accessibility, sustainability, and its role as a vibrant community hub.</p> <p>That the Combined Precinct requests Waverley Council prioritise a more attractive and welcoming makeover of the Bondi Beach Promenade.</p>	<p>Update as of December 2024 - Council does not have a particular package of work focussing on upgrading the Bondi Beach Promenade. Some key points to consider outlined below:</p> <ul style="list-style-type: none"> • There are no short-medium term plans to redevelop the entire promenade as we anticipate this would be undertaken in parallel with future seawall upgrades (refer below); • the Bondi Park, Beach and Pavilion Plan of Management (and Conservation Management Plan) would inform any upgrades. • we have plans to upgrade the southern section of pavement (close to the skate park) in concert with HVM works and replacement of pavement will be like for like to match the more contemporary parts of the promenade with paving bands and concrete. Note we have not been successful in receiving earlier promised funding for HVM measures from the federal government so these works are currently on hold. • the Skate Park Amenities plans also include significant 	In progress

**PRECINCT MOTIONS
April – December 2024**

			<p>upgrades to the promenade at that location (DA approved but has been on hold) With regard to the seawall upgrades:</p> <ul style="list-style-type: none"> • This will be part of a larger piece of work related to the Coastal Management Plan (CMP) and work has already commenced on this. • An internal Coastal Management Working Group has been established to coordinate and prepare and deliver relevant projects in accordance with the State Government requirements and to support the protection and enhancement of our coastal assets. • Council has a Request For Tender out right now for Stage 2 Studies, including Seawall Assessment and remediation options, as part of the Coastal Management Program. Note it could be up to 3 years before the Coastal Management Plan will be finished, and access to State funding for capital projects like Seawalls would be available. • The Waverley Beaches Coastal Management Plan Stage 1 Report is available on the website https://www.waverley.nsw.gov.au/environment/water_and_the_coast/managing_our_coast • CMPs enable the coordinated management of the coast, detailing how and when coastal management actions are to be implemented, and proposed cost-sharing arrangements between state and local government over a 10 year period, considering hazards to 2100. CMPs include: <ul style="list-style-type: none"> • actions that ensure public access and safety in coastal areas • sea wall maintenance, positioning and construction requirements • coordinated Capital Works requirements for long term financial planning • development controls to achieve stated regional objectives and outcomes • actions that protect water quality outcomes across the area 	
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**PRECINCT MOTIONS
April – December 2024**

			<ul style="list-style-type: none"> planning decisions impacted by sea level rise and coastal processes. 	
Combined Precincts	05/12/24	<p>Combined Precincts notes that work is well underway in preparation for Waverley’s long-term Community Strategic Plan. I move that Waverley’s 13 Precincts should have a greater role in identifying the key issues for this Plan and be consulted earlier in the process. This should be the</p>	<ul style="list-style-type: none"> The current engagement program on the Community Strategic Plan is not a new Plan, it is an update to the initial Community Strategic Plan which was created in 2022. The current consultation, which is underway, always occurs after a Council election to ensure that the community’s vision for Waverley is captured according to the current climate. The key issues identified in the Community Strategic Plan were selected in 2022 when the initial community engagement program on the Community Strategic Plan occurred, where Precincts were heavily involved. Precincts have been notified to get involved in the current consultation through a variety of channels including emails, social media, invitations to workshops, presentations at Combined Precincts Meeting etc The consultation to date has included, surveys, face to face meetings and open community forums. It is also currently posted on Council’s Have a Say web page where feedback and comments can be lodged. There will be a workshop with the Combined Precincts Meeting in February 2025. Council’s Community Strategic Plan related community engagement is based on social equity principles of equity, access, participation and rights. Therefore, Council has intentionally considered all stakeholder groups within our community and is providing multiple channels and engagement methodologies to gather community input into the process. - Our Community Engagement Strategy 2023 dictates how Council engages. This was endorsed by Council in July 2023. 	Complete

PRECINCT MOTIONS
April – December 2024

Combined Precincts	05/12/24	I move that we organise a workshop in the new year to look at moving motions and business.	The PRC will discuss this workshop at their next meeting on 11 February 2025 and decide whether to have an internal or external Trainer.	In progress
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**MODEL CODE OF MEETING PRACTICE
FOR LOCAL COUNCILS IN NSW**

20212024

Table of Contents

1	INTRODUCTION	4
2	MEETING PRINCIPLES	4
3	BEFORE THE MEETING.....	5
4	PUBLIC FORUMS.....	10
5	COMING TOGETHER.....	13
6	THE CHAIRPERSON.....	19
7	MODES OF ADDRESS.....	20
8	ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS	20
9	CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS.....	21
10	RULES OF DEBATE.....	23
11	VOTING.....	26
12	COMMITTEE OF THE WHOLE.....	28
13	DEALING WITH ITEMS BY EXCEPTION.....	29
14	CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC	29
15	KEEPING ORDER AT MEETINGS.....	34
16	CONFLICTS OF INTEREST.....	37
17	DECISIONS OF THE COUNCIL	37
18	TIME LIMITS ON COUNCIL MEETINGS	40
19	AFTER THE MEETING.....	40
20	COUNCIL COMMITTEES.....	42
21	IRREGULARITIES	45
22	DEFINITIONS	46
3348101617181920232526263034343637384244451	INTRODUCTION
—3		
2	MEETING PRINCIPLES.....	3
3	BEFORE THE MEETING	4
4	PUBLIC FORUMS	9
5	COMING TOGETHER.....	11
6	THE CHAIRPERSON.....	17
7	MODES OF ADDRESS.....	18
	Model Code of Meeting Practice for Local Councils in NSW	2

8	ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS	19
9	CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS	19
10	RULES OF DEBATE	21
11	VOTING	24
12	COMMITTEE OF THE WHOLE	26
13	DEALING WITH ITEMS BY EXCEPTION	27
14	CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC	27
15	KEEPING ORDER AT MEETINGS	31
16	CONFLICTS OF INTEREST	34
17	DECISIONS OF THE COUNCIL	35
18	TIME LIMITS ON COUNCIL MEETINGS	37
19	AFTER THE MEETING	38
20	COUNCIL COMMITTEES	39
21	IRREGULARITIES	42
22	DEFINITIONS	44

1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Model Meeting Code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

The provisions of the Model Meeting Code that are not mandatory are indicated in **red font**.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

The Model Meeting Code also applies to meetings of the boards of joint organisations and county councils. The provisions that are specific to meetings of boards of joint organisations are indicated in **blue font**.

In adopting the Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

In adopting the Model Meeting Code, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole

community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3 BEFORE THE MEETING

Timing of ordinary council meetings

~~3.1 Ordinary meetings of the council will be held on the following occasions: [council to specify the frequency, time, date and place of its ordinary meetings]~~

3.21 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Note: Councils must use either clause 3.1 or 3.2

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Note: Under section 396 of the Act, county councils are required to meet at least four (4) times each year.

Note: Under section 400T of the Act, boards of joint organisations are required to meet at least four (4) times each year, each in a different quarter of the year.

Extraordinary meetings

3.32 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.3-2 reflects section 366 of the Act.

3.3 The mayor may call an extraordinary meeting without the need to obtain the signature of two (2) councillors.

Notice to the public of council meetings

3.44 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

Note: Clause 3.44 reflects section 9(1) of the Act.

3.55 For the purposes of clause 3.44, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

3.66 For the purposes of clause 3.44, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

3.77 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.77 reflects section 367(1) of the Act.

3.88 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, unless the council determines otherwise, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.88 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

3.99 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.99 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

3.100 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted ~~{council to specify notice period required}~~ within such reasonable time, business days before the meeting is to be held as determined by the council.

3.141 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

~~3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in~~

~~relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.~~

~~3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:~~

~~(a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or~~

~~(b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.~~

Questions with notice

3.124 A councillor may, by way of a notice submitted under clause 3.100, ask a question for response by the general manager about the performance or operations of the council.

~~3.153 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.~~

~~3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.142 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.~~

Agenda and business papers for ordinary meetings

3.174 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.

~~3.158~~ The general manager must ensure that the agenda for an ordinary meeting of the council states:

- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
- (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
- (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
- (d) any business of which due notice has been given under clause 3.10.

3.196 Nothing in clause 3.185 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.67.

3.2017 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

3.2418 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must in consultation with the mayor, ensure that the agenda of the meeting:

- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.2418 reflects section 9(2A)(a) of the Act.

3.2219 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

~~3.23 — Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.~~

Availability of the agenda and business papers to the public

3.240 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.240 reflects section 9(2) and (4) of the Act.

3.251 Clause 3.2024 does not apply to the business papers for items of business that the general manager has identified under clause 3.2419 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.251 reflects section 9(2A)(b) of the Act.

