

# Ordinary Council Meeting

Tuesday 24 May 2022

# Seating Plan for Council meetings



Public gallery

# Statement of ethical obligations

Obligations	
<b>Oath [Affirmation] of Office by Councillors</b>	I swear [solemnly and sincerely declare and affirm] that I will undertake the duties of the office of councillor in the best interests of the people of Randwick City and the Randwick City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.
Code of Conduct conflict of interests	
<b>Pecuniary interests</b>	<p>A Councillor who has a <b>pecuniary interest</b> in any matter with which the council is concerned, and who is present at a meeting of the council at which the matter is being considered, must disclose the nature of the interest to the meeting.</p> <p>The Councillor must not be present at, or in sight of, the meeting:</p> <ol style="list-style-type: none"> <li>at any time during which the matter is being considered or discussed, or</li> <li>at any time during which the council is voting on any question in relation to the matter.</li> </ol>
<b>Non-pecuniary conflict of interests</b>	A Councillor who has a <b>non-pecuniary conflict of interest</b> in a matter, must disclose the relevant private interest in relation to the matter fully and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.
<b>Significant non-pecuniary interests</b>	A Councillor who has a <b>significant</b> non-pecuniary conflict of interest in relation to a matter under consideration at a council meeting, must manage the conflict of interest as if they had a pecuniary interest in the matter.
<b>Non-significant non-pecuniary interests</b>	A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is <b>not significant</b> and does not require further action, when disclosing the interest must also explain why conflict of interest is not significant and does not require further action in the circumstances.



Notice is hereby given that an Ordinary Council meeting of Randwick City Council will be held in the Prince Henry Centre, 2 Coast Hospital Road, Little Bay on Tuesday, 24 May 2022 at 7pm

## **Prayer and Acknowledgement of the local indigenous people**

### **Prayer**

*“Almighty God,*

*We humbly beseech you to bestow your blessings upon this Council and to direct and prosper our deliberations to the advancement of your glory and the true welfare of the people of Randwick and Australia. Amen”*

### **Acknowledgement of Country**

*“I would like to acknowledge that we are meeting on the land of the Bidjigal and the Gadigal peoples who occupied the Sydney Coast, being the traditional owners. On behalf of Randwick City Council, I acknowledge and pay my respects to the Elders past and present, and to Aboriginal people in attendance today.”*

## **Apologies/Granting of Leave of Absences**

### **Confirmation of the Minutes**

Ordinary Council - 26 April 2022

Extraordinary Council - 3 May 2022

## **Declarations of Pecuniary and Non-Pecuniary Interests**

### **Address of Council by Members of the Public**

*Privacy warning;*

*In respect to Privacy & Personal Information Protection Act, members of the public are advised that the proceedings of this meeting will be recorded for the purposes of clause 5.20-5.23 of Council’s Code of Meeting Practice.*

*Audio/video recording of meetings prohibited without permission;*

*A person may be expelled from a meeting for using, or having used, an audio/video recorder without the express authority of the Council.*

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CS21/22	Processing of Recyclable Materials - Tender T2022 -15 <i>This matter is considered to be confidential under Section 10A(2) (d) Of the Local Government Act, as it deals with 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.</i>
CS22/22	DRLC Splash Park - Tender T2022-14 <i>This matter is considered to be confidential under Section 10A(2) (d) Of the Local Government Act, as it deals with 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. (Tender/ Procurement )</i>

### Closed Session (record of voting NOT required)

CO23/22	Aboriginal Land Claims over Crown Land <i>This matter is considered to be confidential under Section 10A(2) (e) Of the Local Government Act, as it deals with information that would, if disclosed, prejudice the maintenance of law.</i>
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### Notice of Rescission Motions

Nil

Therese Manns  
**GENERAL MANAGER**



## Mayoral Minute No. MM14/22

**Subject: Financial Assistance and Donations - May to June 2022**

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### Motion:

That Council:

- a) notes the donation of plants from Council's nursery to the value of \$300, funded from the 2021-22 Contingency Fund, to the Our Lady of the Rosary Catholic Primary School, Kensington for the Mother's Day Fundraiser event held on 5 May 2022; and
- b) notes the donation of plants from Council's nursery to the value of \$300, funded from the 2021-22 Contingency Fund, to the Clovelly Childcare Centre for the Annual Green Fair being held on 22 May 2022.

### Background:

I have received the following requested for support for the May to June 2022 period.

#### **Our Lady of the Rosary Primary School, Kensington – Mother's Day Fundraiser 2022**

The Our Lady of the Rosary Catholic Primary School, Kensington's Parents and Friends Association contacted me regarding their Mother's Day Stall and Fundraiser which was held on Thursday, 5 May 2022. Funds raised from the event go towards new programmable robotic tools to support student learning in digital technologies.

The event's theme for this year was sustainability so the Parents and Friends Association requested small potted plants as an appropriate gift for children to purchase at the Stall for their Mums, Grandmas and other carers in their lives for Mother's Day.

This is a worthy cause to support as it promotes sustainability and raises funds to support student learning in digital technologies.

Given the timing of the request, I made the decision as Mayor to approve the donation of plants to the value of \$300 from Council's nursery. The donation was funded from the 2021-22 Contingency Fund and collected by the Parents and Friends Association in time for the Mother's Day Stall and Fundraiser on Thursday, 5 May 2022.

#### **Clovelly Childcare Centre Annual Green Fair 2022**

I was delighted to attend Clovelly Childcare Centre's Annual Green Fair on 22 May 2022 to give an address and celebrate what it means to live sustainably.

Since Clovelly Child Care Centre was established in 1985, it has been committed to sustainable practice and instilling in our future generation, the importance of taking care of our environment.

I am proud that Council has supported this event for a number of years, and donated plants from Council's nursery to be given out to attendees as a way to promote sustainability and provide the opportunity to grow and nurture their own patch of green.

The Centre requested a donation of plants for the Annual Green Fair again this year. Given the timing of the request, I made the decision as Mayor to approve a donation of plants to the value of \$300 from Council's nursery, funded from the 2021-22 Contingency Fund.

Council's donation of plants was acknowledged during the formalities on the day and made available to families and community in attendance.

**Source of funding:**

The financial implication to Council is \$600 to be funded from the 2021-22 Contingency Fund.

**Attachment/s:**

Nil

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**Responsible officer:** The Mayor, Cr Dylan Parker

**File Reference:** F2022/06574

MM14/22

## Mayoral Minute No. MM15/22

**Subject: National Sorry Day 2022**

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### Motion:

That Council:

- a) flies the Australian, Aboriginal and Torres Strait Islander flags at half-mast at Randwick Town Hall on National Sorry Day, 26 May 2022; and
- b) observes a minute's silence at the commencement of tonight's Council meeting to acknowledge the ongoing grief and trauma caused to Aboriginal and Torres Strait Islander families and communities by historical Government policies and practices of forcibly removing children from their families.

### Background:

National Sorry Day is observed on 26 May each year, as Australia pauses to acknowledge the grief, trauma and loss suffered by the Stolen Generations. I feel proud to participate in Sorry Day and restate our Nation's apology to the Stolen Generations – to the Aboriginal and Torres Strait Islander people who were forcibly removed from their families and communities.

This day was established in 1998 as a recommendation of the 1997 Human Rights and Equal Opportunity Commission's (HREOC) *'Bringing Them Home'* report.

The report outlines a range of State and Commonwealth historical policies and practices put into place to forcibly remove Indigenous children from their families. The inquiry concludes that between one in three and one in ten Indigenous children were forcibly removed from their families and communities between 1910 and 1970.

On 13 February 2008, the then Australian Prime Minister, Kevin Rudd issued a formal National Apology Statement to the Stolen Generations. A quote from the National Apology Statement that refers to the *'Bringing Then Home'* report reads as follows:

*'There is something terribly primal about these firsthand accounts. The pain is searing; it screams from the pages (Bringing Them Home report). The hurt, the humiliation, the degradation and the sheer brutality of the act of physically separating a mother from her children is a deep assault on our senses and on our most elemental humanity.'*

In Aboriginal and Torres Strait Islander cultures, children are sacred and their kinship systems serve to ensure that communities remain close-knit. The forced removal of children created significant grief and trauma, the impact of which is still being felt today.

We cannot begin to fix the problems of the present without accepting the truth of our history. Saying "sorry" is the first and most important step that we all must make in the healing process. There is strength and power in saying it and in hearing it.

National Sorry Day aims to raise awareness of the Stolen Generations and to acknowledge the painful impact and suffering that had been inflicted on the Indigenous people of Australia. It is an opportunity to reflect on the injustices of the past and recommit to working towards a reconciliation and justice.

National Sorry Day is also an opportunity to recognise the incredible resilience of those who have been able to carry on while holding this hurt. It is an opportunity to recognise the pain of forced removal and offer sincere apologies to the families of the Stolen Generations.

**Source of funding:**

There are no financial implications to Council in relation to this matter.

**Attachment/s:**

Nil

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**Responsible officer:** The Mayor, Cr Dylan Parker

**File Reference:** F2022/06574

## Mayoral Minute No. MM16/22

**Subject:** South East Block Party

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### Motion:

That Council investigate an ongoing partnership agreement with WEAVE Youth and Community Services and bring back a report to consider funding options to financially secure support for the South East Block Party and ensure it has financial security to enable the event to be held as an annual event on an ongoing basis.

### Background:

Randwick Council acknowledges Youth Week with a series of events across the City to celebrate and support the diversity and talent of young people.

As part of our Youth Week activities in 2021 and 2022, Council partnered with WEAVE Youth and Community Services to deliver the South East Block Party. The free event was held at Coral Sea Park in 2021 and at Arthur Byrne Reserve, Maroubra in 2022 (due to maintenance work being done at Coral Sea Park).

The event showcases local talent, brings people together and celebrates community while raising awareness of mental health and the importance of supporting each other by providing a sense of community and belonging in the vicinity of where people live. The event includes food, live performances, special guests, skate workshops and activities.

The first South East Block Party saw over 1000 local people attend, including youth and their family generations, with food, music, activities, pride in culture, connection and a celebration of the strengths of the community. The number of people at this year's event at least doubled with positive feedback received.

WEAVE Youth and Community Services have expressed a desire to partner with Randwick Council to host this event annually. However, a lot of time, energy and resources is required for WEAVE to raise up to \$80,000 in funds each year to resource the event. This means that locking the event in to the diary is often delayed until they can be sure the funds are raised.

Council contributed \$4,000 from its youth week budget in 2021 and in 2022 supported the Block Party with \$10,000 from a community creative grant and \$10,000 cash and in-kind from its youth week budget.

Given the success and community need for these targeted, place based events, I propose exploring an ongoing partnership agreement with WEAVE Youth and Community Services and bringing back a report to consider funding options to financially secure the South East Block Party to be held as an annual event on an ongoing basis.

### Source of funding:

There is no financial implication to Council in relation to this matter at this stage.

### Attachment/s:

Nil

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**Responsible officer:** The Mayor, Cr Dylan Parker

**File Reference:** F2022/06574



## General Manager's Report No. GM3/22

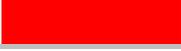
**Subject: Randwick City Council Quarterly Progress Report - March 2022**

### Executive Summary

- This report tracks progress against the 2021-22 Operational Plan actions for the January – March 2022 quarter.
- During this quarter some events, projects and services were disrupted by adverse weather conditions, with storms and heavy rainfall impacting our outdoor staff and causing some events to be cancelled. The ongoing pandemic also continued to impact some events and services with staff being required to isolate due to COVID.

Council worked hard to minimise disruptions, and whilst some activities were unavoidably impacted, most projects and services still finished the quarter on track

- A summary of performance tracking is shown in the following table.

Status tracking summary			
6	3.0%		Complete
178	90.4%		On track or ahead of schedule
10	5.1%		Progressing at a slower rate
3	1.5%		On hold / indefinitely delayed / stopped

### Recommendation

That the information contained in the March 2022 Quarterly Progress Report for the 2021-22 Operational Plan be received and noted.

### Attachment/s:

1.   March 2022 Quarterly Progress Report

## Purpose

The purpose of this report is to update Councillors and the community on the implementation of our annual Operational Plan. The 2021-22 Operational Plan was adopted by Council on 29 June 2021, to deliver on the final year of the 2018-22 Delivery Program.

## Discussion

The attached March 2022 Quarterly Progress Report shows achievement against planned 2021-22 activities and provides status tracking and comments for each action.

Throughout the third quarter of the 2021-22 financial year, some events, projects and services were disrupted by adverse weather conditions, with storms and heavy rainfall impacting our outdoor staff and causing some events, such as the planned Mardi Gras celebrations and Spark in the Park, to be cancelled.

The ongoing pandemic also continued to impact some activities and services with staff being required to isolate due to COVID.

Council worked hard to minimise disruptions, and whilst some activities were unavoidably impacted, most projects and services still finished the quarter on track. Council waste and cleansing services managed to meet scheduled cleaning of public spaces, beaches and business centers, despite the challenging conditions.

Some of the key activities from the March quarter included:

- Banners featuring brightly coloured artworks titled 'The Fabric of Society' created by local artist Sandra Cipriotti were on display in Coogee. Each artwork honoured the pandemic's unsung heroes such as doctors, nurses, paramedics, police, health care workers and cleaners.
- Australia Day was marked with a Civic Ceremony at the Prince Henry Centre welcoming 20 new citizens and recognising community members' outstanding contributions via the presentation of the annual Community Service Awards.
- March saw the return of Council's Spot Festival offering a range of food and market stalls, live music, entertainment, community dance groups. Local businesses were allowed to extend their alfresco dining into Perouse Road and St Paul's Street.
- Twilight Concerts in the Park were held in March over 2 nights showcasing Emma Pask & Gregg Arthur. Both events were sold out.
- A Lunar New Year celebration was held at Meeks Street featuring lion dancing, craft workshops, lantern installation and a DJ.
- Council entered a partnership with a community housing provider for one additional property to be included in Council's Transitional Housing Program.
- Council responded to 134 drainage requests, 133 requests to clear culverts/pits, 64 requests for road pavement repairs and 425 requests to repair potholes.
- There were 2.82 million visitors to Randwick City Council's patrolled beaches, with the beach lifeguard service administering first aid on 3,554 occasions, performing 323 rescues, preventing 7,646 incidents from occurring, conducting 5,048 regulatory actions, making 2,306 surf craft warnings, and responding to 58 major incidents.
- There were 1,664 attendees at the January 2022 Marine and Coastal Discovery Program along Randwick's coastline.

- The library ran 135 events/programs both online and in person, with a total combined audience of 2,525 people.
- Council received 17,014 service requests and 30,767 phone calls over the quarter.
- Council’s 2022 Plant with Us community plantings commenced at Arthur Byrne Reserve with 58 community volunteers planting trees and understorey plants in spite of poor weather conditions.
- The Inclusive Randwick Strategy was adopted by Council in February 2022.
- The Draft 2022-2031 Community Strategic Plan and Draft Economic Development Strategy were considered by Council at the February Council meeting and subsequently placed on public exhibition.

**Strategic alignment**

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability
Direction	1a. Council has a long-term vision based on sustainability.

**Resourcing Strategy implications**

There are no direct financial implications for this report. Council has developed a 2021-22 budget that responds to the financial pressures of the pandemic while building a resilient Randwick and creating economic stimulus to support the local community and businesses.

**Policy and legislative requirements**

In accordance with Section 404(5) of the Local Government Act 1993, Council is required to make at least two progress reports with respect to the principal activities detailed in its delivery program each year. Randwick Council currently provides these reports on a quarterly basis.

**Conclusion**

The purpose of the attached March 2022 Quarterly Progress Report is to inform and update Council and the community on the progress of all actions as set out in the adopted 2021-22 Operational Plan and Budget.

**Responsible officer:** Emma Fitzroy, Business Strategist

**File Reference:** F2021/03001

## March 2022 Quarterly Progress Report

This report tracks progress against the 2021-22 Operational Plan actions for the January – March 2022 quarter.

All actions are presented in context of the relevant theme, outcome and direction of the Randwick City Plan and the 2018-2022 Delivery Programme.

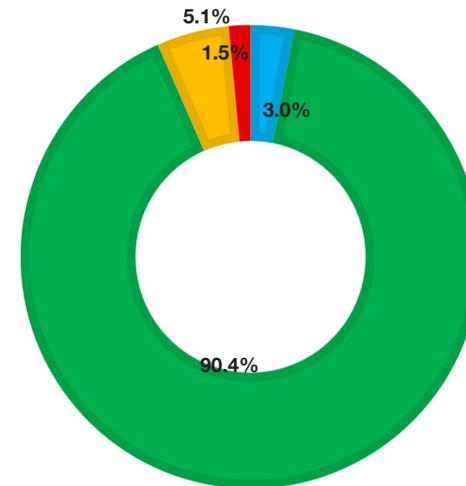
### Randwick City Plan themes

Responsible management
A sense of community
Places for people
A prospering City
Moving around
Looking after the environment

### Status of actions (summary)

6	3.0%		Complete
178	90.4%		On track or ahead of schedule
10	5.1%		Progressing at a slower rate
3	1.5%		On hold / indefinitely delayed / stopped

### Tracking summary for period



2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer	
<b>1. Leadership in sustainability</b>					
<i>1a. Council has a long-term vision based on sustainability.</i>					
<b>1a.1</b>	<b>Implement the Integrated Planning and Reporting framework including the Randwick City Plan, medium term plans and the Resourcing Strategy across the four year cycle.</b>	Update the community on Council's progress in implementing the current 4 year delivery program, and work with the community to create a new 10 year Community Strategic Plan.	The Draft 2022-2032 Community Strategic Plan and Draft Economic Development Strategy were considered by Council at the February Council meeting and subsequently placed on public exhibition from 25 February - 25 March 2022.  The Inclusive Randwick Strategy was adopted by Council at the February Council meeting.  The second quarterly progress report tracking progress against the 2021-22 Operational Plan actions was received and noted by Council at the March 2022 meeting.	75%	Business Strategist
<b>1a.2</b>	<b>Ensure sound long term financial strategies underpin the Council's asset management policies and strategic vision.</b>	Coordinate and update the Council's 10-year Long Term Financial Plan (LTFP), with particular emphasis on creating a strong and sustainable Council.	Council's revised Long Term Financial Plan (LTFP) was prepared and subsequently presented to Council as part of the Draft Resourcing Strategy on the 26 April 2022.	75%	Chief Financial Officer
<b>1a.3</b>	<b>Review and incorporate the financial strategies, underpinning all short and medium term plans into the Long Term Financial Plan.</b>	Manage, monitor and review Council's financial performance and position on a regular basis.	Monthly financial reports are prepared for Council in conjunction with quarterly budget reviews.	75%	Chief Financial Officer
		Support those in our community facing financial hardship, particularly in relation to the pandemic, by providing options for deferring rates and annual charges.	Financial Services staff continue to work with ratepayers to negotiate alternative payment arrangements that suit their individual financial circumstances. In the quarter, the interest waiver period for ratepayers was extended until 30 June 2022.  Rate collections are within LTFP benchmarks.	75%	Chief Financial Officer
<b>1a.4</b>	<b>Provide for safe public places where people gather.</b>	Ensure the CCTV infrastructure network is maintained and fit for purpose.	The CCTV network experienced disruption due to the severe weather and rain events that were widespread during the quarter. In particular, coastal sites at Mahon Pool and Gordon's Bay were affected, along with infrastructure in Coogee Bay Road.  The weather conditions made safe site access difficult for Council's contracted provider. Repairs are underway across all sites to restore normal services and to return to high levels of availability.	75%	Manager, Information Management & Technology
		During patrolled hours, provide beach lifeguard's supervision, communication, engagement and interaction in order to ensure the safe, equitable and compliant use of Council's beaches, as well as quickly and effectively responding to a wide range of incidents and emergencies across our beaches and coastline.	The January to March quarter resulted in 2.82 million visitors to Randwick City Council's patrolled beaches, with the beach lifeguard service administering first aid on 3,554 occasions, performing 323 rescues, preventing 7,646 incidents from occurring, conducting 5,048 regulatory actions, making 2,306 surf craft warnings and responding to 58 major incidents.	75%	Manager, Public Safety & Aquatic Services

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
<b>1a.5 Implement the Digital Strategy to ensure Council's adoption of innovative technology which meets customer and business needs.</b>	Improve the flexibility of community facing business workflows and increase the life span of current applications by 2 years, through the implementation and adoption of an Enterprise Service Bus (ESB) solution.	Due to border restrictions and ongoing impacts of COVID-19 on the technology employment market, Council has been unable to secure suitably qualified staff to continue to progress delivery of the Enterprise Service Bus.	50%	Manager, Information Management & Technology
	Build a data warehouse to encompass all of Council's structured data and make it available for enterprise reporting and analytics, through a business intelligence (BI) solution.	The implementation of the new Human Resource Management Solution (HRMS) was the catalyst for the creation of the first set of data cubes in the data warehouse, from an employee perspective, which will allow the Council to conduct detailed analysis from day one of operations of this new solution. Work has begun on the following repositories: master data, metadata and quality data.	75%	Manager, Information Management & Technology
	Increase security, protection, visibility and control over network security, through the implementation of a Unified Threat Management (UTM) solution.	Council's Solution Architect finalised the technical requirements for the scope of the project which will incorporate a redesign of Council's network topology and security approach to facilitate ongoing hybrid working arrangements between office and home. Development of the tender pack for issue to market commenced.	75%	Manager, Information Management & Technology
	Procure and implement a strategic asset management software solution to improve analysis and business intelligence derived from data.	Workshops/briefings with both the Council and Executive Leadership Team (ELT) have been organised to confirm the final scope of the project for the improvement in the management of Council's \$2b assets, this is prior to running a procurement process for the purchase of a solution.  Further activities that have been conducted include the design and development of the architecture to align with the asset management strategy, policy and framework, and engaging the appropriate business units to document asset management processes and requirements.	75%	Manager, Change Management
	Implement a new Human Resource Management system which will reduce manual and repetitive tasks in the management and operation of HR and Payroll services and improve customer experience.	Quality assurance activities are complete. Organisation wide training and familiarisation is in progress for May cut over.	75%	Manager, Change Management
<b>1a.6 Progressively update medium term plans such as the Recreation Needs Study.</b>	Complete the suite of 10 year informing strategies by finalising the following strategies: - Social Inclusion & Diversity - Economic Development - Integrated Transport - Arts & Culture - Open Space & Recreation	The Integrated Transport, Open Space & Recreation, and Arts & Culture Strategies were adopted by Council in the September 2021 quarter.  The Inclusive Randwick Strategy was adopted by Council at the February 2022 Council meeting.  The Draft Economic Development Strategy was considered by Council at the February Council meeting and subsequently placed on public exhibition from 25 February - 25 March 2022.	75%	Business Strategist

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
<b>1b. Council is a leader in the delivery of social, financial and operational activities.</b>				
<b>1b.1 Demonstrate best practice and leadership in local government.</b>	Increase retention of new starters through the development of a recruitment framework and strategy.	A review and refresh of the recruitment and onboarding process is underway. Training and support for the recruitment function of the new HRMS is under development. LinkedIn is being leveraged for hard to fill roles.	75%	Manager, Human Resources
	Review flexible working procedures, setting out a clear framework for managing flexible working.	Extensive consultation with the workforce and leadership stakeholders has resulted in a trial of flexible working approaches.	75%	Manager, Human Resources
	Increase retention of high performing staff through a formal reward and recognition initiatives program.	Research continues into best practice reward and recognition offerings in similar and disparate industries, with analysis continuing on the applicability to Randwick's culture, values and engagement targets.	75%	Manager, Human Resources
	Enhancing the growth of our employees by embedding on the job training opportunities within the training plans of all staff.	All staff who participate in the annual performance review process discuss training plans and opportunities for the coming year. In the March quarter there were 21 training sessions held internally, with 518 staff in attendance. Additionally, 54 staff attended external training to support their development and there were 104 online course completions.	75%	Manager, Human Resources
<b>1b.2 Contribute to protecting the Council's reputation and enhancing its positive public image.</b>	Promote Council's achievements, programs, policies and projects across online and print media	Council published 29 online news stories in the quarter. We have increasingly embraced publishing more online news content relating to Council's projects, events and activities as a way of providing more information to the community, at a time when there is less local media.	75%	Manager, Communications
	Promote and protect Council's image through effective use of media and online communities, including monitoring and responding to enquiries effectively.	Council received 38 media enquiries this quarter. Topics ranged from the potential foil boarding ban on beaches, our Australia Day event, Meriton's plan to develop Little Bay, the Matraville Incinerator, rock fishing deaths and shark fatality at Little Bay, CCTV at La Perouse, DA processing times and the Coogee Bay Hotel development plans.	75%	Manager, Communications
<b>1b.3 Maintain a high performing workforce that is responsive to the needs of the organisation.</b>	Develop a 'fit for purpose' capability and learning framework.	The Capability and Learning Framework was endorsed by the Executive.	100%	Manager, Human Resources
	Develop and implement an internal communications plan.	The communications plan is up and running and uses all the platforms and mediums available to Council, including but not limited to Email, Newsletters, Staff Alerts, Tool Box Talks, Monitor Notice Boards, Team Meetings, GM Communications and intranet. As newer or more effective platforms are identified they will be incorporated into the suite of communication channels.	100%	Manager, Human Resources
<b>1b.4 Provide good governance and administrative support for the Council and organisation.</b>	Ensure the effective and efficient administration of Council meetings (and Local Government Election 2021) for the benefit of Councillors and the community.	Two (2) ordinary meetings and one (1) extraordinary Council meeting were held during the quarter. The two ordinary meetings were held at the Prince Henry Centre (at Little Bay) and the extraordinary meeting was held online. There were no disruptions to meetings, the ability of the public to address meetings or public access to meetings during this time.	75%	Manager, Customer & Compliance
	Ensure compliance with the Government Information (Public Access) Act 2009 and assist the community in obtaining access to appropriate Council information/documents.	418 informal Access to Information Requests were processed during the quarter, with 407 (97.4%) processed within five (5) working days. Two (2) formal GIPA Applications were processed during the quarter. Both formal applications were processed within the legislated 20 working days.	75%	Manager, Customer & Compliance
	Maintain transparency and accountability in the purchasing of goods and services and ensure compliance with purchasing procedures.	Transparency and accountability was maintained with procedures, processes, templates and reviews to ensure compliance with purchasing procedures. Procurement training and user assistance is ongoing.	75%	Manager, Customer & Compliance
	Manage Council's Insurance Renewal program.	Insurance renewals have been completed successfully with required amendments to coverage made.	100%	Manager, Customer & Compliance
	Manage Council's Claims Management program.	Council's claim management program is performing well and is on track.	75%	Manager, Customer & Compliance
	Monitor and evaluate performance of the Randwick Local Planning Panel in accordance with NSW Department of Planning Industry & Environment Guidelines.	The quarterly report for the Randwick Local Planning Panel has been submitted to the Department of Planning, Industry and Environment.	75%	Manager, Development Assessments

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
<b>1b.5 Effectively and efficiently manage financial operations, systems and information.</b>	Provide timely financial information, advice and reports to the community, the Council, senior management and staff.	Quarterly budget reviews, Investment, and Cashflow Reports were prepared and also reported as required to ARIC and Council.	75%	Chief Financial Officer
	Ensure all Financial Services' processes and procedures are timely and accurate in providing a high level of service to internal and external customers regarding rating, debtors, accounts payable, payroll, investments and cash management.	All financial services policies, procedures and legislative requirements were complied with. Key financial functions include rates, debtors, accounts payable, GST, FBT, investments, payroll and cash management.	75%	Chief Financial Officer
	Ensure the accurate levy, and collection of rates and charges, and provide appropriate payment options, including BPAY, Direct Debit, Australia Post, web based and in person.	Council continues to work with ratepayers that may be experiencing financial hardship and to develop payment arrangements that are tailored to individual financial circumstances. Council's relief interest waiver application process first adopted in July 2021 was extended to 30 June 2022.	75%	Chief Financial Officer
	Maximise returns of the Council's investment portfolio while minimising risk.	Interest rates are at historical lows with the official RBA cash rate remaining at 0.1% at the end of the March quarter. Council's investments are maintained in accordance with the adopted Policy. Investment Returns and Cashflows are monitored daily and have exceeded benchmarked and budgeted returns.  The Investment Reports for December and January were adopted by Council at the February ordinary meeting.	75%	Chief Financial Officer
	Manage outstanding debtors, ensuring overdue rates and annual charges remain below 15% and repayment plans are developed bringing Council's ratio back to benchmark within 3 years.	The majority of third rates instalment were paid within a reasonable timeframe (due on the 28 February 2022), with payments only slightly (<1%) behind the pre-COVID 4 year average. The third instalment overdue notices were issued on 22 March 2022 to 6,036 customers. The number of overdue customers was consistent with the overdue notices in the same 2020-21 period.	75%	Chief Financial Officer
	Deliver sound and practical short and medium-term forecasting and reporting, with robust data, efficient transaction processing, and effective management of risk, including: uncertainty and sensitivity analysis.	Monthly financial reports are prepared for Council in conjunction with quarterly budget reviews. The November 2021, December 2021 and January 2022 Monthly Financial Reports and the Quarterly Financial Report for December 2021, were endorsed by Council on the 22 February 2022. Budget Briefings were held on the week commencing 4 April 2022.	75%	Chief Financial Officer
<b>1b.6 Be recognised as providing quality internal and external customer service and call centre services.</b>	Develop a Customer Service Framework.	Development of the Customer Service Framework is on track.  Council received 17,014 service requests during the March quarter of which 86.6% were completed within the service level agreement timeframe. 30,767 phone calls were received via the call centre during this period of which 4.6% were abandoned. Council's target is to have fewer than 5% abandoned calls on average.	75%	Manager, Customer & Compliance

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
<b>1b.7 Continue to improve and implement business process systems and information technology infrastructure.</b>	Increase internal customer satisfaction in the delivery of information management and technology support functions to other business units of Council.	In the quarter 6232 requests were lodged with IM&T Services for support or service delivery (this is an increase of 25% from the previous quarter). Of these, 401 customers completed the voluntary survey, with 390 rating the service 'very good', 8 rating the service as 'good', and 3 rating the service as 'bad'. There were no ratings of 'very bad' during the reporting period.	75%	Manager, Information Management & Technology
	Perform a Penetration Test on Council's IM&T architecture and present the findings to the Audit, Risk and Improvement Committee alongside a remediation plan to address any vulnerabilities found.	There were no cyber security incidents in the reporting period.  The emphasis in the reporting period was the continued education of staff concerning the risks of email phishing and other impersonation attacks, with mandatory cyber security training assigned to all staff for completion in April 2022.	75%	Manager, Information Management & Technology
	Optimise the availability of Council's core infrastructure (datacentre and networks) during core business hours.	No unplanned outages were experienced in the core infrastructure during the reporting period.  Network equipment for sites including the Heffron Centre, Depot and Libraries has been placed on order. There are extensive delays for electronic equipment due to supply chain issues, so Council is now proactively ordering with long lead time items.	75%	Manager, Information Management & Technology
	Optimise Council's application portfolio through appropriate consolidation and transition of legacy systems and reduction of duplication.	Application optimisation activities conducted during the period include: (a) transition of the Administration Centre and Depot to Teams Telephony to remove dependency on the legacy Cisco telephone platform and integration into a single Teams experience; (b) decommissioning of the legacy cemetery database system; (c) simplification of the Smart Beach displays to reduce complexity and remove unneeded items; (d) implementation and testing of a new customer contact centre platform for launch in the forthcoming quarter; (e) continued preparation for the Human Resource Management System launch in the forthcoming quarter (May).	75%	Manager, Information Management & Technology
	Upgrade audio-visual communication technologies to support flexible staff working arrangements.	During the quarter additional meeting rooms at the Depot (Chifley and Matraville Rooms) were upgraded to incorporate Microsoft Teams.	75%	Manager, Information Management & Technology
	Review and rationalise Council's data holdings including online, physical, tape and archive through the adoption of an Information Management Lifecycle approach.	During the quarter, Council commenced the transition of tape based backup to cloud backup services to remove the requirement to maintain physical tape holdings. A pilot has been commenced to back up critical datasets to cloud storage. Analysis of the full backup requirement has also commenced to determine which data needs to be backed up to cloud service storage, and which data can adopt a shorter lifecycle.	75%	Manager, Information Management & Technology
	Undertake a review of governance practices in the Information Management and Technology Services Department to establish an adopted governance framework.	Work continued on Council's Application Management Policy suite and the development of an agreed IM&T forward schedule of works.	75%	Manager, Information Management & Technology

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
<b>1b.8 Provide a safe and healthy environment for employees, contractors and the community.</b>	Implement policies and procedures to support a culture of health and safety.	Work Health and Safety Policies and Procedures were reviewed, amended and implemented as required throughout this quarter.	75%	Manager, Customer & Compliance
	Effectively manage workers compensation and return to work.	Workers compensation claims and injury management was undertaken in line with Council's Return to Work Program, which is compliant with SIRA's return to work guidelines.	75%	Manager, Customer & Compliance
	Draft and implement a Wellbeing Plan.	Wellbeing plans were developed in response to specific and current wellbeing issues identified to be relevant for Council.	75%	Manager, Customer & Compliance
	Coordinate appropriate health checks relevant to effective business operations.	Council's annual skin check program was finalised in March 2022 with skin checks for all remaining staff that could not secure an appointment in December 2021.	75%	Manager, Customer & Compliance
	Adopt and implement the new Drug and Alcohol Policy.	Review and implementation of an amended Alcohol and Other Drugs Program was previously placed on hold during the pandemic. Now that restrictions have been eased, the policy review has recommenced.	10%	Manager, Human Resources
<b>1b.9 Support the community and organisation through the improvement and expansion of online systems and GIS mapping.</b>	Standardise the delivery of all spatial data and information services.	During the quarter two new staff were recruited and inducted into Council's GIS team to ensure continued service delivery during a period of staff parental leave.	75%	Manager, Information Management & Technology
<b>1c. Continuous improvement in service delivery based on accountability, transparency and good governance.</b>				
<b>1c.1 Apply the four-year Continuous Improvement Strategy within the organisation.</b>	Develop an effective Performance Management Framework through community consultation, research, strategic planning and business unit planning.	Through comprehensive business unit planning and the preparation of action plans for each of our seven informing strategies, we have developed clear performance indicators for our Draft 2022-2026 Delivery Program and 2022-2023 Operational Plan. These indicators track performance in delivering the outcomes of the community strategic plan AND delivering the day to day services and regulatory functions needed by our community.	75%	Business Strategist
<b>1c.2 Implement a systematic and structured approach to obtaining feedback from customers and managing existing data and information.</b>	Undertake regular customer satisfaction surveys and consultation activities to obtain feedback to help inform Council's activities.	Council's Customer Satisfaction Survey was undertaken in late 2021. The next one is due in 2023. Council commenced six consultation programs in the quarter.	75%	Manager, Communications
<b>1c.3 Proactively manage enterprise risks within Council's integrated risk management system.</b>	Implement Council's Enterprise Risk Management Framework which sets out Council's prioritisation and integration of Risk Management into the business and incorporates Council's risk appetite and tolerances.	Work continues with all business areas to support implementation of risk management against each area's Business Unit Plan and associated completion of operational risk registers.	75%	Manager, Customer & Compliance
	Inform the Audit, Risk and Improvement Committee (ARIC) of risks identified in Council's Enterprise Risk Management Framework to establish and implement internal audit priorities.	In the March quarter, work continued on identifying, analysing and recording operational risks across all business units, through the business unit planning process. The risk mitigations with the risk registers will be used to minimise risks throughout the organisation. A regular update report was presented to ARIC (25th March 2022).	75%	Manager, Customer & Compliance

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
<b>2. A vibrant and diverse community</b>				
<b>2a: Meet the needs of our diverse community and provide equitable access to social services and infrastructure.</b>				
2a.1	<b>Maintain a current understanding of our community's needs, and up to date information to support planning and program development.</b>	<p>Lead local services participation and partnerships, identifying emerging needs, service gaps and opportunities across target groups.</p> <p>The Eastern Sydney Youth Services Network (ESYSN) worked closely with services to gain an understanding and build strategies around school absenteeism in the LGA.</p> <p>The Inner &amp; Eastern Sydney Migrant Interagency IESMI worked closely with service providers to gain a better understanding of gaps in services in the Culturally and Linguistically Diverse (CALD) community.</p> <p>The IESMI Pathways to Employment working party is building on past knowledge to plan an event in October/November this year. International students will also be included in the programming.</p> <p>Information was shared via the IESMI google group about health information and participating in the SESLHD COVID-19 Community Organisations meeting for Priority Populations.</p> <p>The City of Sydney and Eastern Sydney Ageing and Disability Interagency continued to work closely with local services to identify the way forward in terms of the new aged care reforms and the impacts/implications on local services and agencies. A summary report from the Planning day held in October was written and circulated to members. In addition, Council facilitated discussions on outcomes from the planning day and the priorities and focus for the Interagency in 2022.</p> <p>Worked with City of Sydney and Waverley Councils to hold a forum on Social Isolation and Loneliness for the planned April Ageing and Disability Interagency meeting, with the view to explore ideas and practical actions for services to address social isolation and loneliness in older people, people with disabilities (PwD) and their carers at a local level.</p> <p>Worked closely with the Eastern Sydney Digital Inclusion Working Group to provide digital affordability and access to vulnerable cohorts including older people and PwD.</p> <p>The Eastern Suburbs Domestic Violence Network held a planning meeting to aid in development of a range of initiatives for 2022. Support was also provided for implementation of a film screening at NSW Parliament for the DFV bystander campaign 'We're Better Than That'.</p>	75%	Manager, Community Development
	Undertake a Social Needs Study to investigate and identify current and future social needs of the community.	The Inclusive Randwick Strategy was approved in February 2022.	100%	Manager, Community Development
2a.2	<b>Provide high levels of accessibility to the Council's community facilities and infrastructure.</b>	<p>Ensure that a range of user groups (hirers and class attendees) have fair and equitable access to our major multi-purpose centres (Prince Henry Centre, Randwick Community Centre, the Randwick Literary Institute and La Perouse Museum).</p> <p>The venues team continues to maintain and provide high levels of accessibility to Council venues. Following the reopening of venues in the December quarter, there has been a surge in hire enquiries for the Prince Henry Centre and Randwick Sustainable Classroom. There has also been growth in the amount regular hirers utilise these sites.</p> <p>In the March quarter, the La Perouse Museum has delivered 11 public programs and events, attended by 450 participants (excluding general visitation and exhibitions engagement).</p>	75%	Manager, Economic Development & Placemaking
	Ensure that user groups (hirers and class attendees) have fair and equitable access to all remotely managed community centres (9 venues).	Community centres are open and fully operational. Regular and casual hirers are hiring halls at pre-covid levels	75%	Manager, Customer & Compliance