3.262 For the purposes of clause 3.240, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.262 reflects section 9(3) of the Act.

3.273 A copy of an agenda, or of an associated business paper made available under clause 3.240, may in addition be given or made available in electronic form unless the council determines otherwise.

Note: Clause 3.273 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

3.284 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.

3.2925 Despite clause 3.284, business may be considered at an extraordinary meeting of the council at which all councillors are present, even though due notice ~~of the business~~ has not been given of the business, if: the council resolves to deal with the business on the grounds that it is urgent and

- ~~(a) a motion is passed to have the business considered at the meeting, and~~
- ~~(b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it~~ requires a decision by the council before the next scheduled ordinary meeting of the council. A resolution adopted under this clause must state the reasons for the urgency.

3.26 A motion moved under clause 3.25 can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with. Despite clauses 10.18–10.27, only the mover of a motion moved under clause 3.25, and the mayor, if they are not the mover of the motion, can speak to the motion before it is put.

3.27 If all councillors are not present at the extraordinary meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 3.25 and the mayor also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.

~~3.30 A motion moved under clause 3.29(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.~~

~~3.31 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.29(a) can speak to the motion before it is put.~~

3.3228 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.2927(b) on whether a matter is of great urgency ~~urgent~~.

Pre-meeting briefing sessions

~~3.33 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.~~ 3.35 Pre-meeting briefing sessions may be held by audio-visual link.

~~3.34 Pre-meeting briefing sessions are to be held in the absence of the public.~~

~~3.35 Pre-meeting briefing sessions may be held by audio-visual link.~~

~~3.36 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.~~

~~3.37 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.~~

~~3.38 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.~~

4 PUBLIC FORUMS

4.1 The council may hold a public forum prior to ~~each~~ ordinary meetings of the council and committees of councillors for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of other committees of the council.

4.2 The council may determine the rules under which the public forum is to be conducted.

~~4.2 Public forums may be held by audio-visual link.~~

~~4.3 Public forums are to be chaired by the mayor or their nominee.~~

~~4.4 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by [date and time to be specified by the council] before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.~~

~~4.5 A person may apply to speak on no more than [number to be specified by the council] items of business on the agenda of the council meeting.~~

- ~~4.6 — Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.~~
- ~~4.7 — The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.~~
- ~~4.8 — No more than **[number to be specified by the council]** speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.~~
- ~~4.9 — If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.~~
- ~~4.10 — If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.~~
- ~~4.11 — Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than **[number to be specified by the council]** days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.~~
- ~~4.12 — The general manager or their delegate is to determine the order of speakers at the public forum.~~
- ~~4.13 — Each speaker will be allowed **[number to be specified by the council]** minutes to address the council. This time is to be strictly enforced by the chairperson.~~
- ~~4.14 — Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.~~
- ~~4.15 — A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.~~
- ~~4.16 — Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to **[number to be specified by the council]** minutes.~~

- ~~4.17 — Speakers at public forums cannot ask questions of the council, councillors, or council staff.~~
- ~~4.18 — The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to **[number to be specified by the council]** minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.~~
- ~~4.19 — Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.~~
- ~~4.20 — When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies, and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.~~
- ~~4.21 — If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.20, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.~~
- ~~4.22 — Clause 4.21 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.~~
- ~~4.23 — Where a speaker engages in conduct of the type referred to in clause 4.20, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.~~
- ~~4.24 — Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.~~
- ~~— **Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.**~~

5 COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.

- 5.3 The board of the joint organisation may, if it thinks fit, transact any of its business at a meeting at which representatives (or some representatives) participate by telephone or other electronic means, but only if any representative who speaks on a matter before the meeting can be heard by the other representatives. For the purposes of a meeting held in accordance with this clause, the chairperson and each other voting representative on the board have the same voting rights as they have at an ordinary meeting of the board.

Note: Clause 5.3 reflects section 397G of the Regulation. Joint organisations may adopt clause 5.3 and omit clause 5.2. Councils must not adopt clause 5.3.

- 5.4 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings.

~~This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.~~

- 5.55 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

- 5.6 The council must not act unreasonably when considering whether to grant a councillor's request for a leave of absence.

5.7 Clause 5.4 does not prevent a councillor from making an apology if they are unable to attend a meeting. Where a councillor makes an apology, the council will be deemed to have accepted the apology and granted them a leave of absence for the meeting for the purposes of section 234(1)(d) of the Act unless the council resolves not to accept the apology or to grant a leave of absence for the meeting. Where the council resolves not to accept an apology and to

grant a leave of absence it must state the reasons for its decision in its resolution.

5.78 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.78 reflects section 234(1)(d) of the Act.

~~5.8 — A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.~~

The quorum for a meeting

5.99 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.99 reflects section 368(1) of the Act.

5.100 Clause 5.99 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.100 reflects section 368(2) of the Act.

5.141 A meeting of the council must be adjourned if a quorum is not present:

- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
- (b) within half an hour after the time designated for the holding of the meeting, or
- (c) at any time during the meeting.

5.122 In either case, the meeting must be adjourned to a time, date, and place fixed:

- (a) by the chairperson, or
- (b) in the chairperson's absence, by the majority of the councillors present, or
- (c) failing that, by the general manager.

5.133 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.

5.144 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by

attending the meeting because of a natural disaster or a public health emergency, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

- 5.155 Where a meeting is cancelled under clause 5.143, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called by the mayor under clause 3.3.

Meetings held by audio-visual link

- 5.166 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.

- 5.177 Where the mayor determines under clause 5.167 that a meeting is to be held by audio-visual link, the general manager must:

- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
- (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
- (c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.

- 5.188 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by councillors at meetings by audio-visual link

- 5.1919 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.

5.20 Clause 5.19 does not apply to meetings at which a mayoral election is to be

held.

- 5.201 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.242 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.201.
- 5.223 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.234 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.245 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state:
- (a) the meetings the resolution applies to, and
 - (b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.
- 5.256 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.2627 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.
- 5.2728 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.

5.2829 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.

5.2930 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.

5.301 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

5.342 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.342 reflects section 10(1) of the Act.

5.323 Clause 5.324 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

5.334 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.334 reflects section 10(2) of the Act.

Note: If adopted, clauses 15.14–15 and 15.15–16 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.145 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.156 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

Webcasting of meetings

5.354 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.

5.365 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:

- (a) the meeting is being recorded and made publicly available on the council's website, and
- (b) persons attending the meeting should refrain from making any defamatory statements.

5.376 The recording of a meeting is to be made publicly available on the council's website:

- (a) at the same time as the meeting is taking place, or
- (b) as soon as practicable after the meeting.

5.387 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting or for the balance of the council's term, whichever is the longer period.

5.3938 Clauses 5.367 and 5.378 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

Note: Clauses 5.345 – 5.3839 reflect section 236 of the Regulation.

5.3940 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Note: Joint organisations are not required to webcast meetings but may choose to do so by adopting clauses 5.345–5.3939. Joint organisations that choose not to webcast meetings may omit clauses 5.345–5.3939.

Attendance of the general manager and other staff at meetings

5.401 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.401 reflects section 376(1) of the Act.

5.412 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Note: Clause 5.412 reflects section 376(2) of the Act.

5.4243 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Note: Clause 5.423 reflects section 376(3) of the Act.

5.434 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager as determined by the council from time to time.

~~5.44 The general manager and other council staff may attend meetings of the~~

~~council and committees of the council by audio-visual link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.~~

6 THE CHAIRPERSON

The chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

- 6.4 The election of a chairperson must be conducted:

- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

- 6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7 MODES OF ADDRESS

7.1 Where they can, councillors and staff must stand when the mayor enters the chamber and when addressing the meeting.

7.12 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.

7.23 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson' or 'Chair'.

7.34 A councillor is to be addressed as 'Councillor [surname]'.

7.45 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council.

~~8.2 The general order of business for an ordinary meeting of the council shall be: **[councils may adapt the following order of business to meet their needs]**~~

~~01 Opening meeting~~

~~02 Acknowledgement of country~~

~~03 Apologies and applications for a leave of absence or attendance by audio-visual link by councillors~~

~~04 Confirmation of minutes~~

~~05 Disclosures of interests~~

~~06 Mayoral minute(s)~~

~~07 Reports of committees~~

~~08 Reports to council~~

~~09 Notices of motions/Questions with notice~~

~~10 Confidential matters~~

~~11 Conclusion of the meeting~~

~~**Note: Councils must use either clause 8.1 or 8.2.**~~

8.32 The order of business as fixed under clause ~~[8.1/8.2]~~ [delete whichever is not applicable] 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: If adopted, Part 13 allows council to deal with items of business by exception.