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
2a.3 Support the different groups in the community to improve access to services and recreational activities.	Ensure Library culturally and linguistically diverse (CALD) collections reflect demographics and community needs in Randwick City.	In the March quarter we lent a total of 7408 items from our Chinese, French, Greek, Polish, Russian and Spanish Culturally and Linguistically Diverse (CALD) collections to customers. CALD books and materials for children are in high demand, with a total of 2782 items lent in this quarter.	75%	Manager, Randwick City Library
	Provide a range of culturally and linguistically diverse (CALD) programs and activities for a diverse community.	Smartphone and Tablet Basic Training for Chinese Speaking Seniors, English as a Second Language Book Club and English Conversation Classes (online only) continued during the March quarter.  Harmony Week (21- 27 March) celebrated the diverse culture and languages in our community. Storytimes in community languages featured Japanese, Portuguese, Mandarin and Spanish. Kids 0-5 were invited to dress up in costumes from around the world which offered a fun engaging way to learn about different customs and cultures. There were a number of international films screened throughout this week as well.  The library delivered 36 events/programs specifically for a culturally and linguistically diverse audience with a combined audience of 156.	75%	Manager, Randwick City Library
	Provide a range of age appropriate library collection items, programs and activities that are accessible and inclusive.	The library ran 135 events/programs both online and in person/face-to-face, with a total combined audience of 2525. 51 events/programs were held for children and youth with a 1006 combined audience, 81 events or programs were held for adults/seniors with a combined audience of 1048 and 36 events/programs were held specifically for a culturally and linguistically diverse audience with a combined audience of 156.	75%	Manager, Randwick City Library
	Assist people to understand consumer directed care and to exercise choice and control in choosing support services (disability and other).	Convened The City of Sydney and Eastern Sydney Ageing and Disability Interagency meeting in this reporting period, and developed and circulated a report to members from the planning meeting held in October. In addition, Council facilitated discussions on outcomes from the planning day and the priorities and focus for the Interagency in 2022.  Supported the Eastern Sydney Commonwealth Home Support Programme (CHSP) forum held in March, and facilitated focus groups on the new support at home program and the significant impact the aged care reforms will have on services in the region. Provided meeting proceedings to advocate for work to respond to issues experienced by local service providers.  Provided assistance, advice and referrals (primarily for community transport, home care, social support and exercise programs) to an average of 35 residents/services per month.  Continued to work with local agencies, such as SESLHD, Junction Neighbourhood Centre and Holdsworth Community, to reach isolated and digitally disadvantaged older residents, carers and people with disabilities living in social housing in the southern suburbs of Randwick City.	75%	Manager, Community Development

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
<p><b>Support the different groups in the community to improve access to services and recreational activities.</b></p>	<p>Work with local residents and/or their carers to improve their ability to negotiate within the service delivery system and to access relevant community services.</p>	<p>Implemented online events including 'Coping with change in challenging times' and 'Dealing with grief and loss' encouraging help seeking behaviours for residents experiencing grief and loss, anxiety, depression and loneliness.</p> <p>Held 3 x Mindfulness photography and art workshops in this reporting period to encourage residents, particularly carers, to access support programs and social inclusion activities offered by local community services.</p> <p>Held a community consultation for Aboriginal residents at Yarra Bay Oval in February to identify new inclusion actions for Council's Disability Inclusion Action Plan for 2022-2026.</p> <p>Hosted the annual Eastern Sydney Homeless Street Count.</p> <p>Co-ordinated and co-facilitated a staff online Lifestyle Lunch on homeless services with Department of Communities and Justice (DCJ) and Homeless Health Service, St Vincent's Hospital.</p> <p>Participated in COA Sydney's Seniors Week Expo in this reporting period. Promoted a range of services, programs, events and activities offered by Council to ensure older people and Carers are engaged and connected with their local community and can live safely and supported in their own home.</p> <p>Continued to provide individual support to residents and service providers to increase levels of service provision for residents and clients as required.</p> <p>Circulated information and resources to residents and local community groups to notify them of local events, new programs and support services, and grant opportunities.</p>	<p>75%</p>	<p>Manager, Community Development</p>
<p><b>2a.4 Provide improved opportunities for local Aboriginal and Torres Strait Islander people to access support services including employment, family support and recreational activities.</b></p>	<p>Assist local Aboriginal organisations to plan and deliver nationally significant events such as NAIDOC Week and Reconciliation activities.</p> <p>Ensure that the programs and activities delivered via the Lexo Hub address the identified needs of local First Nations people.</p> <p>Support community-based support agencies to plan and deliver services; and provide information to government program funding providers to assist them in meeting the needs of at-risk and/or vulnerable residents.</p>	<p>Planning underway for National Reconciliation week and NAIDOC Week.</p> <p>Promoted COVID booster vaccination campaign to the Aboriginal community residing in the LGA.</p> <p>Staff continue to work collaboratively with service partners; however, the ongoing pandemic has reduced the ability for external partners to provide direct services. A limited number of targeted programs continue to operate including the food security program, COVID vaccination and testing clinic, referral support and support with access to MyGov and Service NSW for at risk residents.</p>	<p>75%</p> <p>75%</p> <p>75%</p>	<p>Manager, Community Development</p> <p>Manager, Community Development</p> <p>Manager, Community Development</p>

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
2a.5 <b>Implement the social inclusion plan (An Inclusive Randwick) to reduce disadvantage and address regional gaps in service provision.</b>	Partner with the Eastern Sydney Youth Services Network (ESYSN) to implement programs and activities that support local young people and their families.	Recruitment is underway for the Youth Community Development Officer position - the person in this position will co-convene the ESYSN. Meanwhile the ESYSN met on 10 March with a focus on school attendance, especially in this post-COVID environment. The RCC rep has assisted to secure speakers for the May ESYSN which will focus on services available for young people with disabilities.	75%	Manager, Community Development
	Develop programs designed to connect and engage socially-isolated seniors within the comfort and security of their own homes.	Held online events including 'Coping with challenging times' and 'Dealing with grief and loss' in this reporting period. These events assisted older people, particularly those experiencing carer stress, to access available community support services.  Held a documentary film screening of 'Kusama: Infinity' in March exploring the life and art of contemporary Japanese artist, Yayoi Kusama. The film screening allowed older people, their carers, family members and friends to attend a free and accessible, local community event at the iconic Ritz Cinema in Randwick.	75%	Manager, Community Development
2a.6 <b>Implement grants programs in accordance with the Council's guidelines to enhance services that meet community needs.</b>	Administer our Community Investment Program including the funding streams: Community Connect, Community Creative, Community Partnerships, Community Contributions and Community Sustainable.	In the February 2022 Round of Community Creative and Community Connect, 9 Community Connect applications and five Community Creative applications were approved for funding totalling \$77,570. Grantees continued to deliver projects from the October round of Community Creative and Community Connect.	75%	Manager, Community Development
	Administer the Randwick ClubGrants NSW on behalf of participating clubs.	Council administered the club grants program with participating clubs in the September quarter. A total of \$330,820 was distributed to community organisations.  Applications are currently open for the Randwick ClubGRANTS 2022 funding round. The closing date is 13 May at 5pm.	100%	Manager, Community Development
<b>2b: Strong partnerships between the Council, community groups and government agencies</b>				
2b.1 <b>Provide support for resident precinct committees, local chambers of commerce and combined service clubs.</b>	Attend meetings and provide information and support for Resident Precinct Committees, local business associations, and combined service clubs on request.	All economic development information requests were addressed. Precinct and RSL Club meetings were attended when required.	75%	Manager, Economic Development & Placemaking
	Provide meaningful and relevant opportunities for community participation through face to face engagement activities such as Precinct meetings and other opportunities.	15 Precinct meetings were held over the quarter, with most being held online via zoom. Precincts are progressively moving back to face to face meetings as COVID restrictions are lifted. Council staff attended several precinct meetings to present on various projects. The Economic Development team has been having face-to-face meetings with shop owners at Maroubra Beach discussing the McKeon Street activation.	75%	Manager, Communications
	Host four Precinct Coordination Committee Meetings.	One Precinct Coordination Committee meeting was held online in February 2022 where the General Manager presented the Council's priorities for the coming year and the make-up of the new council following the December 2021 elections.	75%	Manager, Communications

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer	
2b.2	<b>Partner and implement joint projects with community groups and government agencies to achieve improved service coordination and value for money outcomes in the region.</b>	Continue to manage and activate the Lexo Hub facility in providing accessible space for community service providers for the delivery of health, wellbeing and social welfare services.	Staff continued to oversee operation of The Hub@Lexo and work collaboratively with external service providers and partners. The easing in COVID restrictions has allowed for an increased number of health, wellbeing and social welfare activities to be delivered face-to-face by external service providers and partners. The Hub staff continued to work with Kirketon Road Centre (KRC) to deliver a weekly COVID and fluvax clinic for housing residents and people experiencing homelessness. The Hub commenced a partnership with The Salvation Army to deliver a BBQ fortnightly, and also with The Shack to deliver a weekly Youth Program.	75%	Manager, Community Development
	Actively engage in the Interagency Group for the 're-enablement' of services and agencies that support Randwick City.	Convened the City of Sydney and Eastern Sydney Ageing and Disability Interagency February meeting, which showcased the way forward and local priorities for 2022.  Supported the Eastern Sydney CHSP forum in March, and facilitated discussions around the new aged care reforms and the impact of these on providers.  Supported the Eastern Sydney Suicide Prevention Network meeting and commenced planning an associated suicide prevention awareness raising event for September.	75%	Manager, Community Development	
	Work with the La Perouse Aboriginal Land Council to identify areas for partnership to support our local First Nations people.	Continued to facilitate discussions with the La Perouse Local Aboriginal Land Council to identify programs and projects that support current Aboriginal concerns. Co-chaired the La Perouse Non Government Network meeting.	75%	Manager, Community Development	
	Partner with key community service providers to deliver: primary and early intervention programs which may include domestic and family violence; youth and family programs; aged and disability programs; and multi-cultural campaigns and activities.	Hosted the Eastern Sydney Annual Homeless Street Count in this reporting period.  Co-ordinated and co-facilitated a staff Lifestyle Lunch online-event to raise awareness of local homelessness services in partnership with DCJ and Homeless Health Service, St Vincent's Hospital.	75%	Manager, Community Development	
	Participate in a range of contracts for goods and services run by industry aggregators e.g. SSROC, LGP and Procurement Australia.	Participated in the SSROC tender for Tree Maintenance and the Procurement Australia contract for Commercial Furniture.	75%	Manager, Customer & Compliance	
	<b>2c: New and upgraded community facilities that are multipurpose and in accessible locations</b>				
2c.1	<b>Implement the Community Facilities Plan as per identified priorities.</b>	Plan for community facilities under the Our Community Our Future Program such as the Southern Suburbs Youth Facility, Snape Park Amenities Upgrade and Coogee Beach Bus Shelter. Also plan for and construct toilet facilities such as the Malabar Pool Amenities and Dunningham Reserve Amenities.	Feasibility planning is in progress for Southern Suburbs Youth Facility, Snape Park Amenities, Coogee Bus Shelter, Malabar Pool Amenities, Burrows Park Amenities and Heffron Park Criterium. Planning is also underway on Dunningham Reserve Amenities.	75%	Coordinator, Major Projects

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
<b>2d: Our cultural diversity is appreciated and respected.</b>				
2d.1	<b>Implement A Cultural Randwick City.</b>	Deliver Council's annual program of cultural events.	75%	Manager, Economic Development & Placemaking
2d.2	<b>Deliver and/or sponsor a range of events to promote a sense of community.</b>	Support community groups in their delivery of events that promote a sense of community.	75%	Manager, Economic Development & Placemaking

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
<b>3. An informed and engaged community</b>				
<b>3a. Effective communication methods and technology are used to share information and provide services.</b>				
<b>3a.1 Provide information to the community on the Council's services and activities using effective communications methods.</b>	Develop and implement effective and targeted communications plans and products for the Council and its services and activities.	During this quarter we implemented 17 Communications plans. Plans included the Australia Day event and Citizenship ceremony, Marine and Coastal Discovery, Summer in Randwick, Women's Art Prize entries, Randwick Alfresco, Lunar New Year, Mardi Gras, Women's Day Art exhibition, The Spot Festival, Plastic Free Randwick, Blenheim House artist EOI, the protection of native fauna, Sydney Film Festival 2022, Mahon and Malabar pools coping, Bushcare volunteers, Anzac Day and Heffron Centre construction.	75%	Manager, Communications
	Produce high quality graphics to support and enhance the Council's business.	Council designed over 128 items across social, digital and print channels in the last quarter. This included consultation material for Barwon Park and Snape Park outdoor gym, the Fitzpatrick playground upgrade, Economic Development Strategy consultation and the Dunningham Reserve toilets. We produced the Autumn edition of SCENE magazine. We designed various Draft Strategy reports for council meetings and public exhibitions. We produced a range of material for events and activations for Australia Day, Lunar New Year, Randwick Al Fresco, The Spot Festival, Mardi Gras, The Twilight Concerts, Woman's Art Prize Competition, Plant with Us, French Explorers Exhibition and celebrating one year of FOGOing!	75%	Manager, Communications
	Manage and use Council's banner poles as an outdoor communication medium.	We used our street banners to communicate with the community and celebrate our City and country. We flew 'Summer in Randwick' banners and 'Australia Day' banners. We also used our banners to show the diversity of our community, flying Lunar New year banners across our City, Mardi Gras Banners and International Women's Day banners. At the end of March we showed our support for local NRL teams by flying Rabbitohs and Roosters banners.	75%	Manager, Communications
	Produce appropriate video content for use on Council's digital channels.	12 videos were produced in-house, which includes the fortnightly Mayoral video included in e-news as well as a celebration of the first year of FOGO. One video to promote our Anzac Day event was produced externally. This was screened at the Ritz Cinema in the lead up to the event.	75%	Manager, Communications
	Research and write quality speeches for Council representatives as required.	The following 8 speeches were prepared for the Mayor: Australia Day event, Citizenship ceremony, Lunar New Year celebration, the Mardi Gras community event, Women's Art Prize ceremony, The Spot Festival, Sydney Multicultural Community Services Seniors Carnival and the opening of the French Explorers exhibition.	75%	Manager, Communications
	Produce regular print and electronic newsletters to inform and engage the community about Council activities, events and projects.	13 issues of enews were sent during this quarter. Our open rate is high - reaching above 40% on average each month. Our click rate has decreased a little, to an average of 12% this month. The most popular stories for the quarter were: Your Rubbish Collection Calendar (1800 clicks); Australia Day Community Award winners (1600clicks); New Mayor and Deputy (1500 clicks).	75%	Manager, Communications
	Promote and disseminate information to vulnerable people and communities to improve access to services, support and inclusion activities.	Continued to disseminate information to support services, interagencies, networks and individuals to support access to critical services both formal and informal for marginalised, excluded and vulnerable residents and clients.  Held Disability Inclusion Action Plan (DIAP) community consultations with Aboriginal community members at Yarra Bay Oval. The community consultation process for Council's new DIAP for 2022-2026 was finalised in February and a consultation outcome summary report was written and made available to participants on request.	75%	Manager, Community Development

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2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
3a.2	<b>Ensure that the Council's website provides an accessible and usable interface between the Council and the community.</b>	Continue to ensure compliance with web content accessibility standards.	75%	Manager, Information Management & Technology
		Simplify the means of capturing data from customers.	75%	Manager, Information Management & Technology
		Ensure that the Library subsite and social media channels provide timely, engaging and relevant information.	75%	Manager, Randwick City Library
3a.3	<b>Implement technological solutions that support the development of services and resources and meet the needs of the community.</b>	Continue to provide innovative hardware, software and web solutions to library customers and staff.	75%	Manager, Randwick City Library
		The Library's software used for managing computers and study room bookings was upgraded to allow staff to manage all services through the one portal.		
		The Library's online children's story telling platform (Storybox) is now available as an app for iOS and android, allowing users to personalise their experience.		
<b>3b. The community has increased opportunities to participate in decision-making processes.</b>				
3b.1	<b>Develop opportunities for community input into the Council's decision-making processes.</b>	Use social media to help the community be part of the decision-making process, respond promptly to enquiries and to connect with the community about Randwick City's projects, events and activities.	75%	Manager, Communications
		Develop and implement consultation plans to support the delivery of Council's projects.	75%	Manager, Communications
		Audit and review the function of Council's Advisory Committees, including Terms of Reference, objectives and vision.	50%	Manager, Community Development

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer	
<b>4. Excellence in urban design and development</b>					
<b>4a. Improved design and sustainability across all development.</b>					
4a.1	<b>Require a high standard of design quality and sustainability in new development in line with Council's policies.</b>	Undertake research to inform development of the updated comprehensive Development Control Plan.	Research and analysis continued in the March quarter in relation to draft controls for the comprehensive DCP with priority being given to drafting residential and sustainability controls.	75%	Manager, Strategic Planning
4a.2	<b>Promote and recognise design excellence and sustainability through events or other activities.</b>	Initiate and facilitate the Architecture Talks 2021 event.	Recordings of talks held in 2021 have been uploaded on Council's website. No further Architecture Talks are scheduled in the current financial year.	100%	Manager, Strategic Planning
<b>4b. New and existing development is managed by a robust framework.</b>					
4b.1	<b>Develop and implement effective processes and strategies to manage the impact of new and existing development.</b>	Determine DAs efficiently and in accordance with the provisions of the LEP and DCP.	Statistics for the quarter are detailed below: Applications Lodged: 203 Applications Determined: 216 36.46% of DAs were determined within 40 days 53.47% of DAs were determined within 60 days The net median is 60.93 days	75%	Manager, Development Assessments
4b.2	<b>Monitor provisions of the LEP and DCP to ensure relevancy and delivery of good design outcomes.</b>	Report and exhibit new housing investigation areas as part of the draft comprehensive LEP.	In late January 2022 Council officers briefed the Independent Planning Panel (IPC) on Council's position as to why it should support a review of Gateway conditions. The IPC handed down its advice to the Department of Planning and Environment (DPE) in early February 2022 supporting one of the three matters presented by Council. In March 2022, DPE amended the Gateway Determination. A report outlining the Gateway alteration was considered by Council on 22 March 2022. At this meeting Council resolved that the Planning Proposal be presented to the April Council meeting for consideration.	75%	Manager, Strategic Planning
<b>5. Excellence in recreation and lifestyle opportunities</b>					
<b>5a: Maximise opportunities for residents and visitors to enjoy both active and passive open space uses.</b>					
5a.1	<b>Progressively update plans of management, in accordance with an established priority list and the Recreation Needs Study, focusing on active and passive recreation opportunities.</b>	Undertake high priority Plans of Management for Coastal and Beachside reserves (including Coogee Beach and Clovelly Beach).	The Maroubra Beach Plan of Management is being developed. An enhanced consultation plan, which includes specific consultation with Youth Groups and a workshop with Councillors, is planned for implementation in the next quarter.  A draft of the Generic Plan of Management has reached 100% completion.	75%	Manager, Technical Services
5a.2	<b>Continue work towards creating a continuous Coastal Walkway from Clovelly to Botany Bay as detailed in the Recreation Needs Study.</b>	Design and document a coastal walkway route around Lurline Bay.	The project has been deferred to 2022-23.	0%	Manager, Technical Services