- 8.43 Despite clauses ~~10.2018–10.3027~~, only the mover of a motion referred to in clause ~~8.3-2 and the mayor, if they are not the mover of the motion~~, may speak to the motion before it is put.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) ~~subject to clause 9.9~~, is a matter or topic put to the meeting by way of a mayoral minute, or
 - (d) is a motion for the adoption of recommendations of ~~a committee, including, but not limited to,~~ a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council at which all councillors are present even though due notice ~~of the business~~ has not been given of the business to the councillors, ~~if:~~ the council resolves to deal with
- ~~(a) a motion is passed to have the business considered at the meeting, and~~
 - ~~(b) the business to be considered is ruled by the chairperson to be of great urgency~~ the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting ~~of the council~~. A resolution adopted under this clause must state the reasons for the urgency.
- 9.4 A motion moved under clause 9.3 can be moved without notice. Despite clauses 10.18–10.27, only the mover of a motion referred to in clause 9.3 and the mayor, if they are not the mover of the motion, can speak to the motion before it is put.
- 9.5 If all councillors are not present at a meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 9.3, and the mayor also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- ~~9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.~~

- 9.56 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b)5.

Mayoral minutes

- 9.67 ~~Subject to clause 9.9, if~~ the mayor is the chairperson 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~~the mayor determines should be considered at the meeting.

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

- 9.89 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.

~~9.9 — 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.~~

~~9.10 — 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.~~

Staff reports

- 9.140 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

- 9.121 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.

- 9.132 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.143 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.142, unless the council by resolution, and the mayor determines otherwise in accordance with clause 9.3.

- 9.154 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.165 A councillor may, through the ~~mayor~~general manager, put a question to ~~a council employee~~the general manager about a matter on the agenda. The general manager may request another council employee to answer the question. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.176 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.187 Councillors must put questions directly, succinctly, ~~respectfully~~ and without argument.
- 9.198 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10 RULES OF DEBATE

Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it ~~after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors~~, ~~the councillor~~ may request ~~the its~~ withdrawal ~~of the motion when it is before the council at any time.~~ If the notice of motion is withdrawn after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the mayor is to note the withdrawal of the notice of motion at the meeting.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment, or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

~~10.9 A motion or an amendment to a motion which if passed 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 must identify the source of funding for the expenditure that is the subject of the motion. If the motion 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 motion if adopted.~~

Amendments to motions

- 10.109 An amendment to a motion must be moved and seconded before it can be debated.
- 10.140 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.121 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.132 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.143 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.154 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.165 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed ~~motions~~ amendments

~~10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.~~

10.186 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.

10.197 ~~Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.~~

Limitations on the number and duration of speeches

10.2018 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.

10.2419 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.

10.220 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.

10.231 Despite clause 10.220, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.

~~10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.~~

10.2522 Despite clauses 10.20-18 and 10.2419, a councillor may move that a motion or an amendment be now put:

- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or

(b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.

10.2623 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.2522. A seconder is not required for such a motion.

10.2724 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.2018.

10.285 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.

10.296 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.

10.3027 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

Participation by non-voting representatives in joint organisation board meetings

10.3428 Non-voting representatives of joint organisation boards may speak on but must not move, second or vote on any motion or an amendment to a motion.

Note: Under section 400T(1)(c) of the Act, non-voting representatives of joint organisation boards may attend but are not entitled to vote at a meeting of the board.

Note: Joint organisations must adopt clause 10.3428. Councils must not adopt clause 10.3428.

11 VOTING

Voting entitlements of councillors

11.1 Each councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Act.

Note: Under section 400T(1) of the Act, voting representatives of joint organisation boards are entitled to one (1) vote each at meetings of the board.

11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Act.

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.
- 11.4 A motion at a meeting of the board of a joint organisation is taken to be lost in the event of an equality of votes.

Note: Clause 11.4 reflects section 397E of the Regulation. Joint organisations must adopt clause 11.4 and omit clauses 11.2 and 11.3. Councils must not adopt clause 11.4.

Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 11.4 must be adapted to reflect those requirements.

Voting at council meetings

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.6 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.7 The decision of the chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.
- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.
- 11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.13-15 may be omitted.

Voting on planning decisions

11.12 The council or a council committee must not make a final planning decision without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.

11.13 Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.

11.1414 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.

11.1415 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.

11.1416 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.

11.1417 Clauses 11.1424–11.1446 apply also to meetings that are closed to the public.

Note: Clauses 11.142–11.1457 reflect section 375A of the Act.

Note: The requirements of clause 11.1424 may be satisfied by maintaining a register of the minutes of each planning decision.

12 COMMITTEE OF THE WHOLE

12.1 The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects section 373 of the Act.

12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches and requiring councillors and staff to stand when addressing the meeting.-

Note: Clauses 10.2018–10.30–27 limit the number and duration of speeches.

Note: Clause 7.1 requires councillors and staff to stand when addressing the meeting where they can.

12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting

to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.

- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.32.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 ~~in accordance with the requirements of the council's code of conduct.~~

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the 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 the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground 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 the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
- (a) are substantial issues relating to a matter in which the council or committee is involved, and
 - (b) are clearly identified in the advice, and
 - (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of

the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

14.11 Despite clauses 14.9 and 14.10, the council may resolve to close the meeting to the public in accordance with this Part to hear a representation from a

member of the public as to whether the meeting should be closed to consider an item of business where the representation involves the disclosure of information relating to a matter referred to in clause 14.1.

- 14.14~~2~~ Where the matter has been identified in the agenda of the meeting under clause 3.21~~18~~ as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in ~~the approved form. Applications must be received by [date and time to be specified by the council] before the meeting at which the matter is to be considered~~ a manner determined by the council.
- 14.12 ~~The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.~~
- 14.13 ~~No more than [number to be specified by the council] speakers are to be permitted to make representations under clause 14.9.~~
- 14.14 ~~If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.~~
- 14.15 ~~The general manager (or their delegate) is to determine the order of speakers.~~
- 14.16 ~~Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than [number to be specified by the council] speakers to make representations in such order as determined by the chairperson.~~
- 14.17 ~~Each speaker will be allowed [number to be specified by the council] minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.~~

Expulsion of non-councillors from meetings closed to the public

- 14.18~~13~~ If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

14.~~19~~14 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using ~~only~~ such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Obligations of councillors attending meetings by audio-visual link

14.~~20~~15 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

14.~~21~~16 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

- (a) the relevant provision of section 10A(2) of the Act,
- (b) the matter that is to be discussed during the closed part of the meeting,
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.~~21~~16 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

14.~~22~~17 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

14.~~23~~18 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.~~22~~17 during a part of the meeting that is webcast where practicable.

14.19 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.

14.20 The general manager must consult with the council before publishing information on the council's website under clause 14.19.

15 KEEPING ORDER AT MEETINGS

Points of order

15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.

~~15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.~~

15.32 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

15.43 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.

15.54 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.

15.65 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.

15.76 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

15.87 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.

15.98 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.

15.109 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

15.140 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:

- (a) contravenes the Act, the Regulation or this code, or
- (b) assaults or threatens to assault another councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) insults, makes unfavourable personal remarks about, or imputes improper motives to any other council official, ~~or alleges a breach of the council's code of conduct, or~~ uses any language, words or gestures that would be regarded as disorderly in the NSW Legislative Assembly, or
- (e) says or does anything that is inconsistent with maintaining order at the meeting ~~or is likely to bring the council or the committee into disrepute.~~

Note: Clause 15.14-10 reflects section 182 of the Regulation.

15.121 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.140(a), (b), or (e), or
- (b) to withdraw a motion or an amendment referred to in clause 15.140(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.140(d) and (e).

Note: Clause 15.121 reflects section 233 of the Regulation.

15.12 A failure to comply with a requirement under clause 15.11 constitutes a fresh act of disorder for the purposes of clause 15.10.

15.13 Where a councillor fails to take action in response to a requirement by the chairperson to remedy an act of disorder under clause 15.11 at the meeting at which the act of disorder occurred, the chairperson may require the councillor to take that action at each subsequent meeting until such time as the councillor complies with the requirement.

How disorder at a meeting may be dealt with

15.1314 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

15.4415 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

15.4516 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

Note: Councils may use either clause 15.145 or clause 15.156.

15.4617 Clause [15.145/15.156] **[delete whichever is not applicable]**, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

15.4718 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.121. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.47-18 reflects section 233(2) of the Regulation.

15.4819 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

15.4920 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.201 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using **only** such force as is **reasonably** necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

How disorder by councillors attending meetings by audio-visual link may be dealt with

15.242 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.

15.223 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.234 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.245 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.256 Without limiting clause 15.4819, a contravention of clause 15.24-25 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.4819. Any person who contravenes or attempts to contravene clause 15.2425, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.267 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using ~~only~~ such force as is ~~only~~ reasonably necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

17 DECISIONS OF THE COUNCIL

Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act in the case of councils and section 400T(8) in the case of joint organisations.

Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 17.1 must be adapted to reflect those requirements.

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given ~~under clause 3.10~~ in accordance with this code.

Note: Clause 17.3 reflects section 372(1) of the Act.

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with ~~clause 3.10~~ this code.

Note: Clause 17.5 reflects section 372(3) of the Act.

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than ~~[council to specify the period of time]~~ 1 day after the meeting at which the resolution was adopted.
- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:
- (a) a notice of motion signed by three councillors is submitted to the chairperson at the meeting, and
 - (b) the council resolves to deal with the motion at the meeting on the to have the motion considered at the meeting is passed, and
 - (c) ~~the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it is urgent and~~ requires a decision by the council before the next scheduled ordinary meeting of the council.
- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses ~~10.2018–10.3027~~, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.
- 17.14 ~~A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(e)~~ resolution adopted under clause 17.12(b) must state the reasons for the urgency.

Recommitting resolutions to correct an error

- 17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
 - (b) to confirm the voting on the resolution.
- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.
- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses ~~10.2018–10.3027~~, only the mover of a motion referred to in clause 17.15 and the mayor, if they are not the mover of the motion, can speak to the motion before it is put.

- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18 TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the council and committees of the council are to conclude at a time the council may from time to time determine ~~no later than [council to specify the time].~~
- ~~18.2 If the business of the meeting is unfinished at [council to specify the time], the council or the committee may, by resolution, extend the time of the meeting.~~
- 18.32 If the business of the meeting is unfinished at [council to specify the time] ~~the time the council has determined~~, and the council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
 - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.43 Clause ~~18.32~~ 18.32 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.54 Where a meeting is adjourned under clause ~~18.32~~ 18.32 or 18.43, the general manager must:
- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19 AFTER THE MEETING

Minutes of meetings

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 19.1 reflects section 375(1) of the Act.

- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) the names of councillors attending a council meeting and whether they

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- attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a council meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 19.3 reflects section 375(2) of the Act.

19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20 COUNCIL COMMITTEES

Application of this Part

- 20.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
 - (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

- 20.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Notice of committee meetings

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
 - (b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

- ~~20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:~~

- ~~(a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or~~
- ~~(b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.~~

~~20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.~~

Non-members entitled to attend committee meetings

20.108 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

20.119 The chairperson of each committee of the council must be:

- (a) the mayor, or
- (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
- (c) if the council does not elect such a member, a member of the committee elected by the committee.

20.120 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

20.131 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

20.142 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

20.153 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.

20.164 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.153.

20.175 A motion at a committee of a joint organisation is taken to be lost in the event of an equality of votes.

Note: Clause 20.175 reflects section 397E of the Regulation. Joint organisations must adopt clause 20.175 and omit clause 20.164. Councils must not adopt clause 20.175.

20.186 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

20.197 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.

20.2018 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ~~ended~~, ~~ended and~~ report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

20.2419 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20-18 during a part of the meeting that is webcast where practicable.

20.20 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.

20.21 The general manager must consult with the committee before publishing information on the council's website under clause 20.20.

Disorder in committee meetings

20.22 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

20.23 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the

following matters are recorded in the committee's minutes:

- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

20.24 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

20.25 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.

20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

20.29 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 IRREGULARITIES

21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.140 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.449 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.186 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan, a <u>planning agreement</u> or a development contribution plan under that Act,

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	but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

DRAFT

Office of Local Government



A new model code of meeting practice

Consultation draft

December 2024

olg.nsw.gov.au



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Contents

Minister's foreword	4
Introduction	5
What is the Model Meeting Code?	5
What policy objectives inform the proposed amendments?	6
What changes are being proposed?	7
Promoting transparency, integrity and public participation	7
Promoting the dignity of the council chamber	8
Depoliticising the role of the general manager	8
Simplifying the Model Meeting Code	9
Restricting councils from holding briefing sessions	9
What are the next steps?	10
Submissions	11
Have your say	11
Key questions to consider:	11
How to make a submission	11
Closing date	11
Privacy Notice	11
Further information	11

Minister's foreword

Council meetings are where a council's most important decisions are made. They are where councillors, as democratically elected representatives, set the future direction of their council. For these reasons, it is important that meetings are effective, allow for robust, respectful debate and result in actionable outcomes for New South Wales communities.

Unfortunately, there has been a shift in the culture in local government. Debate in council meetings has been stifled by code of conduct complaints that aim to silence councillors from expressing contrary views. Rather than productively disagreeing, there have been too many cases where councillors have resorted to disorderly conduct, distracting from the critical work that is done in council meetings. By making changes to the Model Code of Meeting Practice for Local Councils in NSW, I hope to set a new balance between mayors, councillors and general managers and restore dignity to the council chamber.

Under the *Local Government Act 1993*, mayors are responsible for presiding at meetings of the council. Under the proposed changes outlined in this paper and the consultation draft of the new Model Meeting Code, they will have greater powers to control the agenda and activities of their council and better enforce order in meetings. Mayors will have the power to take immediate action against disorderly councillors or members of the public in meetings, which I hope will lessen the need for councils to resort to the broken code of conduct process. By further providing that mayors be granted respect, by standing when they enter, councils can begin to build a culture where it is the accepted duty of the mayor to run a dignified and democratic council chamber.

The changes will also reinforce the boundaries between councillors and general managers by depoliticising the role they play in council meetings. General managers will no longer need to provide advice on motions requiring the expenditure of funds. Disputes over the future direction of a council and the spending of ratepayer money should rightfully occur between elected councillors.



The Hon. Ron Hoenig MP
Minister for Local Government

The most important of the reforms is to end private councillor briefing sessions. While well-intentioned as a means of educating councillors on matters before council, these sessions have had a corrosive effect on the transparency of council decision making. Communities are entitled to know the deliberations of their councillors and the nature of the advice given to assist them in making responsible decisions. These changes will ensure that all material given to a councillor to make a decision in a council meeting is provided in a public fashion.

Local government is the legitimate third tier of Government in New South Wales. Through these reforms, I aim to uplift the standards at council meetings so that they should, as best as possible, resemble the forthright and effective debate that occurs at the State and Federal levels. It is the duty of all councils to work together to provide outcomes that lead to better lives for the communities they are elected to serve. These outcomes are decided within the confines of the council chambers. It is critical that councillors can make these informed decisions in an environment that supports democracy, transparency and where elected representatives are given the respect they deserve.

Introduction

The Office of Local Government (OLG) is inviting feedback from the local government sector and others on proposed amendments to the Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code).

A consultation draft of the new Model Meeting Code has been published on OLG's website at www.olg.nsw.gov.au. The proposed amendments to the Model Meeting Code are indicated in track changes.

The amendments are part of the Government's agenda to ensure that councillors are visibly in control of their councils, demonstrating to the community that decision making is genuinely local.

The reform of the codes and procedures governing how councillors gather, debate and make decisions was flagged by the Minister for Local Government as part of the discussion paper issued in September, "[Councillor conduct and meeting practice: a new framework](#)".

The proposed amendments to the Model Meeting Code are the first tranche of reforms to the regulation of meetings. The second tranche will be legislated in 2025 as part of the measures implemented to reform the regulation of councillor conduct and will have a particular focus on behaviour at meetings.

Information on how to make a submission together with targeted questions is provided at the end of this paper.

The feedback OLG receives will be used to inform the amendments that are ultimately made to the Model Meeting Code.

It is anticipated that the new Model Meeting Code will be prescribed in early 2025.

What is the Model Meeting Code?

The Model Meeting Code is prescribed under the *Local Government Act 1993* (the Act) and the Local Government (General) Regulation 2021 (the Regulation).

Section 360 of the Act provides that:

- The regulations may prescribe a model code of meeting practice for the conduct of meetings of councils and committees of councils of which all the members are councillors.
- The Model Meeting Code may contain both mandatory and non-mandatory provisions.
- A council must, not later than 12 months after an ordinary election of councillors, adopt a code of meeting practice that incorporates the mandatory provisions of the model meeting code prescribed by the regulations. The adopted code may also incorporate the non-mandatory provisions and other provisions.
- A meeting code adopted or amended by the council must not contain provisions that are inconsistent with the mandatory provisions.
- A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by it.

The current version of the Model Meeting Code was prescribed in 2021.

What policy objectives inform the proposed amendments?

The proposed amendments to the Model Meeting Code have been foreshadowed in the discussion paper OLG issued in September, "[Councillor conduct and meeting practice: a new framework](#)" (the September discussion paper).