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
<b>5b: Facilitate a range of sporting and leisure activities.</b>				
<b>5b.1 Introduce and maintain a diverse range of programs to increase attendances at Des Renford Leisure Centre from year to year.</b>	Deliver fitness programs that meet the community's needs, and explore alternative delivery methods to address environmental factors that serve as barriers to people exercising.	The DRLC gym and group fitness programs continue to rebuild following the closure from July-October 2021. In addition to delivering a wide variety of in-person fitness programs and aerobics classes, the team at DRLC has recently brought back online workouts that are uploaded weekly on social media. This ensures those unable to enjoy the benefits of training at DRLC, are still able to exercise from home.  The attendance at DRLC continues to steadily recover as it heads back towards pre-COVID numbers.	75%	Manager, Public Safety & Aquatic Services
	Continue to review and maintain DRLC facilities to ensure the Centre remains an industry leader.	DRLC continues to be well-maintained, through stringent reporting procedures and regular cleaning and maintenance audits.  Exceptionally large rainfall and storms across the January-March period tested the DRLC buildings and surrounding structures, with any damage being attended to promptly.  Opportunities to improve the centre are constantly being reviewed, with the Splash Park and Pool Blanket replacement projects well underway.	75%	Manager, Public Safety & Aquatic Services
<b>5b.2 Implement open space plans of management with a focus on multi-uses such as the Heffron Park Plan of Management.</b>	Process applications for activities on public land incorporating relevant assessment criteria and complying with service level agreements.	Event applications were assessed and approved within service levels.	75%	Manager, Technical Services
	Implement actions arising from the Open Space & Recreation Strategy 2021.	The planning of Fitzpatrick Park and Coral Sea Park playgrounds has been substantially completed.  The planning for a new synthetic sports field at Coral Sea Park was completed and was endorsed by Council for construction.  Cycling facilities are planned for on road and on shared paths within parks. Pop up pedal parks are being planned.  Upgrades are being planned at DRLC.  General park upgrades including new seats, signs and water fountains have been installed to improve our open spaces generally.  The planning for the upgrade of the criterion at Heffron Park is underway.  Planning for the rehabilitation of Malabar and Mahon rock pools is underway.  Master Planning is underway for Maroubra Beach coastal reserves.  A draft Generic Plan of Management for community land has been completed and will be presented to a councillor briefing prior to endorsement by Council for public exhibition.	75%	Manager, Technical Services
	Construction of new outdoor gyms at Snape Park and Barwon Park.	These projects are presently at the Community Consultation phase.	20%	Manager, Infrastructure Services
	Upgrade of the playground at Fitzpatrick Park, Kensington.	Development of the documentation for the playground is progressing and has reached 50% stage.	75%	Manager, Technical Services
	Construct a new synthetic field at Coral Sea Park.	Tender has been completed and Council has resolved to proceed with Contract award. Contract documents have been drafted and issued for execution. Construction commencement is anticipated for late May/ early June and is dependent on separate drainage works at the park being complete.	60%	Manager, Infrastructure Services

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer	
<b>5c: Create new open space as opportunities arise.</b>					
5c.1	<b>Advocate for public access to the remaining Commonwealth land at Malabar Headland.</b>	Negotiate with Commonwealth and State Governments for community access to Malabar Headland.	Continued to liaise and monitor public access arrangements to the headland with Commonwealth and State Agencies.	75%	Manager, Strategic Planning
5c.2	<b>Plan and advocate for public open space and connections in major urban renewal and infrastructure projects.</b>	Review major proposals to optimise delivery of open space and recreation opportunities.	Open space and recreation draft provisions were included in the Comprehensive Planning Proposal to require major projects to give regard to the provision of and access to open space. An Information sheet was prepared as part of the exhibition package.  Council made a submission to the Greater Sydney Parklands Bill raising concerns about the proposed governance arrangements and finance mechanisms.  Council also made a submission to the Centennial Ponds Plan draft strategic framework highlighting the need for the Plan to ensure ongoing community access to the ponds, support for tree replacement and expansion and strengthening of green grid connections.	75%	Manager, Strategic Planning
5c.3	<b>Optimise the urban interface with the Light Rail.</b>	Finalise the documentation and construction of the Waratah Avenue Street Plaza.	The design of the public plaza has progressed to 95% complete.	75%	Manager, Technical Services
<b>5d: Library programs, resources and facilities provide innovative and inspirational opportunities for education and leisure.</b>					
5d.1	<b>Improve and develop library facilities, services and resources ensuring their ongoing relevance to the community.</b>	Continue to provide innovative programs and services for children and families.	51 events/programs were delivered for kids and youth with a combined audience of 1006. The majority of events for children were delivered onsite (in person).  Three Summer Storytime Trail events were delivered in outdoor community locations.  The summer school holiday program was somewhat interrupted by the increased Covid cases as facilitators were unable to attend.  Spark in the Park for Feb and March received over 200 bookings each however, both were cancelled due to inclement weather.  The weekly Monday Makers and a new 3D printing club for a youth audience commenced.  For Harmony Week, the Library held a week of storytimes in community languages such as French, Mandarin, Japanese and Portuguese. Children had the opportunity to dress up in traditional costumes from around the world.  A regular monthly Play Workshop was established in the March quarter, where families with young children were invited to drop in to play with a carefully curated selection of toys from the Toy and Game Library. The workshop encouraged new memberships and provided an opportunity for children to have some free fun out of the inclement weather conditions.	75%	Manager, Randwick City Library
		Acquire new physical and digital items for the Library collection that are reflective of community trends, meet user expectations and are relevant to the community.	The Library's online children's storytelling platform Storybox is now available as an app for iOS and android, allowing users to personalise their experience.  There were 3292 new physical items received into the collection and 2679 new items were catalogued and available for loan	75%	Manager, Randwick City Library
		Ensure that all facilities, services and resources of Randwick City Library meet community demand, expectations and relevance through a high level of patronage and usage.	Across the Library Service during the January to March 2022 quarter, there were 161,239 loans, 64,452 visits and 2,525 new memberships recorded. There were 15,824 eBook loans, 12,623 eAudio loans, and 6,312 eMagazine loans. The Library's film streaming service had 3,348 films played. There were 8,621 total wifi sessions, 8,614 sessions of public PC usage, and 606 study room bookings. Self-checker usage was 67,111 for both loan and renewal.	75%	Manager, Randwick City Library

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
<p><b>Improve and develop library facilities, services and resources ensuring their ongoing relevance to the community.</b></p>	<p>Continue to develop and deliver programs supporting digital learning and social inclusion for seniors.</p>	<p>The following programs were delivered online to encourage social integration and opportunities for lifelong learning for all adults, some were specifically hosted for senior library members: Author talks, Ukulele strumming session, and Tai Chi. Talking Tech event topics in the March quarter featured: Photography with your Phone and a workshop to sort digital photos.</p> <p>The Tech Connect one-on-one service delivered by library volunteers recommenced. Library members signed up for specialised technical assistance with their own device.</p>	75%	Manager, Randwick City Library
	<p>Provide regular and pop-up community outreach through the Spark Library Outreach vehicle and activities such as the School Visit program.</p>	<p>The Library participated in the Spot Festival and attracted many patrons with toys and games and simple craft and colouring in.</p> <p>The Library's monthly Spark in the Park events received over 200 registration per event however, they were unable to proceed due to inclement weather conditions.</p>	75%	Manager, Randwick City Library
	<p>Continue to improve physical facilities of Randwick City Library by enhancing the façade of Lionel Bowen Library.</p>	<p>Specifications for the design are being finalised and Council will be able to go to Tender for the installation shortly.</p>	75%	Manager, Randwick City Library
	<p>Replace carpets on level 2 at Lionel Bowen Library.</p>	<p>The carpet has been ordered and will be installed by the end of the financial year.</p>	75%	Manager, Randwick City Library
	<p>Activate The Third Space, a lifelong learning space on Level 3 of the Lionel Bowen Library, and implement a plan of activities and workshops.</p>	<p>A regular Monday Makers session and 3D printing club was established in the March quarter. School holiday programming such as Wall Mounted Unicorns and badge making creative classes also took place.</p> <p>Further development of the space included installation of a new ceiling, large TV and cabinetry fixed to the walls for project display.</p>	75%	Manager, Randwick City Library
	<p>Produce an integrated, community-focused marketing plan and calendar of events for the library that reflects community needs and interests.</p>	<p>A survey to evaluate the author talk program and gauge community appetite for special author talks with refreshments was released. Results indicate that for the right author/topic the community is interested. We are now trailing this.</p> <p>Our initial trial event was provided free of charge to ensure access to renowned speaker Wendy McCarthy.</p>	75%	Manager, Randwick City Library

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
5d.2	<p><b>Continue to provide a community hub for education and leisure activities.</b></p>	<p>Provide the community with facilities and opportunities through the library for lifelong learning and social integration.</p> <p>The Summer Storytime Trail proceeded with success attracting 210 participants over three days at three different locations (Kensington Park, Randwick Community Centre and La Perouse Museum).</p> <p>The school holiday program featured an Animation workshop for Y3-6 students, Monday Makers Catapult Creations, Robogals Sound of Colour and Robot Rescues, CSO forensics, Recycle Ocean Plastics Workshop, and Wearable Circuits. The combined audience was 115 across all school holiday program events.</p> <p>Babies and Bop and Kids' Club continued onsite each Wednesday at Lionel Bowen Library from end January (following school holidays).</p> <p>A new weekly 3D printing club for young adults (Third Space initiative) and a monthly Come and Play for babies - 5 yr olds (Toy and Games library initiative) was established.</p> <p>The monthly Spark in the Park events were scheduled (achieving over 200 bookings for each), but were cancelled due to inclement weather.</p> <p>A Tai Chi 8 week program was delivered in a hybrid format with a portion of the participants attending in person and the majority online. Participants at home enjoyed this format as they felt they were in room getting instructed with others even though offsite.</p> <p>An Author Talk with Ben Quality was produced by Woollahra with support from Waverley and Randwick City Library. It was delivered online due to Covid risk.</p> <p>Harmony Week (21- 27 March) celebrated the diverse culture and languages in our community. Storytimes in community languages featured Japanese, Portuguese, Mandarin and Spanish. Kids were invited to dress up in costumes from around the world which offered a fun engaging way to learn about different customs and cultures. There were also several international films screened throughout this week.</p> <p>The following programs were also delivered to provide the community opportunity to connect and socialise: Crafternoon Fridays(monthly), Ukulele intermediate strumming club, English Conversation Classes, and Talking Tech for digital inclusion.</p>	75%	Manager, Randwick City Library

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2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer	
<b>6. A liveable City</b>					
<b>6a: Our public infrastructure and assets are planned, managed and funded to meet the community expectations and defined levels of service.</b>					
<b>6a.1</b>	<b>Continue asset management planning to deliver infrastructure assets that ensure intergenerational equity and meet Council's obligations as the custodian of our community's assets.</b>	Continue to collect and collate asset management data to ensure accurate and timely decisions in support of best management of Council's assets.	Collection of drainage condition assessment data is underway. Footpath condition assessment is being planned.	75%	Manager, Technical Services
<b>6a.2</b>	<b>Conduct programmed infrastructure and asset maintenance management in accordance with adopted service levels.</b>	Implement the Road Rehabilitation Program as part of the Capital Works Program.	The program has commenced and is progressing as per schedule.	75%	Manager, Technical Services
		Maintain drainage infrastructure (kerb and gutter, drainage pits and gross pollutant traps).	Road Services completed 134 drainage requests, at 98% within the SLA, and 133 clear culvert/pit requests at 65% within SLA during the quarter.	75%	Manager, Infrastructure Services
		Maintain open space areas (parks, sports fields, gardens, streetscapes and cemeteries).	Scheduled maintenance within parks, sports fields and other public areas has been affected by wet weather and storms. The conditions have increased the rate of plant growth, restricting maintenance efforts and diverted resources towards emergency situations. In addition, staff and contractors have been affected by positive covid cases.  Open Spaces Services received 666 requests from the community regarding a variety of issues including nature strips, park maintenance, water services and streetscape gardens, 82% of these requests were completed within the nominated service level timeframe.	75%	Manager, Infrastructure Services
		Maintain building facilities (amenity buildings, community centres, boardwalks and park furniture).	The Trades section has completed 73% of logged maintenance requests within the SLA for buildings, libraries, community centres, park facilities, open space fencing and open space/street furniture. 438 requests were made in the March quarter.	75%	Manager, Infrastructure Services
		Maintain road pavement infrastructure (pot holes and large surface repairs, line markings and signage infrastructure).	Road Services completed 64 road pavement repairs at 89% within SLA, 425 pothole requests at 72% within SLA, 213 sign requests at 100% within SLA and 26 line marking requests at 85% within SLA during the quarter.	75%	Manager, Infrastructure Services
		Maintain and repair footpaths, including the rectification of uneven surfaces.	Road Services completed 254 footpath repairs at 82% within SLA and 25 kerb and gutter repairs at 88% within SLA during this quarter.	75%	Manager, Infrastructure Services
		Implement the Building Capital Maintenance Program.	The Trades section is on track to complete 100% of the Capital Maintenance Program for 2021-22	75%	Manager, Infrastructure Services
		Implement the Footpath Construction and Renewal Program, including access kerb ramps, as part of the Capital Works Program.	The 2021-22 Footpath Construction and Renewal program is progressing well. 61 projects (with a total value of \$3.60M) have been completed, and a further 3 projects valued at \$0.13M are in progress.	95%	Manager, Infrastructure Services
		Manage Council's Property Portfolio.	Tenanted buildings are occupied under either lease or licence agreements which detail each party's responsibilities for asset maintenance. Reactive repairs were recorded in Smartclient and actioned in line with service level agreements.	75%	Manager, Customer & Compliance

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
6a.3 Implement and complete major projects in the Our Community our Future Program.	Commence construction of the Heffron Centre under the Our Community Our Future program.	Works are progressing on site, despite disruptions due to rain. 70% of the structure has been placed and the showcase field is progressing through detailed earthworks. Most inground services have been installed.	75%	Manager, Infrastructure Services
6a.4 Prepare and implement a Smart City Strategy for the delivery of improved services and take advantage of technological opportunities.	Continue to investigate opportunities to improve lighting across the Randwick LGA and use new technologies such as intelligent lighting to improve on efficiency in our indoor and outdoor facilities including parks, playgrounds, beaches and all buildings owned/operated by Council.	The replacement of legacy lighting with LED street lights has been completed. New lighting technologies including solar lighting have been assessed and included in projects where deemed suitable. Council endorsed the rollout of the LED lighting for main roads program.	75%	Manager, Technical Services
6a.5 Consider opportunities for the restoration of the La Perouse Museum and improved access.	Manage the restoration of the La Perouse Museum (including the master plan and re-build).	Consultation with the First Nations community using an external consultant continued, with a report issued to Council in late March. A letter was sent to the Minister of the Environment regarding the long-term lease and seeking long-term ownership of the Cable Station. The outcomes from both initiatives will inform the next steps for the La Perouse Museum restoration and upgrade project.	75%	Manager, Economic Development & Placemaking
<b>6b: Our centres, beaches, streets and other public places are safe, inviting, clean and support a recognisable image of our City.</b>				
6b.1 Conduct public place cleaning in accordance with adopted service levels.	Ensure business centres, public places and beaches are cleaned to agreed service levels.	Waste and Cleansing Services have continued to meet scheduled cleaning of public spaces at beaches and business centres. The recent weather conditions have impacted on the teams workload particularly along the coastline, however, staff have worked hard to minimise the impact on residents and visitors.	75%	Manager, Waste & Cleansing Services
<b>6c: The safety of our community is paramount and is acknowledged and supported through proactive policies, programs and strategies.</b>				
6c.1 Implement actions identified in the Council's crime prevention and community safety plan (A Safer Randwick City) to reduce anti-social behaviour and foster a safer city.	Monitor and maintain infrastructure at risk of vandalism within Randwick City.	Graffiti removed during this period was 1708 square metres.	75%	Manager, Waste & Cleansing Services
	Collaborate with the community, key service providers and agencies to reform the Community Drug Action Team (CDAT) and deliver harm minimisation programs and awareness raising projects.	A youth info card was developed in collaboration with other local Councils for distribution during youth week. The card provides crisis numbers for young people in the Eastern Suburbs.  Harm minimisation programs have been incorporated into Community Development programs.	75%	Manager, Community Development
	Develop partnerships with police, government agencies, community organisations and individuals to promote community safety and inhibit the causes of crime and anti-social behaviour.	Council staff have attended all meetings of the Eastern Beaches Liquor Accord and UNSW Crime Prevention Partnership. Council officers continue to liaise with NSW Police on operational matters as required.  Staff also attended an SES Water Safety Committee Meeting to work with members and Surf Life Saving NSW to recruit and train community members for the South East Sydney Bilingual Water Safety Volunteers Program. This program assists in keeping CALD community members safe when using our beaches.	75%	Manager, Community Development

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
6c.2 Educate the public on surf and water safety.	Implement surf and water safety education programs to a minimum of 20 schools, and continue to develop online delivery options to increase accessibility.	With COVID restrictions easing and the 2021-22 beach season nearing an end, Council is now able to contact local schools and community groups interested in Randwick Council beach lifeguards delivering the Surf & Water Safety program. The quiet off-season is traditionally the best time to deliver the program to primary school children in preparation for the busy upcoming beach season.  The lifeguards will recommence delivering a COVID safe Surf & Water Safety program to a minimum of 20 schools and community groups from early 2022-23.	40%	Manager, Public Safety & Aquatic Services
	Grow the library of pre-recorded water safety tutorials in various languages, further expanding Council's current water safety offering.	The busy 2021-22 beach season brought a halt to the development of pre-recorded water safety tutorials. Now that the season is nearing an end, work can recommence.	50%	Manager, Public Safety & Aquatic Services
6c.3 Implement effective regulatory and compliance services and programs to maximise public health and safety in Randwick City.	Implement a food safety inspection program, and other regulatory programs.	Council's Environmental Health Officers have resumed their inspection program for food businesses and carried out 419 primary inspections and 40 reinspections in the January to March quarter.  In the January to March quarter, Council's Health, Building & Compliance Officers actioned 347 customer service requests, issued 106 Notices/Orders, determined 165 local approvals applications, conducted 52 swimming pool inspections and 74 fire safety-related inspections.	75%	Manager, HB&RS
	Maintain bacterial and chemical parameters at Des Renford Leisure Centre (DRLC) in compliance with NSW Health guidelines for pool and recycled water quality.	During the January to March quarter, the DRLC pools remained operational with water quality being tested daily and maintained at all times. DRLC pools remained 100% compliant with NSW Health guidelines for pool water quality during this period.	75%	Manager, Public Safety & Aquatic Services
6c.4 Implement the Road Safety Action Plan.	Implement road safety behavioural projects to address pedestrian safety, speeding and drink driving.	Implementation of the Road Safety Action Plan is ongoing, with a number of activities completed.	75%	Manager, Integrated Transport
<b>6d: A strategic land use framework provides for our lifestyle changes and for a continuing, yet steady rate of growth across our City.</b>				
6d.1 Review and implement the strategic land use framework in line with urban renewal projects, Regional and District Plans.	Complete housing investigation areas and residential zone reviews as identified in the Housing Strategy.	Exhibition material and engagement activities were prepared during the quarter for the housing investigation areas and dual occupancy subdivision provisions.	75%	Manager, Strategic Planning
6d.2 Continually monitor and update the strategic land use framework for continual improvement.	Exhibit and complete the comprehensive LEP review.	The Comprehensive Planning Proposal Gateway review outcome was reported to the March Ordinary Council meeting. At this meeting Council resolved that the amended Planning Proposal be presented to the April Council meeting.	75%	Manager, Strategic Planning
6d.3 Ensure equitable and timely implementation of the s94A Contributions Plan and monitor the work program to enhance infrastructure and services.	Prepare and exhibit an updated Infrastructure Contributions Plan.	Council's submission on the Infrastructure Contributions Bill was reported to the 22 March Ordinary Council meeting. Council resolved to endorse the submission to the State Government with the inclusion of additional matters relating to the impacts of the Bill on Council's financial position and allocation of local contributions to deliver state infrastructure.	75%	Manager, Strategic Planning