A council chamber is a chamber of democracy, and the mayor as figurehead represents the authority of that council.

A key focus of the Government's reform agenda for the regulation of council meetings, is to promote community confidence in councils' decision making by ensuring that the forum in which decisions are made is conducted in a way that is befitting to a democratic institution comprising of elected representatives.

As observed in the September discussion paper, council meetings can be conducted without the appropriate level of dignity or reverence that suggests the importance of the debate and the need for civility. Councillors are not expected to agree with each other. In fact, debate is encouraged, but the debate should be fair and respectful.

The September discussion paper proposed the following reforms to the way council meetings are conducted:

- Conferring power on mayors to expel councillors for acts of disorder and to remove a councillor's entitlement to receive a fee for the month in which they have been expelled from a meeting.
- Requiring councillors to apologise for an act of disorder at the meeting at which it occurs and, if they fail to comply at that meeting, at each subsequent meeting until they comply. Each failure to apologise becomes an act of misbehaviour and may see the councillor lose their entitlement to receive their fee for a further month.
- Expanding the grounds for mayors to expel members of the public from the chamber for acts of disorder and enable the issuing of a penalty infringement notice where members of the public refuse to leave a meeting after being expelled.
- Promoting transparency and addressing corruption risks by banning councillor briefing sessions. The community has the right to understand the mode of reasoning behind council decisions without material being provided to councillors by council staff behind closed doors.

The proposed amendments to the Model Meeting Code give effect to many of these reforms and expand upon them. They are designed to deliver the following outcomes:

- promoting transparency, integrity and public participation
- promoting the dignity of the council chamber
- depoliticising the role of the general manager
- simplifying the Model Meeting Code.

The amendments to the Model Meeting Code will be given legal force through an update to the reference to the code in the Regulation. These amendments will also prescribe the restrictions on briefing sessions.

What changes are being proposed?

A brief overview of the proposed changes is provided below. This is not a complete or detailed summary of the proposed changes.

Councils and others should review the accompanying draft Model Meeting Code for a more complete and detailed view of the proposed changes. These are made in track changes in the document.

Promoting transparency, integrity and public participation

The proposed amendments will promote greater transparency and public participation by:

- Removing pre-meeting councillor briefings. It is the Government's expectation that any material provided to councillors, other than the mayor, that will affect or impact or be considered by councillors in their deliberations or decisions made on behalf of the community must be provided to them in either a committee meeting or council meeting. The restriction on briefing sessions will be prescribed in the Regulation.
- Requiring information considered at closed meetings to be made public after it ceases to be confidential, as recommended by ICAC. The general manager will, after consulting with the council, be required to publish business papers for items considered in closed meetings on the council's website after the information in them ceases to be confidential.
- Requiring recordings of meetings to be published on council websites for longer. Recordings must be published on council websites for the balance of the council term, or, in the case of an election year, for at least 12 months.
- Providing that councils must not make final planning decisions without a staff report containing an assessment and recommendation, as recommended by ICAC.
- Requiring councils to give reasons where they make a decision on a planning matter that departs from the staff recommendation, as recommended by ICAC.

Promoting the dignity of the council chamber

The proposed amendments will promote the dignity of the council chamber by:

- Enhancing the authority of the mayor. The mayor will be permitted to call extraordinary meetings without a request and the restrictions on mayoral minutes will be removed.
- Requiring councillors to stand when a councillor addresses the meeting, or when the mayor enters the chamber, as well as by mandating modes of address at meetings.
- Removing the option for councils to reduce the duration of speeches, to ensure all councillors may have their say on important community issues.
- Making clear to the community that decisions are made in council meetings and not in other forums that the community can't access, like briefing sessions.
- Refining the definitions of disorder to remove phrases that could be weaponised to impede debate.
- Providing as a default that councillors are to attend meetings in person. Councillors will only be permitted to attend meetings by audio visual link where they are prevented from attending a meeting in person because of ill health or another medical reason or unforeseen caring responsibilities. Councillors will not be permitted to participate in meetings at which a mayoral election is being held by audio visual link. To facilitate this, the rules governing attendance at meetings by audio visual link will be mandated.
- Restricting the circumstances in which the council may withhold a leave of absence. Where a councillor gives an apology from attending a meeting, the council will be deemed to have accepted the apology and granted a leave of absence from the meeting unless the council resolves otherwise and gives reasons for its decision.
- Removing the option for staff to attend meetings by audio visual link.
- Strengthening the deterrence against disorder by codifying the common law position that allows councillors to be expelled from successive meetings where they fail to apologise for an act of disorder at an earlier meeting.

Depoliticising the role of the general manager

The proposed amendments will depoliticise the role of the general manager by:

- Removing the requirement for general managers to prepare reports for notices of motion. General managers will no longer be required to prepare reports on notices of motions with financial implications or to identify sources of funding where a notice of motion proposes expenditure that has not been budgeted for. These will be matters for the council to determine.
- Providing that the mayor, not the general manager has discretion on whether council staff should respond to questions with notice. It will be open to the mayor to rule a question with notice out of order at the meeting if it breaches the disorder provisions of the council's code of meeting practice.
- Conferring responsibility on the council to determine staff attendance at meetings. Because councillors are best placed to determine what support they require from staff at meetings, it will be a matter for the council to determine which staff attend meetings.

Simplifying the Model Meeting Code

The proposed amendments will simplify the Model Meeting Code by:

- Streamlining the code by removing unnecessary provisions.
- Removing the non-mandatory rules governing public forums. Councils will be free to determine their own rules for public forums.
- Simplifying the rules governing public representations to the council on the closure of meetings to the public.
- Simplifying the rules for dealing with urgent business without notice at meetings.
- Simplifying the rules of debate by removing the provisions allowing motions to be foreshadowed.
- Mandating some current non-mandatory provisions including those allowing meetings to be cancelled or held by audio visual link in the event of natural disasters and public health emergencies and those governing councillors' attendance at meetings by audio visual link.

Restricting councils from holding briefing sessions

Proposed amendments to the Regulation will restrict councils from holding briefing sessions. The amendments will establish the appropriate ways councillors are to make decisions and receive information based on the following principles:

- Decision making by councillors must be through a resolution adopted at a council or committee meeting.
- Information is to be provided to councillors through clear and established channels:
 - information may be provided to councillors by staff in response to a request for information or action made through the councillor request system,
 - general information to assist councillors' understanding of sector wide issues (e.g. legislative changes), should be received from the general manager (and other external sources),
 - training materials to meet learning and development requirements come through established training programs,
 - information to enable councillors to understand the function, service delivery standards, strengths, weaknesses, threats and opportunities of council operations should be provided in periodic workshop format (e.g. an annual strategic planning workshop), and
 - information requiring a specific decision or resolution of council is to be provided by the general manager as a part of a report prepared for the business papers of a council or committee meeting.
- The distribution of information in a meeting or format that is not consistent with the above pathways (e.g. through briefing sessions), is not permitted.
- The mayor will not be subject to these restrictions and may receive information in order to undertake their functions under the Act.

What are the next steps?

After reviewing submissions received on the consultation draft of the Model Meeting Code, the Minister's approval will be sought for the prescription of the new Model Meeting Code. If approved, it will be prescribed by Regulation.

The amendment Regulation prescribing the new Model Meeting Code will also contain provisions that will amend the Regulation to give effect to some of the proposed new measures contained in it, including:

- changes to the definitions of acts of disorder,
- a requirement for recordings of meetings to be retained on council websites for at least 12 months or for the balance of the council term, whichever is the longer period, and
- the pathways in which councillors can receive information and the restriction on briefing sessions.

As noted above, the proposed amendments to the Model Meeting Code are the first tranche of the Government's reform agenda for the regulation of council meetings.

In 2025, the Government will be introducing legislation to implement the reforms to the regulation of councillor

conduct foreshadowed in the September discussion paper. These will have a particular focus on behaviour at meetings and will complement the proposed amendments to the Model Meeting Code.

The proposed amendments to the Act will:

- empower mayors to expel councillors from meetings for acts of disorder
- remove a councillor's entitlement to receive a fee for a month in which they have been expelled from a meeting
- confer a right of review on councillors in relation to a decision to expel them from a meeting and the resulting loss of their entitlement to receive a fee.

Amendments will also be made to the Act and Regulation (as required) to empower councils to issue penalty infringement notices to members of the public who disrupt meetings.

Submissions

Have your say

We now want to hear from you.

Key questions to consider:

- Will the proposed amendments made in the consultation draft of the Model Meeting Code achieve the policy outcomes identified in this paper?
- Are there any other amendments you would suggest that will achieve these policy outcomes?
- Will the proposed amendments have any unintended consequences?
- Are there any other amendments the Government should consider?

How to make a submission

Submissions can be made using the online form available on OLG's website at www.olg.nsw.gov.au.

OR

By email: olg@olg.nsw.gov.au

OR

By post: Office of Local Government
Locked Bag 3015 NOWRA NSW 2541

Submissions should be labelled "Model Meeting Code amendments" and marked to the attention of OLG's Council Governance Team.

Closing date

COB Friday 28 February 2025

Privacy Notice

When you give us your feedback, OLG will be collecting some personal information about you, in particular:

- your name
- your email address
- the name of your organisation (if provided).

All feedback received through this consultation process may be made **publicly available**. Please do not include any personal information in your feedback that you do not want published.

As part of the consultation process, we may need to share your information with people outside OLG, including other public authorities and government agencies. We may also use your email contact details to send you notifications about further feedback opportunities or the outcome of the consultation.

You should also be aware there may be circumstances when OLG is required by law to release information (for example, in accordance with the requirements of the *Government Information (Public Access) Act 2009*). There is also a privacy policy located on OLG's website that explains how some data is automatically collected (such as your internet protocol (IP) address) whenever you visit OLG's website. The link to that policy is <https://www.olg.nsw.gov.au/about-us/privacy-policy/>

Further information

For more information, please contact OLG's Council Governance Team on (02) 4428 4100 or via email at olg@olg.nsw.gov.au.

Office of Local Government

olg.nsw.gov.au



WAVERLEY COUNCIL'S SUBMISSION ON PROPOSED AMENDMENTS TO THE MODEL CODE OF MEETING PRACTICE – CONSULTATION DRAFT 2024

Clause	Proposed amendment	Council submission
3.1	<p>Timing of ordinary council meetings Delete clause</p> <p>Ordinary meetings of the council will be held on the following occasions: [council to specify the frequency, time, date and place of its ordinary meetings]</p>	Supports the proposal.
3.3	<p>Extraordinary meetings New clause</p> <p>The mayor may call an extraordinary meeting without the need to obtain the signature of two (2) councillors.</p>	Supports the proposal.
3.10	<p>Giving notice of business to be considered at council meetings Amend clause</p> <p>A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted [council to specify notice period required] within such reasonable time business days before the meeting is to be held as determined by the council.</p>	Supports the proposal.
3.12	<p>Giving notice of business to be considered at council meetings Delete clause</p> <p>If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of</p>	<p>Does not support the proposal.</p> <p>The proposal seems contrary to good governance. Denying Councillors essential information and advice to make good decisions. As long as</p>

Clause	Proposed amendment	Council submission
	motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.	general managers' comments are objective there should be no issue.
3.13	<p>Giving notice of business to be considered at council meetings Delete clause</p> <p>A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:</p> <p>(a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or</p> <p>(b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.</p>	<p>Supports the proposal.</p> <p>Waverley is not affected by this proposal as this was a non-mandatory clause in the old Model that is not in our Code of Meeting Practice.</p>
3.13	<p>Questions with notice Delete clause</p> <p>A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.</p>	<p>Does not support the proposal.</p> <p>Council is not the appropriate forum to discuss a complaint about wrongdoing. This should be done as per the Procedures for the Administration of the Code of Conduct. Could raise potential for defamation and questions of procedural fairness.</p>

Clause	Proposed amendment	Council submission
3.16	<p>Questions with notice Amend clause</p> <p>The general manager or their nominee may respond to a question with notice submitted under clause 3.12 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.</p>	Supports the proposal.
3.18	<p>Agenda and business papers for ordinary meetings Amend clause</p> <p>Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must, in consultation with the mayor, ensure that the agenda of the meeting:</p> <p>(a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and</p> <p>(b) states the grounds under section 10A(2) of the Act relevant to the item of business.</p>	<p>Does not support the proposal.</p> <p>Council ultimately decides if a matter is discussed in confidential session at the meeting. Involving the mayor at the agenda setting stage could complicate the process if, for example, there is disagreement over confidentiality.</p>
3.23	<p>Statement of ethical obligations Delete clause</p> <p>Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.</p>	<p>Does not support the proposal.</p> <p>Good reminder for Councillors of their obligations.</p>
3.25	<p>Agenda and business papers for extraordinary meetings Amend clause</p>	<p>Does not support the proposal.</p> <p>This complicates the process depending on who is present. It should just be a one step process in all cases</p>

Clause	Proposed amendment	Council submission
	<p>Despite clause 3.24, business may be considered at an extraordinary meeting of the council at which all councillors are present, even though due notice of the business has not been given of the business, if the council resolves to deal with the business on the grounds that it is urgent and (a) a motion is passed to have the business considered at the meeting, and (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council. A resolution adopted under this clause must state the reasons for the urgency.</p>	<p>based on whether there needs to be a decision before the next Council meeting; i.e. why does it require a Council resolution and a mayoral ruling to proceed?</p>
3.26	<p>Agenda and business papers for extraordinary meetings New clause</p> <p>A motion moved under clause 3.25 can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with. Despite clauses 10.18–10.27, only the mover of a motion moved under clause 3.25, and the mayor, if they are not the mover of the motion, can speak to the motion before it is put.</p>	<p>Supports the proposal</p>
3.27	<p>Agenda and business papers for extraordinary meetings New clause</p> <p>If all councillors are not present at the extraordinary meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 3.25 and the mayor also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.</p>	<p>Does not support the proposal.</p> <p>This complicates the process depending on who is present. It should just be a one step process in all cases based on whether there needs to be a decision before the next Council meeting; i.e. why does it require a Council resolution and a mayoral ruling to proceed?</p>
3.30	<p>Agenda and business papers for extraordinary meetings Delete clause</p> <p>A motion moved under clause 3.29(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.</p>	<p>Supports the proposal.</p>

Clause	Proposed amendment	Council submission
3.31	<p>Agenda and business papers for extraordinary meetings Delete clause</p> <p>Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.29(a) can speak to the motion before it is put.</p>	Supports the proposal.
3.28	<p>Agenda and business papers for extraordinary meetings Amend clause</p> <p>A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.27 on whether a matter is of great urgency urgent.</p>	Supports the proposal.
3.33-3.38	<p>Pre meeting briefing sessions Delete section</p> <p>3.33 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.3.35 Pre-meeting briefing sessions may be held by audio-visual link.</p> <p>3.34 Pre-meeting briefing sessions are to be held in the absence of the public.</p> <p>3.35 Pre-meeting briefing sessions may be held by audio-visual link.</p> <p>3.36 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.</p> <p>3.37 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.</p>	<p>Does not support the proposal.</p> <p>Briefing sessions work well at Waverley. They are not decision-making forums and matters are not debated. They are a good way for staff to provide detailed information to Councillors to increase their knowledge about Council business and to answer any questions they may have.</p> <p>The amended Regulations should distinguish between matters that are going to the next Council meeting for a decision and matters that are not going to Council in the near future, to enable the latter to be the subjects of briefings.</p>

Clause	Proposed amendment	Council submission
	3.38 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.	
4.1	<p>Public forums New clause</p> <p>The council may hold a public forum prior to each ordinary meetings of the council and committees of councillors for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of other committees of the council.</p>	<p>Does not support the proposal.</p> <p>Council allows members of the public to address Council on items of business to be considered at the meeting. This is done at the meeting before the items of business are dealt with. If a public forum is held before the meeting it will affect the start time of the meeting unless strict time and participant numbers are put in place, which would be difficult to manage and limit residents' ability to put their point of view to the meeting.</p>
4.2	<p>Public forums New clause</p> <p>The council may determine the rules under which the public forum is to be conducted.</p>	Supports the proposal.
4.2-4.24	<p>Public forums Delete remaining clauses</p>	Supports the proposal.

Clause	Proposed amendment	Council submission
5.4	<p>Attendance by councillors at meetings Amend clause</p> <p>Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings.</p> <p>This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.</p>	Supports the proposal.
5.6	<p>Attendance by councillors at meetings Amend clause</p> <p>The council must not act unreasonably when considering whether to grant a councillor's request for a leave of absence.</p>	Supports the proposal.
5.7	<p>Attendance by councillors at meetings New clause</p> <p>Clause 5.4 does not prevent a councillor from making an apology if they are unable to attend a meeting. Where a councillor makes an apology, the council will be deemed to have accepted the apology and granted them a leave of absence for the meeting for the purposes of section 234(1)(d) of the Act unless the council resolves not to accept the apology or to grant a leave of absence for the meeting. Where the council resolves not to accept an apology and to grant a leave of absence it must state the reasons for its decision in its resolution.</p>	Supports the proposal.
5.8	<p>Attendance by councillors at meetings Delete clause</p> <p>A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.</p>	Supports the proposal.