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer	
<b>6e: Enhance housing diversity, accessibility and adaptability to support our diverse community.</b>					
6e.1	<b>Provide for enhanced adaptability and accessibility of housing.</b>	Continue to provide the Home Maintenance and Modification program.	311 combined Home Maintenance & Modification jobs were completed this quarter from 113 referrals. Numbers are down slightly due to COVID. Many of the completed jobs were large - requiring more time and manpower.	75%	Manager, Community Development
6e.2	<b>Update and implement Council's Affordable Housing Strategy and Action Plan to facilitate new and retain existing affordable housing.</b>	Prepare and exhibit an Affordable Housing Plan for urban renewal areas.	An information sheet has been finalised for the Comprehensive LEP exhibition outlining the draft Affordable Housing Scheme for the Housing Investigation Areas.	75%	Manager, Strategic Planning
		Review and update the Affordable Housing Policy and Transitional Housing programs to include greater flexibility and different approaches to hardship through investigating different housing models.	Council entered a partnership with a community housing provider for one additional property to be included in Council's Transitional Housing Program. Referrals for this property will be made through DFV service providers.	75%	Manager, Community Development
<b>6f: Undertake commercial centre reviews to ensure ongoing economic viability of the centres and consistency with District Plan objectives.</b>					
6f.1	<b>Undertake an ongoing program of comprehensive commercial centre reviews.</b>	Exhibit and finalise updated LEP provisions for the Randwick Junction Town Centre.	Council officers engaged consultants to undertake economic and feasibility modelling within the Randwick Junction town centre that will inform planning investigations. A local transport study for the area was completed by a traffic consultant in the quarter.  The consultants reports are being analysed to assist in achieving the objectives and purpose of the Randwick Junction Planning Strategy.	75%	Manager, Strategic Planning
<b>7. Heritage that is protected and celebrated</b>					
<b>7a: Our heritage is recognised, protected and celebrated.</b>					
7a.1	<b>Local and cultural history is recognised, known, preserved and celebrated (through events, media, etc).</b>	Promote local and cultural services and collections through a range of programs and presentations that enhance community interpretations of heritage.	Randwick and District Historical Society hosted the society's AGM at the Lionel Bowen Library in March 2022.  166 local studies enquiries were answered during the period plus 11 corporate requests. There were 15 in person appointments.  Ancestry.com, FindMyPast and the Randwick Photo Gallery had a total of 6688 searches in the quarter.  An article on the history of the Shark Tower at Coogee Beach was researched and written for Randwick Scene magazine.	75%	Manager, Randwick City Library
		Investigate the creation of a downloadable mobile app for self-guided heritage walking tours around the Randwick LGA.	A decision regarding this project is pending, with some potential companies identified.	75%	Manager, Randwick City Library
		Facilitate access to heritage documents and resources through the Portfolio Digital Asset Management System.	The Portfolio Project has seen a record number of 400 assets and 400 associated metadata records created during the quarter. These are the earliest Randwick Municipal Council Minutes Books from 1859 - 1892 to date. They are being added to the Randwick City Library online catalogue. They are then harvested by the National Library of Australia to TROVE. They will be invaluable assets for both Council staff and local residents researching the history of Randwick City. Adding more content is an ongoing workflow.	75%	Manager, Randwick City Library
		Digitise the historic Building Application books 1919-1959.	A further 20 volumes of the Building Application books have been digitised by Pascoe Digital this quarter. This project is on track for delivery by the end of the current financial year. The digitisation has already proved critical in establishing the exact construction date for the Malabar Memorial Hall during the current upgrade program. Building Applications are used on a daily basis in the course of Council business and also by researchers tracing house and family history. The digital assets form part of the ongoing workflow for the Portfolio Project.	75%	Manager, Randwick City Library

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
7a.2 Prepare and implement management and maintenance plans for heritage properties owned by Council.	Manage Council's heritage monuments, murals and properties.	Heritage DA advice is ongoing. A total of 74 heritage DA referrals and 4 heritage exemption requests were dealt with during the quarter.	75%	Manager, Strategic Planning
7a.3 Implement, monitor and review our City's heritage planning provisions to ensure suitable conservation and adaptive re-use.	Exhibit and finalise the Randwick Heritage Review as part of the Comprehensive LEP review.	Heritage consultants completed the detailed heritage inventory sheets for items that have potential heritage listing.  On 4 March 2022, Council placed an Interim Heritage Order (IHO) on the property at 11A Marcel Ave Coogee. To facilitate the making of the IHO, Council commissioned an expert heritage report to assess the history and heritage significance of the property. A report on this matter was considered by Council at its meeting of 22 March 2022. Council resolved to commence the process of preparing a planning proposal to include 11A Marcel as an item within the heritage schedule of Randwick LEP 2012.  Council officers prepared an information sheet outlining the proposed heritage items for inclusion in the draft Comprehensive LEP amendment. These information sheets will be placed on public exhibition with the Comprehensive LEP amendment.	75%	Manager, Strategic Planning
7a.4 Manage the La Perouse Museum to enhance access to and information about local heritage.	Research, develop and implement exhibitions, programs and education events through the La Perouse Museum to maximise public access to local and regional histories.	4623 guests visited the Museum during this quarter. A new exhibition "French Explorers" opened to the public at the end of March 2022.  11 public events were held in conjunction with Indigenous artists, academics, lecturers, educators, storytellers and musicians. The majority of these events were booked out.  A major timeline project as well as collection conservation projects were undertaken during the quarter.  The Museum Redevelopment project progressed with consultants Balarinji conducting interviews with La Perouse's Aboriginal community.	75%	Manager, Economic Development & Placemaking
7a.5 Implement Council's Heritage Conservation policies in the assessment process.	Implement measures to improve efficiency in the assessment of heritage applications.	Efficiency and management measures were implemented to improve the processing and assessment of heritage applications. Temporary heritage planners were engaged by Council to assist in the processing of heritage DAs and exemptions and to progress heritage strategic projects.	75%	Manager, Strategic Planning

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
<b>8. A strong local economy</b>				
<b>8a. Vibrant business, commercial, and industrial sectors that provide ongoing and diverse employment opportunities and serve the community.</b>				
8a.1	<b>Review and update the Economic Development Strategy.</b>	Develop and adopt a new Economic Strategy.	The draft Economic Development Strategy was considered by Council at its February 2022 meeting and placed on public exhibition from 25 February until 25 March 2022.	75% Manager, Economic Development & Placemaking
8a.2	<b>Implement a range of strategies to support the development of vibrant business and commercial centres.</b>	Investigate and scope a range of activations specifically designed for each main town centre to support new and existing business and increase town centre vibrancy.	The Alfresco Randwick temporary outdoor dining program was created and is operational.  A number of activations were held to align with Valentines Day and St Patricks Day.  Randwick met regularly with Investment NSW to develop the concept for Sydney Street Parties to be held in The Spot and Coogee. An Expression of Interest Stage 2 was submitted to NSW Department of Planning and Environment's Streets as Shared Spaces grant program.	75% Manager, Economic Development & Placemaking
		Develop a design for the intersection of Clovelly Road and Carrington Road in accordance with the Clovelly Road Masterplan.	Development of the documentation for the plaza is progressing and has reached 25% stage.	75% Manager, Technical Services
		Commence implementation of recommendations from the Matraville Streetscape Improvements Study.	The draft Masterplan has been completed and is being presented to key stakeholders in May 2022.	75% Manager, Technical Services
		Commence implementation of recommendations from the Maroubra Junction Masterplan.	The draft Masterplan has been completed to 80% stage.	80% Manager, Technical Services
		Develop a new Urban Elements manual that outlines town centre improvements that reflect the unique characteristics of each town centre.	The project commencement has been deferred to 2022-23.	0% Manager, Technical Services
<b>8b. Provide guidance to the specialised Hospital and University centre.</b>				
8b.1	<b>Work with institutions to develop strategic plans for Hospital and University precincts.</b>	Support the implementation of the Randwick Collaboration Place Strategy.	Council planning, Sustainability and Economic development officers met with representatives from Health NSW to discuss strategic planning issues and trends affecting the Randwick Collaboration Area. Council's draft Randwick Junction town centre review is investigating opportunities for health, medical and related commercial development to support the Collaboration area.	75% Manager, Strategic Planning
<b>8c. Develop and strengthen effective partnerships with key locally based organisations.</b>				
8c.1	<b>Implement the adopted recommendations of the Economic Development Strategy in relation to partnerships with locally based organisations.</b>	Undertake main street programming in partnership with locally based organisations.	A meeting with the Randwick Health and Innovation Precinct team was held to explore opportunities to partner on business development and place activation. A meeting was also held with Kingsford Business Chamber.	50% Manager, Economic Development & Placemaking
8c.2	<b>Consider online opportunities to enhance communication partnerships on economic development.</b>	Investigate online opportunities to enhance communication partnerships on economic development.	A pilot newsletter was distributed to current business contacts and a social media campaign conducted to encourage businesses to view and comment on the draft Economic Development Strategy.  An newsletter was distributed to food and beverage businesses to inform them of the Alfresco Randwick outdoor dining program.  An esurvey was distributed to businesses that participated in The Spot Festival to gain their feedback.	75% Manager, Economic Development & Placemaking
<b>8d. Tourism's role in the local economy is acknowledged.</b>				
8d.1	<b>Implement the adopted recommendations of the Economic Development Strategy in relation to tourism.</b>	Continue to collaborate with key stakeholders to enhance tourism product development and increase visitation.	Discussions will be scheduled to develop a tourism destination management plan in alignment with the timeframe identified in the draft Economic Development Strategy 2032.	25% Manager, Economic Development & Placemaking

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer	
<b>9. Integrated and accessible transport</b>					
<b>9a: A network of safe and convenient walking paths and cycle ways linking major land uses and recreation opportunities.</b>					
9a.1	<b>Review, improve and implement facilities for cyclists as detailed within the Randwick Bicycle Plan.</b>	Implement appropriate projects as nominated by the Council's Cycleways and Bicycle Facilities Advisory Committee, as well as pedestrian and bike rider improvement projects.	TfNSW have appointed a primary contractor to deliver Council's Kingsford to Centennial Park walking and cycling improvements project. We continue to work closely with TfNSW on detailed aspects of this project. Construction activities will commence May / June 2022.  Council officers worked closely with Greater Sydney Parklands (GSP) on the delivery of the new walking and riding paths along the southern edge of Queens Park. While most of this project is contained within the Waverley LGA, upon GSP land, some elements (including footpaths, ramps and parking areas) are within the Randwick Council area. This project is approximately 90% complete and is progressing well.  Early planning continues for the Anzac Parade paths project.	75%	Manager, Integrated Transport
9a.2	<b>Continue to use the footpath program to improve and develop facilities for people who are walking and identify opportunities for pedestrian improvements through the preparation and implementation of pedestrian and mobility plans for our commercial centres.</b>	Design and construct pedestrian refuges throughout the LGA to improve the safety of pedestrians.	20 of the remaining 24 federally funded pedestrian safety projects were completed by the end of the March quarter. Final design work on the remaining projects is progressing well. Council is working closely with TfNSW regarding any variations required to the design of these projects.	75%	Manager, Integrated Transport
<b>9b: The community is informed, educated and encouraged to use sustainable transport.</b>					
9b.1	<b>Implement Council's Energy Savings Plan and Local Greenhouse Action Plan to reduce reliance on private motor vehicles.</b>	Continue to monitor and report on vehicle emissions for Council's fleet; and investigate and advocate for opportunities to utilise energy efficient transport for Council.	156,740 litres of fuel was used across passenger and plant fleet (9.7% decrease on last Q3) resulting in 414 tonnes of CO2-e. 20,879 L of 5% biodiesel was used.  Another public electric vehicle charging station is to be installed by JOLT / Ausgrid in Maroubra Junction by June.	75%	Manager, Sustainability
9b.2	<b>Continue to show leadership in this area with Council's vehicle and transport choices.</b>	Engage with Council staff for increased take-up of e-bikes and vehicles and facilitate sustainable transportation choices including walking, cycling and public transport.	Currently negotiating additional electric vehicles for Council's fleet as well as costing additional EV charging infrastructure at a number of locations.	75%	Manager, Sustainability
<b>9c: Advocate and/or plan for integrated local and regional transport improvements, including high capacity transport such as light/standard rail.</b>					
9c.1	<b>Advocate for the extension of the light rail system to Maroubra Junction, improved east-west public transport services and improved bus network.</b>	Advocate for improved public transport services.	We continue to liaise with TfNSW regarding bus service improvements.	75%	Manager, Integrated Transport
9c.2	<b>Participate in working groups and monitor the State Government's implementation of light rail.</b>	Continue to liaise with Transport for NSW regarding any post implementation issues given the completion of the Light Rail Project.	There are minimal changes being made to light rail facilities. The service is working well.	75%	Manager, Integrated Transport
<b>9d: Residential amenity is protected by appropriate traffic management.</b>					
9d.1	<b>Implement traffic control strategies to protect residential amenity.</b>	Manage and implement actions arising from the Traffic Committee processes.	The on-going roll-out of the remaining federally funded pedestrian safety projects has progressed well; each having been endorsed by the Traffic Committee.	75%	Manager, Integrated Transport

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
9d.2 Implement regulatory parking patrol and enforcement programs to ensure appropriate enforcement of the NSW Road Rules.	Undertake parking patrols and implement the Road Rules in business centres, school zones, beachside locations and other restricted parking locations.	Council Rangers and Parking Officers undertake regular patrols of business centres, beachside locations, school zones and other restricted parking locations and undertake appropriate regulatory action. In the January to March quarter, Council Officers have also investigated 1155 parking related customer requests.	75%	Manager, HB&RS
<b>9e: Parking is managed to balance convenience against reduced car reliance.</b>				
9e.1 Enhance parking opportunities for residents through appropriate management of the Resident Parking Scheme.	Manage the 'area based' Residential Parking Scheme.	A Resident Parking Survey was undertaken in the proposed MB1 (Maroubra Beach) area. The results of this survey were reported to the February 2022 Traffic Committee meeting.  The much improved 'on-line' application processes for Resident Parking Scheme customers is working well.	75%	Manager, Integrated Transport
9e.2 Develop a strategic approach to the overall management of parking – especially within our commercial centres.	Complete a review of kerbside usage in two town/local centres.	The commercial centre parking surveys have been delayed due to other pressing issues. They are scheduled for implementation prior to 2023.	50%	Manager, Integrated Transport
	Complete a parking management study of the Randwick Collaboration Area (RCA) with RCA partners.	No activities have commenced on this project due to other priorities.	0%	Manager, Integrated Transport

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer	
<b>10. A healthy environment</b>					
<b>10a: Council's programs and partnerships foster sustainable behavioural changes and outcomes.</b>					
<b>10a.1</b>	<b>Develop, implement and review programs aimed at improving the City's resilience.</b>	Provide resources and engage community sectors, householders and business owners in programs to respond to Climate Change and conservation of natural resources.	Our PermaBee group saw 168 people volunteering at the Randwick Community Centre over the March quarter.  Workshops at the Randwick Community Centre were attended by 20 representatives from the Community group network and an additional 48 residents.  There were 1,664 attendees at the January 2022 Marine and Coastal Discovery Program along Randwick's coastline.  80 young people attended eco-hero sessions at the Randwick Community Centre.  The South Coogee Organic Buyers group was established on weekly basis at the outdoor classroom.	75%	Manager, Sustainability
<b>10a.2</b>	<b>Expand external partnerships supporting Council's resilience initiatives e.g. UNSW MOU.</b>	Expand and increase partnerships with community and business, UNSW and other partners across the Randwick Collaboration Precinct to bring down emissions of greenhouse gases, reduce waste and meet adopted environmental targets.	The Sustainability team attended UTS to support their sustainability program delivery to returned students. They also supported Twilight Concerts at the Randwick Community Centre as part of Earth Hour.  The Randwick Collaboration Precinct project with Health and DPE was re-commenced.  The 'Letters for Sustainability' initiative was conducted with Randwick Girls High School.  Council's environmental initiatives were recognised at Keep Australia Beautiful NSW Sustainable Cities Awards (postponed from 2021).	75%	Manager, Sustainability
<b>10a.3</b>	<b>Continue the development, implementation and review of the 3-Council collaboration project with Waverley and Woollahra Councils to reduce resource consumption across the region.</b>	Continue implementing the 3-Council Regional Environment Program initiatives including Compost Revolution, Solar my Schools, and Solar my Club; and identify new opportunities to engage and collaborate with the community to reduce resource consumption.	Presentation to GMs of 3 Councils completed with re-signing of Memorandum of Understanding to continue the 3-Council Regional Environment Program for an additional 3 years.  The 3-Council program is considering a small trial of Randwick's sustainability rebates across the Eastern Suburbs with support from Randwick.	75%	Manager, Sustainability
<b>10b: Policies and programs are developed and implemented in response to environmental risks and their potential impacts.</b>					
<b>10b.1</b>	<b>Develop and implement a long term resilience framework for Randwick.</b>	Investigate the integration of resilience across relevant programs and policies.	Support was provided for commencement of the South Coogee Food Buyers group at the Community Centre.  Ongoing support was provided for commencement of the Maroubra Community Garden.  Coordinated the Cities of Tomorrow project which culminated in a secondary school project on display during the Twilight Concerts.	75%	Manager, Sustainability
<b>10b.2</b>	<b>Develop and implement environmental strategies for remediation of contaminated Council/public land.</b>	Continue ongoing remediation works and monitoring activities at Chifley Reserve, Heffron Park, Pioneer Park and Purcell Park.	Chifley reserve continues to be monitored for off-gassing as per the Remediation Action Plan (RAP) Operational Plan. The Purcell Park Remediation Project was completed in December 2020 and the site has been certified as remediated. Ongoing RAP Operational Management continues for Heffron, Purcell and Chifley Parks.	75%	Manager, Infrastructure Services

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
10b.3 Implement recommendations contained in the NSW Government's Floodplain Development Manual and relevant floodplain management studies carried out for Randwick City.	Continue Floodplain Management studies and Floodplain Risk Management Plan implementation actions as per Council's schedule.	The Clovelly catchment draft flood study was placed on public exhibition.	75%	Manager, Technical Services
10b.4 Administer and implement Council's Tree Preservation policy to preserve our urban forest.	Complete customer service requests for pruning/removal of Council street trees, incorporating relevant environmental risk assessments.	968 Service Requests were received within the quarter with 86% within the SLA. 105 Tree Applications for private trees were received and processed.	75%	Manager, Technical Services
10b.5 Administer and coordinate Council's Climate Change Adaption and Mitigation Plan.	Develop criteria for Council's response to the climate emergency declaration.	Staff and some Councillors attended briefings on the latest Intergovernmental Panel on Climate Change (IPCC) outcomes report. The briefings were conducted by Resilient Sydney and the Cities for Climate Protection Programs.	75%	Manager, Sustainability
<b>10c: Bushland, open spaces and biodiversity are protected and enhanced for future generations.</b>				
10c.1 Implement and monitor Randwick's regulatory responsibilities especially in relation to the enhancement of our native and indigenous flora and fauna.	Implement the Bush Regeneration and Revegetation Program including threatened species management and development of green corridors.	All (100%) of bushland sites have received bush regeneration treatments. The total hours committed to restoration activities this quarter has been 3,750 hours. Bushcare activities have continued during the period with appropriate COVID Safe plans in place.	75%	Manager, Infrastructure Services
	Implement the Biosecurity Act and provide advice on invasive flora and fauna.	Council continues to manage weeds on public land in a risk based manner and provides information and advice to the community through educational materials.	75%	Manager, Infrastructure Services
10c.2 Implement annual tree planting programs in accordance with Council's Street Tree Masterplan to continue to increase our tree canopy cover across our City.	Implement annual street tree planting programs.	Council's 2022 Plant with Us community plantings commenced at Arthur Byrne Reserve with 58 community volunteers planting trees and understorey plants in spite of poor weather conditions.	75%	Manager, Sustainability
<b>10d: Waste is managed sustainably to ensure highest level of resource recovery.</b>				
10d.1 Develop and implement Council's Resource Recovery Strategy to minimise the level of waste going to land-fill.	Monitor and improve Food Organics and Garden Organics (FOGO) collection and processing services across all residential properties in the City.	During the March quarter 3,877 tonnes of FOGO have been collected. Even though the tonnage is 2.9% lower than the last quarter tonnage, it is very high recovery of FOGO. The contamination level was contained to 1.5%.	75%	Manager, Waste & Cleansing Services
	Develop and implement programs to improve waste and recycling services in social housing properties.	A consultant has been engaged to develop a strategy for service improvement that will reduce recycling and FOGO contamination	75%	Manager, Waste & Cleansing Services
	Develop and implement a new Recycling Processing contract.	Tenders received for receipt and processing of kerbside collected recyclables are currently being evaluated to select a contractor for delivery of the recycling processing services.	75%	Manager, Waste & Cleansing Services
10d.2 Implement and review actions identified in Council's Litter and Illegal Dumping Management Plan.	Develop and implement community engagement programs to reduce illegal dumping and litter.	Development of the Illegal dumping and litter management plan is underway.	75%	Manager, Waste & Cleansing Services

2018-22 Delivery Program (4-year program)	2021-22 Operational Plan (1-year action)	Comment for current period (1 January 2022 - 31 March 2022)	Progress	Responsible officer
10d.3	Develop and implement community engagement programs on waste and recycling.	The education and communication program developed to reduce contamination in recycling and FOGO continues.	75%	Manager, Waste & Cleansing Services
<b>10e: A total water cycle management approach including water conservation, re-use and water quality improvements is adopted.</b>				
10e.1	Develop and implement projects to improve water conservation and efficiency across Council and the Community.	Implement water conservation initiatives in the operation of Council's amenities.	75%	Manager, Infrastructure Services
		Implement water conservation in Council's amenities as part of the Capital Works delivery programs.	75%	Manager, Infrastructure Services
		Investigate and implement stormwater, rainwater and wastewater harvesting opportunities within Randwick City.	75%	Manager, Infrastructure Services
<b>10f: Energy conservation and efficiency programs are implemented.</b>				
10f.1	Develop and implement projects to improve energy conservation and efficiency across Council and the Community.	Continue implementing energy and water saving rebates for residents and business owners to contribute towards achieving Randwick's target of 60% reduction in greenhouse gas emissions.	75%	Manager, Sustainability
		Investigate options to increase Council's procurement of renewable energy.	75%	Manager, Customer & Compliance
10f.2	Investigate and implement renewable energy projects across Randwick City.	<p>The Street Lighting Improvement Program led by Southern Sydney Regional Organisation of Councils (SSROC) is being expanded to main roads (as well as the remaining compact fluorescent lamps (CFLs) on residential roads). This program is believed to already be the largest LED deployment in Australia and is saving councils millions each year in reduced energy and maintenance charges. If the forthcoming proposal is accepted by councils, it should take total LED deployments to more than 95% of all Ausgrid lighting over the next few years.</p> <p>In 2021-22 Q3, Council used 6,530 GJ of electricity (8% less than last Q3), of which 5% was sourced from its rooftop solar panels and an additional 27% was sourced from its renewable energy power purchase agreement, making the total renewables percentage 32%. Council also consumed 1,421 GJ of gas (5% less than last Q3). In total, Councils use of electricity and gas was 7,951 GJ (7% less than last Q3). The total emissions from energy for Q3 was 1,288 tCO2-e (10% less than last Q3).</p>	75%	Manager, Sustainability

## General Manager's Report No. GM4/22

### Subject: Portfolio Committee Terms of Reference

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#### Executive Summary

- At its March 2022 Ordinary Council meeting, Council considered Draft Terms of Reference for seven (7) portfolio committees to align with the new informing strategies and resolved to defer consideration subject to Councillor briefing.
- The proposed advisory committees are not intended to have any decision-making authority and are for the purposes of collaboration and information sharing.
- A Councillor briefing has now been held, and it is proposed that the Terms of Reference be endorsed for a trial period of 6 months.
- Council has determined its Councillor representatives and Chairpersons for six (6) of the seven (7) committees, with representatives required for the Housing Portfolio Committee.

#### Recommendation

That Council:

- a) implement a trial of the Portfolio Advisory Committees for a period of 6 months;
- b) adopt the attached Draft Terms of Reference for the following portfolio advisory committees:
  - Arts & Culture
  - Economic Development
  - Environment
  - Inclusive Randwick
  - Integrated Transport
  - Open Space and Recreation
  - Housing.
- c) that the draft Terms of Reference for the Housing Portfolio Advisory Committee be amended to include all fifteen (15) councillors as members along with the two staff members delegated by the General Manager.
- d) determine the Chair for the Housing Portfolio Advisory Committee.

#### Attachment/s:

1.  Draft Arts and Culture Portfolio Committee Terms of Reference
2.  Draft Economic Development Portfolio Committee Terms of Reference
3.  Draft Environment Portfolio Committee Terms of Reference
4.  Draft Housing Portfolio Committee Terms of Reference
5.  Draft Inclusive Randwick Portfolio Committee Terms of Reference
6.  Draft Integrated Transport Portfolio Committee Terms of Reference
7.  Draft Open Space & Recreation Portfolio Committee Terms of Reference

## Purpose

At its February 2022 Ordinary meeting, Council resolved as follows:

**(Hamilton/Veitch)** that:

- a) Council establish six new portfolio advisory committees as follows:
- Arts & Culture
  - Economic Development
  - Environment
  - Inclusive Randwick
  - Integrated Transport
  - Open Space & Recreation.
  - Housing (to be comprised of any interested councillors).

*and that the terms of reference for these portfolio advisory committees includes, but is not limited to, the Strategic Approaches of the Informing Strategies, as decided by each committee.*

- b) *the membership of the new portfolio advisory committees include a minimum of 7 Councillors, with all Councillors eligible for membership, along with 2 staff members to be delegated by the General Manager.*

At its March 2022 Ordinary meeting, Council resolved as follows:

**(Neilson/Luxford)** that the matter be deferred until after a briefing of councillors

A briefing of councillors has now been held.

The purpose of this report is to adopt the Terms of Reference for Councils Portfolio Advisory Committees for a trial period of 6 months and to determine the membership of the Housing Portfolio Committee.

## Discussion

It is best practice for each new Council to consider its committee structure prior to determining its membership. Council considered its committee structure at its February 2022 Ordinary Council meeting and resolved to form seven (7) new portfolio advisory committees, including:

- Environment Strategy
- Arts and Culture Strategy
- Integrated Transport
- Open Space and Recreation Strategy
- Inclusive Randwick Strategy
- Economic Development Strategy.
- Housing.

By aligning Council committees to the strategic direction of Council, this will ensure our collective efforts are best placed to meet our goals.

Draft Terms of Reference have now been developed to define the purpose and structure of the committees to allow for their commencement. The Draft Terms of Reference are focused on the outcomes and objectives of the Informing Strategies and is not limited to the strategic approaches contained within the strategies.

It is important to note that these committees are be advisory in nature and not decision-making bodies. **All decisions should be made in a Council meeting environment.**

## Membership

At the February Ordinary Council meeting, Chairpersons and members were determined for each committee except for the Housing Portfolio Committee.

The Housing strategy was adopted in February 2020 and is the only informing strategy which has been created based upon legislative requirements to inform the Randwick Local Environmental Plan 2012 review and the Randwick Development Control Plan 2013 review.

Much of the work leading to the review of the 2012 LEP review has now been completed and briefings continue to be held as new information emerges. The review of Council's Development Control Plan (DCP) will also be a specific project and not an ongoing piece of work.

Given the significance of matters concerning land use within the LGA, all Councillors are encouraged to participate in presentations and discussions regarding both the LEP and DCP.

It is recommended that all Councillors be representatives of the Housing Portfolio Committee.

## Meeting schedule

Committee nights would be held between 6 and 9pm on the 1<sup>st</sup> and 5<sup>th</sup> Tuesday (where applicable) of the month, each of the six (6) recommended committees would be scheduled to meet twice (quarterly) within the six month trial period. To accommodate this, two committees may be held on the same night (one after the other).

To accommodate the Housing Portfolio Committee, this committee would be held as required on the 2<sup>nd</sup> Tuesday of the month alongside Councillors standard briefing night.

To ensure the success of the committees, it is suggested that the agenda is prioritised and chaired to accommodate a duration of 1.5 hours. This is conscious of the available time commitments of Councillors and staff.

It is noted that there is provision within the Terms of Reference for special meetings of the advisory committee.

## Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability
Direction	1c. Continuous improvement in service delivery based on accountability, transparency and good governance.

## Resourcing Strategy implications

There are no resourcing implications. The creation of these committees should streamline briefing sessions and individual Councillor enquiries, thus making best use of resources.

## Policy and legislative requirements

Nil.

## Conclusion

The Draft Terms of Reference define the purpose and structure for the new portfolio committees, allowing for their commencement.

**Responsible officer:** Therese Manns, General Manager

**File Reference:** F2005/00775

GM4/22

## ARTS AND CULTURE PORTFOLIO ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. NAME

The Advisory Committee shall be known as the Arts and Culture Portfolio Advisory Committee (ACPAC)

#### 2. AIMS

The Arts and Culture Portfolio Advisory Committee has been established to oversee the delivery of the outcomes and objectives identified in Councils Arts and Culture Strategy, including:

**A creative and culturally rich city, that is innovative, inclusive and recognised nationally.**

- Establish a strong cultural identity for the Randwick LGA which is inclusive of our diverse communities and recognizes the contributions of First Nations people by 2031.

**Everyone can develop, express and enjoy creativity throughout their life.**

- Increase the number of places by 20% that are available for people to participate in art and culture by 2031.
- Increase attendance at Council's arts and cultural programmes, events and venues by 10% by 2031.

#### 3. OBJECTIVES

The Arts and Culture Portfolio Advisory Committee has been established with the following purpose:

- To ensure informed decision-making by increasing knowledge across Council in those services, facilities, initiatives and infrastructure covered within the Arts and Culture Strategy.
- To oversee performance in relation to the outcomes and objectives of the Arts and Culture Strategy.
- To consider opportunities for community involvement.
- To recognise community achievements that have contributed to the reaching of Arts and Culture Strategy outcomes and objectives.
- To enhance stakeholder relationships by identifying and involving key stakeholders.

#### 4. DETERMINATIONS

The committee shall be an advisory body. The committee has no delegated decision-making power from Council.

#### 5. MEMBERSHIP

The committee will consist of seven (7) Councillors and two (2) Council staff.

A Council elected member shall assume the role of Chairperson for all meetings except where that person is an apology in which case the Committee will appoint an alternative Chairperson for that meeting.

The two Council staff members will provide secretariat support and provide information to the committee as required.

#### Sub-Committees

Sub-Committees have a specific purpose that is defined by the Portfolio Advisory Committee and used by Council to obtain expert or subject matter advice on complex matters.

The Committee shall appoint such sub-committees as it considers necessary provided that all actions of such sub-committees are approved or confirmed by the Council or Committee, in consultation with the Mayor and General Manager.

Sub-Committees should not be developed solely for the purposes of community consultation/engagement.

### **6. TENURE OF MEMBERSHIP**

The tenure of membership will be a maximum of two years as determined by Council.

### **7. PROCEDURES AND PROCEEDINGS**

The Committee's quorum shall be a minimum of four Council elected members. Should a minimum of four councillors not be able to attend a scheduled meeting, the meeting will be postponed to a later date.

It is acknowledged that Councils informing strategies do not operate in isolation. Where the committee would like to discuss another strategy action which has synergy with the Arts and Culture strategy, a joint meeting of two or more committees may be held.

### **8. NOTICE OF MEETINGS**

Members of the Committee shall receive at least ten working days written notice of the meeting date.

An agenda will be provided within five (5) working days of the meeting.

The agenda will state the time and duration of the meeting. The Chairperson is responsible for ensuring the meeting does not extend past the notified end time, without the acceptance of all committee members.

If the business of the meeting is unfinished by the notified end time and the committee does not resolve to extend the meeting, the chairperson must defer the remaining items of business to the next meeting of the Committee.

### **9. MINUTES OF THE MEETINGS**

Minutes of the meeting will be made available to any interested residents for inspection and will be published on Councils website.

### **10. SPECIAL MEETING**

Should the need arise for a special meeting to consider an urgent matter, a special meeting to consider only that particular urgent matter may be called by one of the two staff members.

### **11. ATTENDANCE AT MEETINGS**

Members may, in consultation with the Committee, request that an invitation be extended to a particular individual to attend a future meeting as a visitor, when it is considered that the visitor may be in a position to contribute to the proceedings.

All Councillors are welcome to attend the committee meetings.

**12. CODE OF CONDUCT**

Members will abide by Councils Code of Conduct, which sets out the requirements of conduct for committee members in carrying out their functions.

**13. AMENDMENTS TO TERMS OF REFERENCE**

These Terms of Reference shall only be amended by a resolution by Randwick City Council.

## ECONOMIC DEVELOPMENT PORTFOLIO ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. NAME

The Advisory Committee shall be known as the Economic Development Portfolio Advisory Committee (EDPAC)

#### 2. AIMS

The Economic Development Portfolio Advisory Committee has been established to oversee the delivery of the outcomes and objectives identified in Councils Economic Development Strategy.

#### 3. OBJECTIVES

The Economic Development Portfolio Advisory Committee has been established with the following purpose:

- To ensure informed decision-making by increasing knowledge across Council in those services, facilities, initiatives and infrastructure covered within the Economic Development Strategy.
- To oversee performance in relation to the outcomes and objectives of the Economic Development Strategy.
- To consider opportunities for community involvement.
- To recognise community achievements that have contributed to the reaching of Economic Development Strategy outcomes and objectives.
- To enhance stakeholder relationships by identifying and involving key stakeholders.

#### 4. DETERMINATIONS

The committee shall be an advisory body. The committee has no delegated decision-making power from Council.

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#### Sub-Committees

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#### **6. TENURE OF MEMBERSHIP**

The tenure of membership will be a maximum of two years as determined by Council.

#### **7. PROCEDURES AND PROCEEDINGS**

The Committee's quorum shall be a minimum of four Council elected members. Should a minimum of four councillors not be able to attend a scheduled meeting, the meeting will be postponed to a later date.

It is acknowledged that Councils informing strategies do not operate in isolation. Where the committee would like to discuss another strategy action which has synergy with the Economic Development strategy, a joint meeting of two or more committees may be held.

#### **8. NOTICE OF MEETINGS**

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#### **11. ATTENDANCE AT MEETINGS**

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All Councillors are welcome to attend the committee meetings.

#### **12. CODE OF CONDUCT**

Members will abide by Councils Code of Conduct, which sets out the requirements of conduct for committee members in carrying out their functions.

#### **13. AMENDMENTS TO TERMS OF REFERENCE**

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## ENVIRONMENT PORTFOLIO ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. NAME

The Advisory Committee shall be known as the Environment Portfolio Advisory Committee (EPAC)

#### 2. AIMS

The Environment Portfolio Advisory Committee has been established to oversee the delivery of the outcomes and objectives identified in Councils Environment Strategy, including:

##### Biodiversity Conservation

- Increase by 60%, the number of native and indigenous plantings across Randwick City by 2030.

##### Climate Change

- Achieve a 60% reduction in greenhouse gas emissions across Randwick City by 2030, while acknowledging the importance of aspiring to a 100% greenhouse gas emissions target for the same timeframe.

##### Conserve Resources

- Increase residential recycling to 70% across Randwick City and divert 75% waste from landfill by 2025.
- Reduce the consumption of energy and water across Randwick City per capita by 30% by 2030.

##### Coastal Protection

- 100% of Randwick Beaches achieve a "Good" or "Very Good" result as monitored and reported in the NSW Governments Beachwatch water quality program.
- Ensure community satisfaction of the coastal experience is retained above 80% in surveys conducted from 2020 onwards.

#### 3. OBJECTIVES

The Environment Portfolio Advisory Committee has been established with the following purpose:

- To ensure informed decision-making by increasing knowledge across Council in those services, facilities, initiatives and infrastructure covered within the Environment Strategy.
- To oversee performance in relation to the outcomes and objectives of the Environment Strategy.
- To consider opportunities for community involvement.
- To recognise community achievements that have contributed to the reaching of Environment Strategy outcomes and objectives.
- To enhance stakeholder relationships by identifying and involving key stakeholders.

#### 4. DETERMINATIONS

The committee shall be an advisory body. The committee has no delegated decision-making power from Council.

#### 5. MEMBERSHIP

The committee will consist of seven (7) Councillors and two (2) Council staff.

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#### 6. TENURE OF MEMBERSHIP

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#### 7. PROCEDURES AND PROCEEDINGS

The Committee's quorum shall be a minimum of four Council elected members. Should a minimum of four councillors not be able to attend a scheduled meeting, the meeting will be postponed to a later date.

It is acknowledged that Councils informing strategies do not operate in isolation. Where the committee would like to discuss another strategy action which has synergy with the Environment strategy, a joint meeting of two or more committees may be held.

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## HOUSING PORTFOLIO ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. NAME

The Advisory Committee shall be known as the Housing Portfolio Advisory Committee (HPAC)

#### 2. AIMS

The Housing Portfolio Advisory Committee has been established to oversee the delivery of the outcomes and objectives identified in Councils Housing Strategy.

#### 3. OBJECTIVES

The Housing Portfolio Advisory Committee has been established with the following purpose:

- To ensure informed decision-making by increasing knowledge across Council in those services, facilities, initiatives and infrastructure covered within the Housing Strategy.
- To oversee performance in relation to the outcomes and objectives of the Housing Strategy.
- To consider opportunities for community involvement.
- To recognise community achievements that have contributed to the reaching of Housing Strategy outcomes and objectives.
- To enhance stakeholder relationships by identifying and involving key stakeholders.

#### 4. DETERMINATIONS

The committee shall be an advisory body. The committee has no delegated decision-making power from Council.

#### 5. MEMBERSHIP

The committee will consist of seven (7) Councillors and two (2) Council staff.

A Council elected member shall assume the role of Chairperson for all meetings except where that person is an apology in which case the Committee will appoint an alternative Chairperson for that meeting.

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Sub-Committees should not be developed solely for the purposes of community consultation/engagement.

## **6. TENURE OF MEMBERSHIP**

The tenure of membership will be a maximum of two years as determined by Council.

## **7. PROCEDURES AND PROCEEDINGS**

The Committee's quorum shall be a minimum of four Council elected members. Should a minimum of four councillors not be able to attend a scheduled meeting, the meeting will be postponed to a later date.

It is acknowledged that Councils informing strategies do not operate in isolation. Where the committee would like to discuss another strategy action which has synergy with the Housing strategy, a joint meeting of two or more committees may be held.

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## INCLUSIVE RANDWICK PORTFOLIO ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. NAME

The Advisory Committee shall be known as the Inclusive Randwick Portfolio Advisory Committee (IRPAC)

#### 2. AIMS

The Inclusive Randwick Portfolio Advisory Committee has been established to oversee the delivery of the outcomes and objectives identified in Councils Inclusive Randwick Strategy, including:

**A resilient city where people are engaged, informed, connected and feel 'a sense of community' and belonging.**

- The percentage of residents who feel they are part of their community will remain above the metro benchmark through to 2031.
- Increase the percentage of residents who are satisfied with the information they receive, and community consultation conducted by the Council by 2031.

**A city where people can access social support and amenities whatever their ability and wherever they live.**

- Increase by 10% the number of people who feel their social needs are being met by 2031.
- Increase participation in social programs/services provided in partnership with Council for our disadvantaged communities by 2026.

**A city dedicated to the individual and collective health, wellbeing and safety of the community.**

- An overall stabilisation or improvement in safety, health and wellbeing indicators.

#### 3. OBJECTIVES

The Inclusive Randwick Portfolio Advisory Committee has been established with the following purpose:

- To ensure informed decision-making by increasing knowledge across Council in those services, facilities, initiatives and infrastructure covered within the Inclusive Randwick Strategy.
- To oversee performance in relation to the outcomes and objectives of the Inclusive Randwick Strategy.
- To consider opportunities for community involvement.
- To recognise community achievements that have contributed to the reaching of Inclusive Randwick Strategy outcomes and objectives.
- To enhance stakeholder relationships by identifying and involving key stakeholders.

#### 4. DETERMINATIONS

The committee shall be an advisory body. The committee has no delegated decision-making power from Council.