Clause	Proposed amendment	Council submission
5.15	<p>The quorum for a meeting Amend clause</p> <p>Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called by the mayor under clause 3.3.</p>	Supports the proposal.
5.16-5.18	<p>Meetings held by audio-visual link New clause</p> <p>5.16 A meeting of the council or a committee of the council may be held by audiovisual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.</p> <p>5.17 Where the mayor determines under clause 5.17 that a meeting is to be held by audio-visual link, the general manager must:</p> <p>(a) give written notice to all councillors that the meeting is to be held by audio-visual link, and</p> <p>(b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and</p> <p>(c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.</p> <p>5.18 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.</p>	Supports the proposal.

Clause	Proposed amendment	Council submission
	Note: Where a council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.	
5.19	<p>Attendance by councillors at meetings by audio-visual link Amend clause</p> <p>Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.</p>	<p>Does not support the proposal.</p> <p>Reduces flexibility and certainty for Councillors. The reasons for permitting attendance by video are too narrow. For example, travel is not proposed to be a reason.</p> <p>The approval process is too complicated and acts as a deterrent from applying for permission.</p> <p>Relies on Council acting reasonably. If video attendance is not approved, then a Councillor cannot attend the meeting. Potentially could deprive a Councillor of their core responsibility under the Act.</p> <p>Waverley Councillors do not currently need permission to attend meetings by audio-visual link. This works well at the moment with majority of Councillors regularly attending in person.</p>

Clause	Proposed amendment	Council submission
5.20	<p>Attendance by councillors at meetings by audio-visual link New clause</p> <p>Clause 5.19 does not apply to meetings at which a mayoral election is to be held.</p>	Supports the proposal.
5.21-5.31	<p>Attendance by councillors at meetings by audio-visual link New clause</p> <p>5.21 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.</p> <p>5.22 Councillors may request approval to attend more than one meeting by audiovisual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.21.</p> <p>5.23 The council must comply with the Health Privacy Principles prescribed under the <i>Health Records and Information Privacy Act 2002</i> when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.</p> <p>5.24 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.</p> <p>5.25 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state the meetings the resolution applies to.</p> <p>5.26 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.</p>	<p>Does not support the proposal.</p> <p>Reduces flexibility and certainty for Councillors. The reasons for permitting attendance by video are too narrow. For example, travel is not a reason.</p> <p>The approval process is too complicated and acts as a deterrent from applying for permission.</p> <p>Relies on Council acting reasonably. If video attendance not approved, then Councillor cannot attend the meeting, potentially depriving them of their core responsibility under the Act.</p> <p>Works well at the moment with majority of Councillors regularly attending in person.</p>

Clause	Proposed amendment	Council submission
	<p>5.27 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.</p> <p>5.28 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.</p> <p>5.29 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.</p> <p>5.30 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.</p> <p>5.31 A councillor must be appropriately dressed when attending a meeting by audiovisual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.</p>	
5.38	<p>Webcasting of meetings Amend clause</p> <p>The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting or for the balance of the council's term, whichever is the longer period.</p>	Supports the proposal.

Clause	Proposed amendment	Council submission
5.44	<p>Attendance of the general manager and other staff at meetings Amend clause</p> <p>The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager as determined by the council from time to time.</p>	<p>Does not support the proposal.</p> <p>Currently, Directors and Executive Managers with reports attend meetings. The GM is the person best placed to determine what support Councillors require based on the business on the agenda. Continue current practice.</p>
5.44	<p>Attendance of the general manager and other staff at meetings Delete clause</p> <p>The general manager and other council staff may attend meetings of the council and committees of the council by audio-visual-link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.</p>	<p>Does not support the proposal.</p> <p>Reduces flexibility for staff.</p>
7.1	<p>Modes of address New clause</p> <p>Where they can, councillors and staff must stand when the mayor enters the chamber and when addressing the meeting.</p>	<p>Supports the proposal in part.</p> <p>Support standing when addressing the meeting, but not standing when mayor enters the chamber because it is not always practical – it relies on the mayor always being the last person to enter the chamber.</p>
7.3	<p>Modes of address Amend clause</p> <p>Where the chairperson is not the mayor, they are to be addressed as either ‘Mr Chairperson’ or ‘Madam Chairperson’ or ‘Chair’.</p>	<p>Supports the proposal.</p>

Clause	Proposed amendment	Council submission
8.2	<p>Order of business for ordinary council meetings Delete clause</p> <p>The general order of business for an ordinary meeting of the council shall be: [councils may adapt the following order of business to meet their needs]</p> <p>01 Opening meeting 02 Acknowledgement of country 03 Apologies and applications for a leave of absence or attendance by audio-visual link by councillors 04 Confirmation of minutes 05 Disclosures of interests 06 Mayoral minute(s) 07 Reports of committees 08 Reports to council 09 Notices of motions/Questions with notice 10 Confidential matters 11 Conclusion of the meeting</p> <p>Note: Councils must use either clause 8.1 or 8.2.</p>	Supports the proposal.
8.3	<p>Order of business for ordinary council meetings Amend clause</p> <p>Despite clauses 10.18–10.27, only the mover of a motion referred to in clause 8.2 and the mayor, if they are not the mover of the motion, may speak to the motion before it is put.</p>	Supports the proposal.
9.2	<p>Business that can be dealt with at a council meeting Amend clause</p> <p>Clause 9.1 does not apply to the consideration of business at a meeting, if the business:</p> <p>(a) is already before, or directly relates to, a matter that is already before the council, or</p>	Supports the proposal.

Clause	Proposed amendment	Council submission
	<p>(b) is the election of a chairperson to preside at the meeting, or</p> <p>(c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or</p> <p>(d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.</p>	
9.3	<p>Business that can be dealt with at a council meeting Amend clause</p> <p>Despite clause 9.1, business may be considered at a meeting of the council at which all councillors are present even though due notice of the business has not been given of the business to the councillors, if the council resolves to deal with</p> <p>(a) a motion is passed to have the business considered at the meeting, and</p> <p>(b) the business to be considered is ruled by the chairperson to be of great urgency</p> <p>the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council. A resolution adopted under this clause must state the reasons for the urgency.</p>	<p>Does not support the proposal.</p> <p>This complicates the process depending on who is present at the meeting. It should just be a one step process in all cases based on whether there needs to be a decision before the next Council meeting; i.e. why does it require a Council resolution and a mayoral ruling to proceed?</p>
9.4	<p>Business that can be dealt with at a council meeting New clause</p> <p>A motion moved under clause 9.3 can be moved without notice. Despite clauses 10.18–10.27, only the mover of a motion referred to in clause 9.3 and the mayor, if they are not the mover of the motion, can speak to the motion before it is put.</p>	<p>Does not support the proposal.</p> <p>This complicates the process depending on who is present at the meeting. It should just be a one step process in all cases based on whether there needs to be a decision before the next Council meeting; i.e. why does it</p>

Clause	Proposed amendment	Council submission
		require a Council resolution and a mayoral ruling to proceed?
9.5	<p>Business that can be dealt with at a council meeting New clause</p> <p>If all councillors are not present at a meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 9.3, and the mayor also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.</p>	<p>Does not support the proposal.</p> <p>This complicates the process depending on who is present at the meeting. It should just be a one step process in all cases based on whether there needs to be a decision before the next Council meeting; i.e. why does it require a Council resolution and a mayoral ruling to proceed?</p>
9.4	<p>Business that can be dealt with at a council meeting Delete clause</p> <p>A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.</p>	Supports the proposal.
9.7	<p>Mayoral minutes Amend clause</p> <p>Subject to clause 9.9, If the mayor is the chairperson 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 the mayor determines should be considered at the meeting.</p>	Supports the proposal.

Clause	Proposed amendment	Council submission
9.9	<p>Mayoral minutes Delete clause</p> <p>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.</p>	Supports the proposal.
9.10	<p>Mayoral minutes Delete clause</p> <p>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.</p>	Supports the proposal.
9.13	<p>Questions Amend clause</p> <p>A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.12, unless the council by resolution, and the mayor determines otherwise in accordance with clause 9.3.</p>	Supports the proposal.
9.15	<p>Questions Amend clause</p> <p>A councillor may, through the mayor general manager, put a question to a council employee the general manager about a matter on the agenda. The general manager may request another council employee to answer the question. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.</p>	Supports the proposal.