## 5. MEMBERSHIP

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## INTEGRATED TRANSPORT PORTFOLIO ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. NAME

The Advisory Committee shall be known as the Integrated Transport Portfolio Advisory Committee (ITPAC)

#### 2. AIMS

The Integrated Transport Portfolio Advisory Committee has been established to oversee the delivery of the outcomes and objectives identified in Councils Integrated Transport Strategy, including:

##### **A transport network where sustainable transport options are the preferred choice for people.**

- Increase the active transport mode share to 35% by 2031.
- Reduce the proportion of private vehicle trips from the 2018-19 baseline of 58% to 45% by 2031.
- Achieve an ownership rate of over 5,000 electric or hybrid vehicles by 2031.

##### **A safe, efficient and sustainable road network that balances the needs of movement and place to ensure roads are used for their intended purpose.**

- Achieve a 50% reduction in casualties on the road network from a 2018 baseline of 269 incidents by 2031.

##### **A parking system that caters to the needs of residents, freight delivery, visitors and workers.**

- Effectively manage parking to achieve a maximum 85% peak occupancy for time limited parking by 2031.

#### 3. OBJECTIVES

The Integrated Transport Portfolio Advisory Committee has been established with the following purpose:

- To ensure informed decision-making by increasing knowledge across Council in those services, facilities, initiatives and infrastructure covered within the Integrated Transport Strategy.
- To oversee performance in relation to the outcomes and objectives of the Integrated Transport Strategy.
- To consider opportunities for community involvement.
- To recognise community achievements that have contributed to the reaching of Integrated Transport Strategy outcomes and objectives.
- To enhance stakeholder relationships by identifying and involving key stakeholders.

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## OPEN SPACE AND RECREATION PORTFOLIO ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. NAME

The Advisory Committee shall be known as the Open Space and Recreation Portfolio Advisory Committee (OSRPAC)

#### 2. AIMS

The Open Space and Recreation Portfolio Advisory Committee has been established to oversee the delivery of the outcomes and objectives identified in Councils Open Space and Recreation Strategy, including:

##### **Open space grows and changes with the community**

- Every home in Randwick City will have open space of 1000m<sup>2</sup> within 800m by 2031.

##### **Our community is healthy and active**

- Maintain a community satisfaction rating for coastal open spaces, coastal walkways, playgrounds and parks of 97%

##### **Everyone has the opportunity to participate in sport and recreation**

- 75% or above satisfaction with new open space and recreation facilities within 2 years of implementation.

#### 3. OBJECTIVES

The Open Space and Recreation Portfolio Advisory Committee has been established with the following purpose:

- To ensure informed decision-making by increasing knowledge across Council in those services, facilities, initiatives and infrastructure covered within the Open Space and Recreation Strategy.
- To oversee performance in relation to the outcomes and objectives of the Open Space and Recreation Strategy.
- To consider opportunities for community involvement.
- To recognise community achievements that have contributed to the reaching of Open Space and Recreation Strategy outcomes and objectives.
- To enhance stakeholder relationships by identifying and involving key stakeholders.

#### 4. DETERMINATIONS

The committee shall be an advisory body. The committee has no delegated decision-making power from Council.

#### 5. MEMBERSHIP

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## Director City Planning Report No. CP22/22

**Subject: Little Bay Miocene Geological and Ochre Site - Notice of Intention to list on the State Heritage Register**

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### Executive Summary

- In April 2020, Council received a Notice of Intention from Heritage NSW to consider listing Little Bay Miocene Geological and Ochre Site on the State Heritage Register (SHR) in acknowledgement of its heritage significance to the people of New South Wales. This advice is in accordance with section 3(1)(a) of the Heritage Act 1977 (NSW).
- This report details the background and proposal to list Little Bay Miocene Geological and Ochre Site on the State Heritage Register.
- A submission to Heritage NSW in support of the proposed listing, and a recommendation to progress listing of the Little Bay Geological and Ochre Site as a local heritage item for inclusion on Schedule 5 - Environmental Heritage on the Randwick LEP 2012, including referral to the Randwick Local Planning Panel, will be made.

### Recommendation

That Council

- a) endorse the attached submission to Heritage NSW supporting the Notice of Intention to consider listing Little Bay Miocene Geological and Ochre Site on the State Heritage Register(SHR).
- b) endorse progression of the Little Bay Geological and Ochre Site for listing as a local heritage item for inclusion on Schedule 5 - Environmental Heritage on the Randwick LEP 2012 including referral of this matter to the Randwick Local Planning Panel.
- c) authorise the Director City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the submission prior to submitting to Heritage NSW.

### Attachment/s:

1.  Draft RCC Submission to Heritage NSW re NOI to list Miocene Geological Site on SHR - May 2022

## Purpose

This report outlines the background and basis for the Notice of Intention to consider listing the Little Bay Miocene Geological and Ochre Site on the State Heritage Register (SHR).

The report also provides a recommendation to make a submission to Heritage NSW supporting the Notice of Intention from Heritage NSW to consider listing the Little Bay Miocene Geological and Ochre Site on the State Heritage Register (SHR) in acknowledgement of its heritage significance to the people of New South Wales.

Additionally, the report provides a recommendation for progression of the Little Bay Geological and Ochre Site for listing as a local heritage item for inclusion on Schedule 5 - Environmental Heritage on the Randwick Local Environmental Plan (Randwick LEP) 2012, including referral to the Randwick Local Planning Panel.

## Discussion

### Background

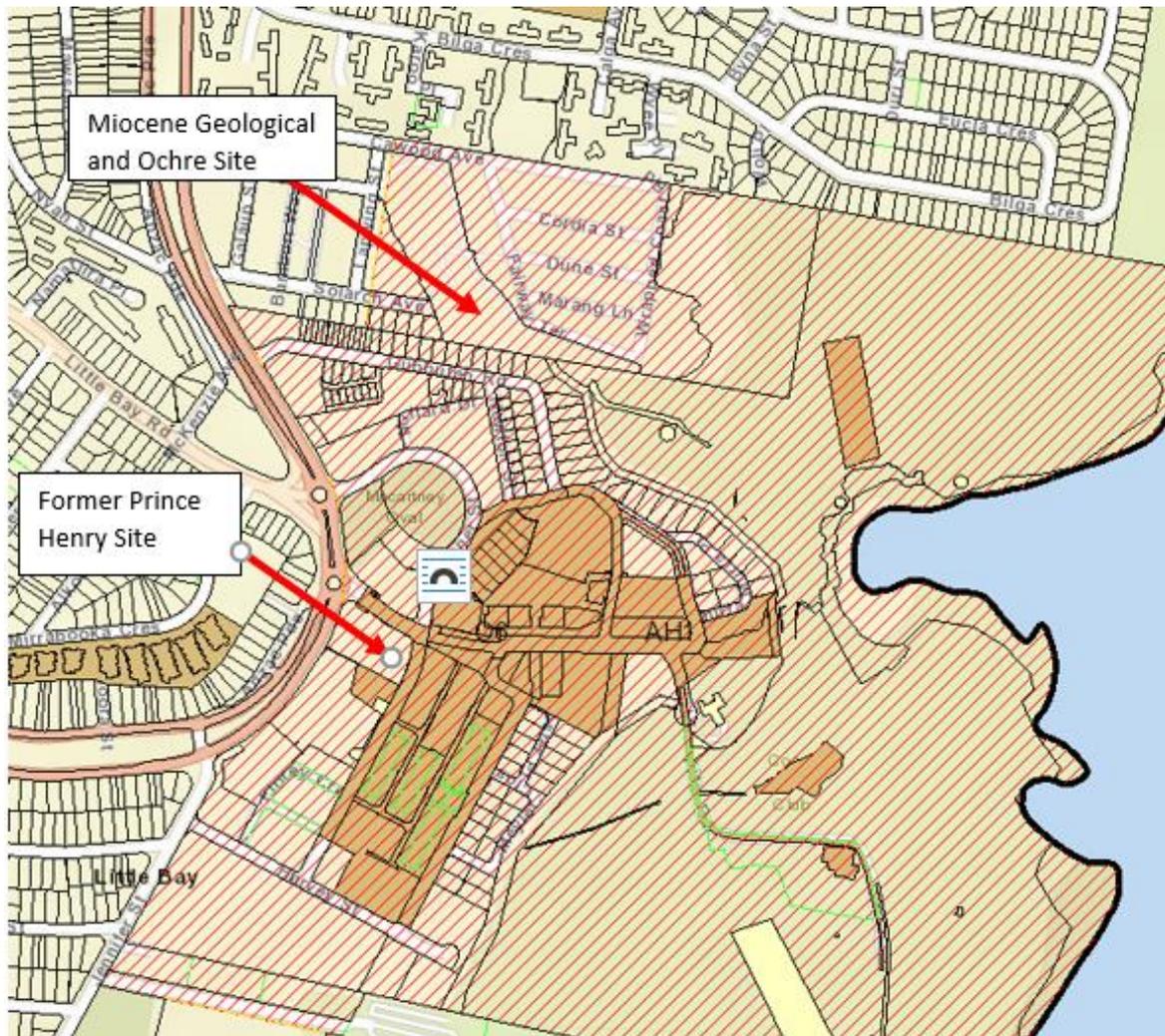
The Miocene Geological and Ochre Site in Little Bay is located on land that has frontage to Cawood Avenue and Lapwing Street, Little Bay, and is located near the intersection of these two streets. The Site is within the Meriton-owned Little Bay Cove site development site, which sits between Anzac Parade and Little Bay Beach, north of the former Prince Henry Hospital site.

In the 1990s, the geological site received recognition as a site of national heritage significance with listing on the Register of the National Estate and the Australian National Heritage list. The Register of the National Estate was closed in 2007 and its listings no longer has statutory weight.

In November 2003, Godden Mackay Logan Heritage Consultants prepared the Little Bay Geological Site Specific Elements Conservation Policy (SECP) which provided Design and Construction Principles and Protective Measures for New Development in the vicinity of the specific areas within the Geological Site. Specifically, the SECP identified the "Critical Exposure Area", within the Cleared Area, as well as within the Palaeovalley Area, as areas of critical significance in the Geological Site.

The Design and Construction Principles and Protective Measures in the SECP were incorporated into the Randwick Henry Development Control Plan (DCP) 2013 under the Prince Henry section of the DCP. Accordingly, DCP objectives and controls for the management of the Geological Site were formulated based on the recommendations contained in the Little Bay Geological Site SECP prepared by Godden Mackay Logan Heritage Consultants. Specifically, Clause 2.6 of the DCP notes the national significance of the Little Bay Geological site. Figure 4- "Built and landscape heritage maps" indicates the extent of the Palaeovalley Area, as well as the Cleared Area and the Critical Exposure Area. Figure 5- "Identified aboriginal and historical archaeology" identifies potential ochre site as an Aboriginal site. Essentially, under the DCP, any development within and in the vicinity of the Geological sites are subject to specific controls requiring minimal disturbance to the site.

The former Prince Henry site is listed as a Heritage Conservation Area (HCA) in the Randwick LEP 2012 Schedule 5 Environmental Heritage list (see Map 1 below). The HCA covers the Miocene Geological and Ochre Site therefore providing the site a degree of heritage protection.



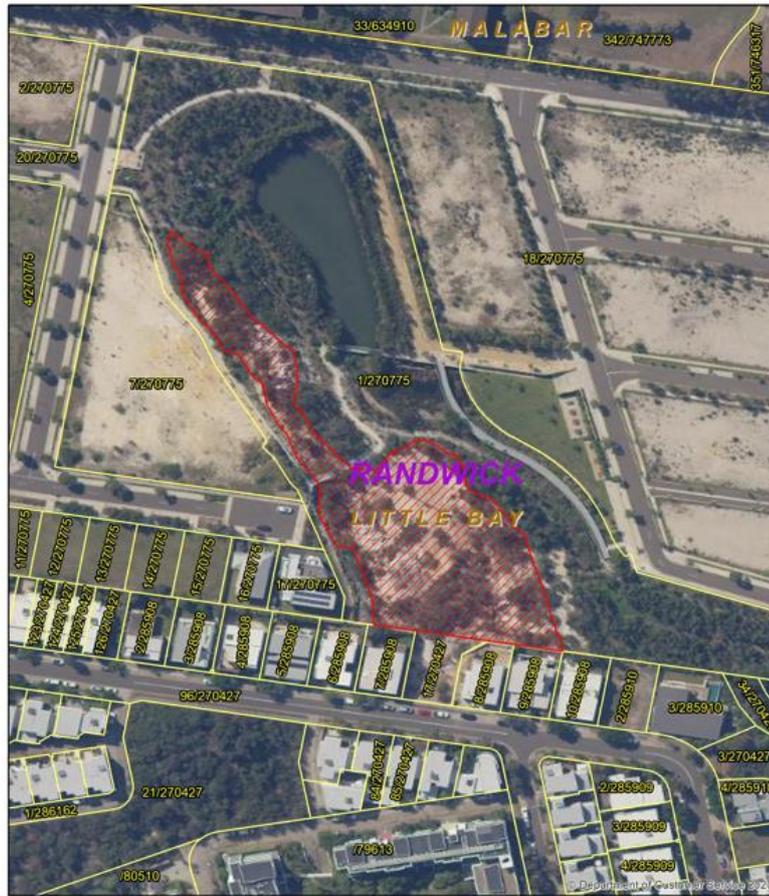
CP22/22

**Map 1-** Miocene Geological and Ochre site and former Prince Henry Hospital Site (Heritage Conservation Area shown hatched and heritage items shown in orange colour).

Notwithstanding these protections under the DCP and HCA, the site’s significance requires a higher level of protection than it currently enjoys under these local policies and instruments. In this context, listing on the State Heritage Register means that official recognition of its high heritage significance to the people of NSW is made. It also means that approval might be required from the Heritage Council for major changes to ensure the site’s heritage significance is retained. Accordingly, the State Heritage Register is a list of the most significant heritage places and objects in NSW.

**The Notice of Intention for State Heritage Listing**

Map 2 below shows the proposed curtilage of the Little Bay Geological and Ochre Site that is proposed to be listed. NSW Heritage Council’s Notice of Intention to list the Little Bay Geological Site on the State Heritage Register notes that the Site is likely to be of cultural significance for the state of NSW for its *historical, scientific and research values, social significance, rarity and representativeness*.



State Heritage Register - Proposed Curtilage for Investigation  
 Little Bay Miocene Paleo-Geoheritage Site (under consideration)  
 Little Bay  
 Plan: 3276  
 Date: 15/03/2022  
 Scale: 1:1,600 @A4  
 Datum/Projection: GCS GDA 1994

**Legend**  
 Proposed Curtilage  
 LGAs  
 Suburbs  
 Land Parcels  
 SHR Curtilage



**Map 2:** Proposed curtilage for the Little Bay Miocene Geological and Ochre Site

Specifically, the Notice of Intention notes that the site has a high level of significance as it is:

- Well established in the scientific community as a site of national importance for its biogeographical values, providing evidence of topography, relative sea level, vertical land movements and coastal landscape prior to the formation of Sydney Harbour and other coastal valleys.
- Likely to be of historical significance for NSW as the only site containing peat of Miocene age (22 million years BP) known on the current coast of NSW. This peat contains palaeobotanical evidence of climatic conditions, past vegetation and coastal landscape on the east coast of Australia in the early Miocene.
- An area of very high geological and geomorphological significance because it provides evidence of a sea level of approximately 26m higher than those today in the early Miocene. It also provides evidence that the drowned river valley systems on the New South Wales coast, such as Port Jackson, Broken Bay and Port Hacking, were initiated in the early Tertiary, prior to the early Miocene. The site is the only location in NSW where dating of coastal laterites has been made reliably.

- The only known occurrence of Tertiary marine sediments within the Sydney basin. The site is of very high significance as a scientific site for palaeobotanical studies (studies of pollen, plant macrofossils and micro-organisms) and geological and geomorphological studies.
- The only site on the current NSW coast where palaeobotanical studies have been used to provide evidence of climatic conditions and vegetation patterns in the Miocene - pollen from this site provides a representative example of the rainforest vegetation of coastal NSW in the early Miocene.
- A rare type of geological site and the scientific evidence it contains is likely to be of State significance and may be of National significance. The scientific potential of the site is capable of producing research of international significance and it has featured already in national and international journals.
- A site that contains deposits of ochre, which form a culturally significant landscape for Aboriginal people, especially those with strong connections to Kamay Botany Bay and La Perouse, continuing to provide ochre for ceremonial use for many generations.

Council's submission concurs with the above-listed findings regarding the significance of the Geological and Ochre Site and supports the intention to list the Site on the State Heritage Register. Additionally, further analysis and findings indicate that protection of the Site should be further strengthened at the local level by progressing relevant steps and processes for the Little Bay Geological and Ochre Site to be listed as a local heritage item for inclusion on Schedule 5 - Environmental Heritage on the Randwick LEP 2012. This includes referral and reporting to the Randwick Local Planning Panel for advice on this matter.

### Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	7. Heritage that is protected and celebrated.
Direction	7a. Our heritage is recognised, protected and celebrated.

### Resourcing Strategy implications

There are no immediate resourcing and financial implications arising from the Notice of Intention which is a State government responsibility.

### Policy and legislative requirements

The Notice of Intention for listing in the State Heritage Register is undertaken under relevant provisions of the NSW Heritage Act 1977.

Heritage Conservation section 5.10 of the Randwick Local Environment Plan 2012, State and National registers have been considered in the assessment and recommendations relating to the proposed State Heritage Register listing of Little Bay Miocene Geological and Ochre Site as documented in this report.

### Conclusion

The Heritage NSW has advised Council that the Little Bay Geological and Ochre Site is a rare type of geological site and the scientific evidence it contains is likely to have State-level significance and might also have a National level of significance. The scientific potential of the site might also be capable of producing research of a World heritage significance, since it has already been featured in national and international journals.

Council's submission on the Notice of Intention is supportive of the proposed State Heritage Register listing of this important scientific site at Little Bay. The submission includes a recommendation that the Geological Site's curtilage be extended to the full lot boundary of the land on which it is sited.

It is also recommended that Council endorse progression of the Little Bay Geological and Ochre Site for listing as a local heritage item for inclusion on Schedule 5 - Environmental Heritage on the Randwick LEP 2012 including, that this matter be referred to the Local Planning Panel (as required under a Ministerial Direction) prior to any planning proposal being submitted for a Gateway Determination.

---

**Responsible officer:** David Ongkili, Coordinator Strategic Planning

**File Reference:** F2018/00629



Randwick City Council  
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Randwick NSW 2031

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Follow us here



Mr Steven Meredith  
Director Heritage Programs,  
Heritage NSW  
Department of Planning and Environment

11 May 2022

Ref No: F2018/00629

CP22/22

Dear Mr Meredith,

**Re: Notice of Intention to consider listing on the State Heritage Register**

Thank you for advising Randwick Council of the Heritage Council of NSW resolution, at its meeting on 5 April 2022, of its intention to consider listing the Little Bay Miocene Geological and Ochre Site, which sits within the boundaries of the Randwick LGA, on the State Heritage Register (SHR) in acknowledgement of its heritage significance to the people of NSW.

Randwick City Council acknowledges the proposal to State list the Little Bay Miocene Geological and Ochre Site. It concurs with information contained in the proposed State Heritage Inventory listing sheet that the site is of cultural significance for the state of NSW for its historical, scientific and research values, social significance, rarity and representativeness.

Council notes that it is well established in the scientific community as a site of national importance for its biogeographical values. For the nation, and the people of NSW and the Randwick LGA, it provides evidence of topography, relative sea level, vertical land movements and coastal landscape prior to the formation of Sydney Harbour and other coastal valleys.

Randwick Council values the Little Bay site for its historical significance to NSW as the only known site on the current NSW coast containing peat of Miocene age (22 million years BP). This peat contains palaeobotanical evidence of climatic conditions, past vegetation and coastal landscape on the east coast of Australia in the early Miocene.

Council concurs that the area is of high geological and geomorphological significance, providing evidence of early Miocene sea levels on Sydney's eastern beaches of approximately 26m higher than those today. The site also provides valuable evidence that Port Jackson, Broken Bay and Port Hacking were drowned river valley systems on the NSW coast that were initiated in the early Tertiary, before the early Miocene.