Clause	Proposed amendment	Council submission
10.3	<p>Notices of motion Amend clause</p> <p>If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, they councillor may request the its withdrawal of the motion when it is before the council at any time. If the notice of motion is withdrawn after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the mayor is to note the withdrawal of the notice of motion at the meeting.</p>	Supports the proposal.
10.9	<p>Motions requiring the expenditure of funds Delete section</p> <p>A motion or an amendment to a motion which if passed 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 must identify the source of funding for the expenditure that is the subject of the motion. If the motion 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 motion if adopted.</p>	<p>Does not support the proposal.</p> <p>Seems contrary to good governance. Denying Councillors information and advice needed to make decisions.</p>
10.17	<p>Foreshadowed motions Delete clause</p> <p>A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.</p>	<p>Does not support the proposal at this point in time. More information to understand OLG's intention and procedural requirements if there are no foreshadowed motions is needed.</p> <p>It is accepted meeting practice that when a motion is lost without an alternative motion having been foreshadowed, the matter ends and further motions cannot be moved.</p>

Clause	Proposed amendment	Council submission
		If it is OLG's intention to allow motions to be moved after a motion is lost, then that would be acceptable. If the intention is to ban alternative motions, then that is not supported.
10.17	<p>Foreshadowed amendments Amend clause</p> <p>Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.</p>	Supports the proposal.
10.24	<p>Limitations on the number and duration of speeches Delete clause</p> <p>Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.</p>	<p>Does not support the proposal.</p> <p>There are times when Council wishes to shorten the length of speeches to expedite a meeting.</p>
11.12	<p>Voting on planning decisions New clause</p> <p>The council or a council committee must not make a final planning decision without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.</p>	Supports the proposal.
11.13	<p>Voting on planning decisions New clause</p> <p>Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.</p>	Does not support the proposal.

Clause	Proposed amendment	Council submission
12.2	<p>Committee of the whole Amend clause</p> <p>All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches and requiring councillors and staff to stand when addressing the meeting.</p>	<p>Does not support the proposal.</p> <p>The requirement to stand while in Committee of the Whole contradicts the notion of going into Committee to relax the formal rules of debate.</p> <p>Consider abolishing Committee of the Whole altogether and simply rely on a procedural motion to relax the formal rules of debate.</p>
13.7	<p>Dealing with items by exception Amend clause</p> <p>Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.</p>	Supports the proposal.
14.11	<p>Representations by members of the public New clause</p> <p>Despite clauses 14.9 and 14.10, the council may resolve to close the meeting to the public in accordance with this Part to hear a representation from a member of the public as to whether the meeting should be closed to consider an item of business where the representation involves the disclosure of information relating to a matter referred to in clause 14.1.</p>	Supports the proposal.
14.12	<p>Representations by members of the public Amend clause</p> <p>Where the matter has been identified in the agenda of the meeting under clause 3.18 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under</p>	Supports the proposal.

Clause	Proposed amendment	Council submission
	<p>clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by [date and time to be specified by the council] before the meeting at which the matter is to be considered a manner determined by the council.</p>	
14.12-14.17	<p>Representations by members of the public Delete remaining section</p>	Supports the proposal.
14.18	<p>Resolutions passed at closed meetings to be made public Amend clause</p> <p>Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.17 during a part of the meeting that is webcast where practicable.</p>	Supports the proposal.
14.19	<p>Resolutions passed at closed meetings to be made public New clause</p> <p>The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.</p>	<p>Support in principle.</p> <p>Administratively burdensome and potentially difficult to manage in practice and to determine when information has ceased to be confidential.</p>
14.20	<p>Resolutions passed at closed meetings to be made public New clause</p> <p>The general manager must consult with the council before publishing information on the council's website under clause 14.19.</p>	Support in principle.
15.2	<p>Points of order Delete clause</p> <p>A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.</p>	<p>Does not support the proposal.</p> <p>Need to simplify the act of disorder and point of order provisions generally.</p>

Clause	Proposed amendment	Council submission
		Opening up the principles to points of order will complicate matters. Consider deleting the principles if they do not add value to the meeting.
15.10	<p>Acts of disorder Amend clause</p> <p>A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:</p> <p>(a) contravenes the Act, the Regulation or this code, or</p> <p>(b) assaults or threatens to assault another councillor or person present at the meeting, or</p> <p>(c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or</p> <p>(d) insults, makes unfavourable personal remarks about, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or uses any language, words or gestures that would be regarded as disorderly in the NSW Legislative Assembly, or</p> <p>(e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.</p>	<p>Does not support the proposal.</p> <p>Need to simplify the act of disorder and point of order provisions generally.</p> <p>A Council meeting is not the appropriate forum to discuss Code of Conduct matters.</p> <p>Shouldn't have to refer to external documents to run Council meetings. Would require knowledge about the rules of the NSW Legislative Assembly.</p> <p>Should retain the clause about disrepute as an act of disorder.</p>
15.12	<p>Acts of disorder New clause</p> <p>A failure to comply with a requirement under clause 15.11 constitutes a fresh act of disorder for the purposes of clause 15.10.</p>	Supports the proposal.

Clause	Proposed amendment	Council submission
15.13	<p>Acts of disorder New clause</p> <p>Where a councillor fails to take action in response to a requirement by the chairperson to remedy an act of disorder under clause 15.11 at the meeting at which the act of disorder occurred, the chairperson may require the councillor to take that action at each subsequent meeting until such time as the councillor complies with the requirement.</p>	Supports the proposal.
17.12	<p>Rescinding or altering council decisions Amend clause</p> <p>Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:</p> <p>(a) notice of motion signed by three councillors is submitted to the chairperson at the meeting, and</p> <p>(b) the council resolves to deal with the a motion at the meeting on the to have the motion considered at the meeting is passed, and</p> <p>(c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council.</p>	Supports the proposal.
17.14	<p>Rescinding or altering council decisions Amend clause</p> <p>A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c) resolution adopted under clause 17.12(b) must state the reasons for the urgency.</p>	Supports the proposal.

Clause	Proposed amendment	Council submission
17.18	<p>Recommitting resolutions to correct an error Amend clause</p> <p>A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.18–10.27, only the mover of a motion referred to in clause 17.15 and the mayor, if they are not the mover of the motion, can speak to the motion before it is put.</p>	<p>Does not support the proposal.</p> <p>Best practice is for chair to confirm the motion before it is put to eliminate the need for corrections.</p>
18.1	<p>Time limits on council meetings Amend clause</p> <p>Meetings of the council and committees of the council are to conclude at a time the council may from time to time determine no later than [council to specify the time].</p>	<p>Supports the proposal.</p>
18.2	<p>Time limits on council meetings Delete clause</p> <p>If the business of the meeting is unfinished at [council to specify the time], the council or the committee may, by resolution, extend the time of the meeting.</p>	<p>Supports the proposal.</p>
18.2	<p>Time limits on council meetings Amend clause</p> <p>If the business of the meeting is unfinished at [council to specify the time] the time the council has determined, and the council does not resolve to extend the meeting, the chairperson must either:</p> <p>(a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or</p> <p>(b) adjourn the meeting to a time, date and place fixed by the chairperson.</p>	<p>Supports the proposal.</p>

Clause	Proposed amendment	Council submission
20.8	<p>Attendance at committee meetings Delete clause</p> <p>A committee member (other than the mayor) ceases to be a member of a committee if the committee member:</p> <p>(a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or</p> <p>(b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.</p>	Supports the proposal.
20.9	<p>Attendance at committee meetings Delete clause</p> <p>Clause 20.8 does not apply if all of the members of the council are members of the committee.</p>	Supports the proposal.
20.19	<p>Closure of committee meetings to the public Amend clause</p> <p>Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.18 during a part of the meeting that is webcast where practicable.</p>	Supports the proposal.
20.20	<p>Closure of committee meetings to the public New clause</p> <p>The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.</p>	<p>Support in principle.</p> <p>Administratively burdensome and potentially difficult to manage in practice and to determine when information has ceased to be confidential.</p>

Clause	Proposed amendment	Council submission
20.21	<p>Closure of committee meetings to the public New clause</p> <p>The general manager must consult with the committee before publishing information on the council's website under clause 20.20.</p>	<p>Support in principle.</p> <p>Administratively burdensome and potentially difficult to manage in practice and to determine when information has ceased to be confidential.</p>
	<p>Definitions Delete definition</p> <p>Foreshadowed motion means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion</p>	<p>Does not support the proposal at this point in time. More information to understand OLG's intention and procedural requirements if there are no foreshadowed motions is needed.</p> <p>It is accepted meeting practice that when a motion is lost without an alternative motion having been foreshadowed, the matter ends and further motions cannot be moved.</p> <p>If it is OLG's intention to allow motions to be moved after a motion is lost, then that would be acceptable. If the intention is to ban alternative motions, then that is not supported.</p>
	<p>Definitions Amend definition</p> <p>Planning decision means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan, a planning agreement or a development</p>	<p>Supports the proposal.</p>

Clause	Proposed amendment	Council submission
	contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act.	