Randwick Council values the fact that the site within its LGA boundaries is the only location in NSW where dating of coastal laterites has been made reliably. As your letter notes, the Little Bay Geological Site is the only known occurrence of Tertiary marine sediments within the Sydney basin.

Listing of the site on the State Heritage register is also supported by evidence of its high significance as a scientific site for palaeobotanical studies (studies of pollen, plant macrofossils and microorganisms) and geological and geomorphological studies. Pollen from the site provides a representative example of the rainforest vegetation of coastal NSW in the early Miocene - the only site on the current coast of NSW where palaeobotanic studies have been used to provide evidence of climatic conditions and vegetation patterns in the Miocene.

Council also values the site as a rare geological site and notes that the scientific evidence it might be of National and even international significance. The scientific potential of the site has already produced research that has featured in national and international journals.

Of particular interest to Council is the site's cultural significance to the local Aboriginal community. Randwick City has a rich and unique Aboriginal cultural history, with Kamay Botany Bay being a nationally significant place of First Contact and the only area in Sydney where the local Aboriginal community have had an unbroken connection to the land. The Little Bay site contains deposits of ochre that create culturally significant landscape to Aboriginal people, continuing to provide ochre for ceremonial use for many generations.

Randwick Council notes the curtilage map provided by the Heritage Council of NSW for this item. Council's Heritage Planners recommend that the curtilage be extended to the lot boundaries of the land containing the Miocene site. In this regard, Council advises that Council's records show that the Geological and Ochre site is contained in the block of land addressed as 1R Lapwing Street, Little Bay, with the legal description of Pt Lot 1 DP 270775.

Council's Heritage Planners are also investigating options to list the Little Bay Miocene Geological and Ochre Site on the Randwick Local Environment Plan Schedule 5 Environmental Heritage list as part of a future Planning Proposal, subject to Randwick Local Planning Panel and Randwick Council endorsement.

Yours sincerely,

Kerry Kyriacou  
Director, City Planning

CP22/22

## Director City Services Report No. CS19/22

### Subject: Sydney Light Rail - Dedication of Land as Public Road - Anzac Parade, High Street and Alison Road

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#### Executive Summary

- The Sydney Light Rail project introduced a new light rail corridor along existing roads within the Randwick LGA.
- The project required reconfiguration of the road reserve to accommodate the light rail, traffic lanes, footpaths and in parts, a shared cycleway. It resulted in the need to construct public infrastructure over UNSW land along High Street and Anzac Parade. TfNSW with support of the UNSW, proposes to subdivide the UNSW land on which public infrastructure was constructed and dedicate the subdivided parcels as public road.
- Along Alison Road, between Anzac Parade and Darley Road, TfNSW has sought to consolidate the land parcels and dedicate the land to the land managers / owners on either side of the light rail corridor. TfNSW proposes to subdivide the existing lots to the south of the light rail corridor and dedicate this land as public road to supplement the existing road reserve.
- This report presents the proposal for road dedication at the specific locations and the management arrangements for each of the locations.

#### Recommendation

That:

- a) Council consent to the dedication of the new land parcels created along High Street, identified as Lot 1 in D.P. 405035 and Lots 2 and 3 in D.P. 510271 in the proposed Plan of Subdivision as public road.
- b) Council consent to the dedication of the new land parcel created along Anzac Parade, identified as Lot 1 in D.P. 1104617 and Lot 2 in D.P. 1173179 in the proposed Plan of Subdivision as public road.
- c) Council consent to the dedication of the land parcels created along Alison Road, identified as Lots 7, 8 and 9 in the proposed D.P. 1271476.
- d) the General Manager be authorised to sign the Administration Sheet of the Deposited Plans to accept the dedication of the land as public road.

#### Attachment/s:

1.  Proposed Plan of Subdivision - High Street
2.  Proposed Plan of Subdivision - Anzac Parade
3.  Proposed Plan of Subdivision - Alison Road

## Purpose

This report outlines a proposal by TfNSW to dedicate land as public road along Anzac Parade, High Street and Alison Road. The report details how each parcel would need to be managed by Council if they were dedicated as public road and outlines any operational impacts to council.

## Discussion

### High Street

The Randwick line of the Sydney Light Rail runs along High Street and Wansey Road. The UNSW High Street light rail stop is located on High Street between Wansey Road and Botany Street. To accommodate the light rail, stop, the road reserve was reconfigured to include the light rail corridor, light rail stops, and a west bound only carriageway for vehicles.

Aerial Photograph 1 shows the layout of the new road reserve configuration. Part of this public infrastructure was constructed over UNSW land, including the property on the corner of High Street and Wansey Road.

With UNSW consent, TfNSW proposes to subdivide the properties to create Lots 1, 2 and 3, shown as red areas in the image below, to dedicate these parcels as public road. The subdivision plan for these lots is presented as Attachment 1. Lot 1 has an area of 1.3m<sup>2</sup> and is within an area allocated to footway. Lot 2 has an area of 67.8m<sup>2</sup>. Lot 3 has an area of 23.6m<sup>2</sup>. Lots 2 and 3 are located within the road carriageway.



**Aerial Photograph 1 – High Street – Proposed Lots 1,2 and 3**

High Street is a local road managed by Randwick City Council. TfNSW proposes to dedicate lots 1, 2 and 3 as public road and form part of High Street. The new lots would then be managed as road assets.

Randwick Council is the Roads Authority for local roads. If the proposal proceeds, Council would become responsible for managing this public infrastructure in accordance with its obligations under the Roads Act, 1993.

Council officers were involved in the design development of the project and acknowledged the need for public infrastructure to extend over UNSW land to allow pedestrian access and vehicular traffic along High Street.

Aerial Photograph 2 shows the road configuration prior to the construction of the light rail. This portion of High Street had a road pavement 11m wide which allowed for 2 lanes in each direction. It should be noted that the proposed Lot 2 was previously within the carriageway of high street.



**Aerial Photograph 2 – High Street – Road configuration prior to the Light Rail**

The proposal to dedicate Lots 1, 2 and 3 as public road will formalise the portion of road running through Lot 2. Due to the changes in the road reserve configuration resulting from the light rail, the area of road pavement has been significantly reduced. Therefore, the maintenance and pavement renewal obligations for Randwick Council are reduced in comparison to the obligations prior to the light rail.

On this basis, it is recommended that Council consent to the dedication of Lot 1, D.P. 405035, and Lots 2 and 3, D.P. 510271 as public road.

#### **Anzac Parade**

The Kingsford line of the light rail runs along Anzac Parade between Alison Road and the terminus just south of Rainbow Street.

The UNSW Anzac Parade light rail stop has been constructed along the UNSW frontage between High Street and Day Avenue. This portion of Anzac Parade consists of 2 traffic lanes in each direction on either side of the light rail stop and indented bus bays on each side of the road. The total required width to accommodate this infrastructure results in a narrow section of the bus bays encroaching into UNSW land. This encroachment is shown as areas marked in green in Aerial Photograph 3.

The proposed Lot 1 is 19.9m in length and varies in width. The total area is 5.6m<sup>2</sup>. The proposed Lot 2 is 58.6m in length with a total area of 45.8m<sup>2</sup>. The subdivision plan for these Lots is presented as Attachment 2.



**Aerial Photograph 3 – Anzac Parade – Proposed Lots 1 and 2**

Anzac Parade is classified as a State Road. TfNSW is responsible for the management of the traffic along Anzac Parade and for the maintenance and renewal of the infrastructure between the kerbs. However, Council, as the Roads Authority for public roads within the Randwick LGA, is the ‘owner’ of the road reserve for State Roads.

The proposal to dedicate land as public road requires Council’s consent. The dedicated lots will be located within the area managed by TfNSW. Therefore, there will be no maintenance obligations arising from the dedication of this land as public road.

On this basis, it is recommended that Council consent to the dedication of Lot 1, D.P. 1104617 and Lot 2, D.P. 1173179 as public road.

### Alison Road

Part of the Randwick line of the Sydney Light Rail runs adjacent and to the north of Alison Road between Anzac Parade and Darley Road. The light rail corridor alignment is within open space located between the road reserve and the levy along the southern edge of Centennial Park as shown in Aerial Photograph 4.

This corridor between the road reserve and Centennial Park is comprised of several land parcels. TfNSW is proposing to dedicate the open space on the north side of the light rail corridor to Centennial Park and the land on the south side as public road. The Plan of Subdivision is presented as Attachment 3.



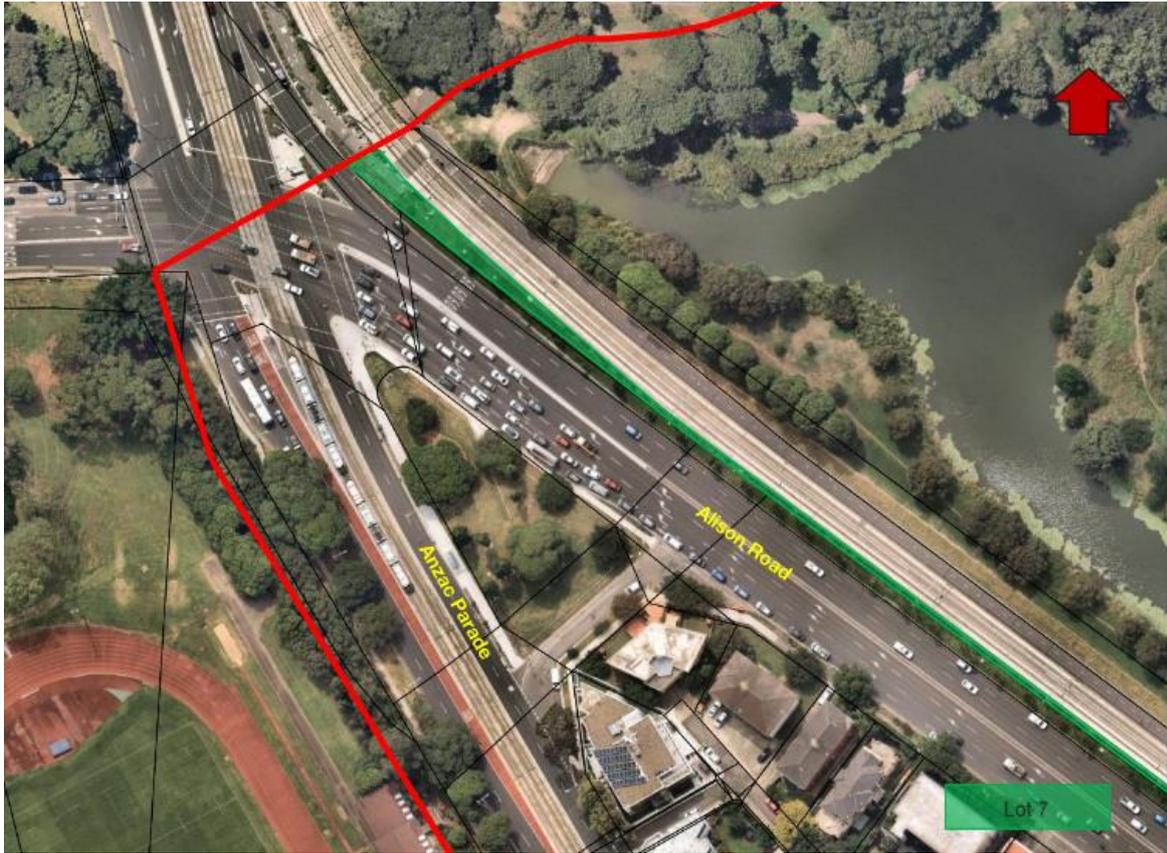
**Aerial Photograph 4 – Locality Map – Alison Road**

The Plan of Subdivision proposes Lots 7, 8 and 9 of D.P 1271476 on the southern side of the light corridor for dedication as public road.

Lot 7 is shown as a green area in Aerial Photographs 5 and 6. It is a narrow strip of land between the road reserve and the light rail corridor. It runs from the northern LGA boundary towards Doncaster Avenue. The land has a grass surface, consistent with the adjacent footway of the road reserve. There are small areas of low maintenance landscaping within this lot at the southern end.

The area is approximately 183m in length and has a total area of 898m<sup>2</sup>.

CS19/22



Aerial Photograph 5 – Alison Road – Lot 7 - 1



Aerial Photograph 6 – Alison Road – Lot 7 - 2



**Aerial Photograph 7 – Alison Road – Lots 8 and 9**

Lots 8 and 9 are also located between the Alison Road reserve and the light rail corridor. These Lots are shown in Aerial Photograph 7. Lot 8 is shown as the areas in purple and orange. Lot 9 is shown as the area in blue.

Lot 8 has a total area of 2210m<sup>2</sup>. The areas of Lot 8 marked in purple have pedestrian paths, bus stops on either side of the busway, a lawn area, low maintenance landscaping, public lighting, and pedestrian fencing.

Lot 8 contains a busway, linking Alison Road with the light rail corridor and is shown as the area in orange in Aerial Photograph 7. This busway will be classified as a transitway and maintained by TfNSW.

Lot 9 has a total area of 559m<sup>2</sup>. The land is predominantly turf with low maintenance landscaping adjacent to the light rail corridor. A concrete path links the public footpath with the light rail pedestrian crossing.

**Maintenance and Renewal**

In recognition that the busway is for public transport purposes only, TfNSW proposes to maintain the road surface, kerb and gutter, drainage structures, bus stop sign, pedestrian fencing, all associated road signs, and the traffic lights.

If the lots were dedicated as public road, Council would be responsible for the concrete footpaths, bus shelters, landscaped areas, and grassed areas.

The areas of landscaping and turf associated with the dedication of Lots 7, 8 and 9 are provided below. Included are the estimated maintenance costs based on 18 – 20 services per year.

	Area	Rate	Operational Cost
<b>Landscape</b>	654m <sup>2</sup>	\$8.41/m <sup>2</sup>	\$5,500 p.a.
<b>Turf</b>	1281m <sup>2</sup>	\$1.19/m <sup>2</sup>	\$1,524 p.a.
<b>TOTAL</b>	<b>1935m<sup>2</sup></b>		

It should be noted that the maintenance of Tay Reserve (1965m<sup>2</sup>), which used to be undertaken by Council, is no longer an RCC obligation following confirmation that the land is under the care and control of Centennial Parklands.

**Assessment and Discussion**

The creation of gardens, planting of trees and open space was a key consideration of the design principles for the light rail project.

Randwick Council provided feedback throughout the design process and sought to achieve outcomes in accordance with the Development Agreement between TfNSW and RCC (Sep 2014) and the accompanying RCC Urban Design Guidelines which contains a planting palette of trees and shrubs.

The project has planted approximately 1,300 trees along the corridor and throughout Kensington and Kingsford. The project also delivered 5903m<sup>2</sup> of landscaping outside of the light rail corridor as follows:

**Alison Road (Existing Road Reserve)**

Landscaped Area	1975m <sup>2</sup>	22 Individual Garden Areas
Turf Area	1123m <sup>2</sup>	

**Wansey Road**

Landscaped Area	1078m <sup>2</sup>	13 Individual Garden Areas
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**High Street**

Landscaped Area	298m <sup>2</sup>	12 Individual Garden Areas
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**Anzac Parade**

Landscaped Area	1115m <sup>2</sup>	34 Individual Garden Areas
-----------------	--------------------	----------------------------

**Rainbow Street**

Landscaped Area	314m <sup>2</sup>	3 Individual Garden Areas
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<b>TOTAL AREA</b>	<b>5903m<sup>2</sup></b>	
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To offset the additional maintenance costs and future capital costs associated with the landscaped areas and gardens, there has been a significant reduction of approximately 6,000m<sup>2</sup> of road pavement along High Street and Wansey Road.

**Approval Pathway**

The proposal by TfNSW to dedicate subdivided land as public road is in accordance with the Roads Act 1993.

TfNSW representative have approached council, as the Roads Authority to facilitate this dedication of land for public road in a consultative and collaborative manner.

Should council elect not to support the proposed dedication of land, the Roads Act includes provisions for the Minister or the Governor to dedicate land as public road without consent from the Roads Authority.

**Strategic alignment**

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	6. A liveable city.

Outcome/Direction	Delivery Program actions
Direction	6a. Our public infrastructure and assets are planned, managed and funded to meet the community expectations and defined levels of service.

### Resourcing Strategy implications

#### Asset Valuation / Lifecycle

The proposal to dedicate land as public road will involve the transfer of new infrastructure assets to Randwick City Council. Randwick Council will be responsible to manage these assets physically and financially over their life. A table of these infrastructure asset types their value and annual depreciation is presented below.

Assets within three lots have not been included for the following reason:

- High Street - Lot 2 – Road – Already included in RCC asset register
- Anzac Parade – Lot 1 – Road – Road will be managed by TfNSW
- Anzac Parade – Lot 1 – Road – Road will be managed by TfNSW

Location	Lot	Asset Type	Area	Current Replacement Cost	Annual Depreciation / Charge
High Street	1	Footpath	1.3m <sup>2</sup>	\$204	\$2.53
High Street	3	Road	23.6m <sup>2</sup>	\$5,269	\$71.02
Alison Road	7,8 and 9	Footpath	475m <sup>2</sup>	\$74,000	\$925
Alison Road	7,8 and 9	Bus Shelters	2 items	\$65,000	\$1,625
<b>TOTALS</b>				<b>\$79,472</b>	<b>\$2623.56</b>

There are 4 streetlights within lot 8 that were already funded by Randwick Council. These streetlights were upgraded as part of the project to the latest LED technology and installed on new steel poles. The new hardware has an additional charge of \$200 per annum, per light. However, they provide significant energy savings of 66%, overall, which reduces electricity costs.

#### Operational Costs

The acceptance of Lots 7, 8 and 9 as public road adjacent to Alison Road will result in an obligation to maintain the landscaping at an estimated cost of \$7,024 per annum. This figure is offset by the reduction in maintenance obligations for Tay Reserve of \$2,350. This represents a moderately low increase in total landscape maintenance costs.

### Policy and legislative requirements

- Roads Act, 1993
- Local Government Act, 1993
- Environmental Planning and Assessment Act, 1979
- Conveyancing Act, 1919

### Conclusion

The planning and construction of the SLR has required the management and resolution of land interests resulting from the final alignment of the light rail.

In accordance with negotiations and agreement between TfNSW and Randwick Council officers, TfNSW has commissioned Plans of Subdivision to dedicate land to key stakeholders and land managers.

There are 3 smaller lots in High Street and 2 lots along Anzac Parade that are proposed to be dedicated as public road. The lots along High Street will need to be managed by Randwick Council. The lots along Anzac Parade will be within the carriageway that is managed by TfNSW as a state road.

The proposal to dedicate Lots 7, 8 and 9 of DP 1271476 adjacent to Alison Road as public road will result in an increase in open space allocated to Randwick Council with the opportunity to plant up to 4 new trees. A Transitway will be created over the bus way. TfNSW will manage the public infrastructure within the transitway similar to the obligations if the road were to be classified as a state road.

The increase in landscape maintenance of these lots is a relatively minor obligation to the existing landscape maintenance obligations along the existing Alison Road, road reserve.

Based on the assessment of the proposed dedication of the subdivided lots as public road, it is recommended that the Council consent to the dedication.

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**Responsible officer:** Joe Ingegneri, Manager Technical Services

**File Reference:** F2015/00095

PLAN FORM 6 (2017)	DEPOSITED PLAN ADMINISTRATION SHEET	Sheet 1 of 3 sheets
Registered: <span style="float: right;">Office Use Only</span> Title System:		<b>D.P.</b>
<b>PLAN OF SUBDIVISION OF LOT 1 D.P. 510271 AND LOT A D.P. 405035</b>		LGA: RANDWICK Locality: RANDWICK / KENSINGTON Parish: ALEXANDRIA County: CUMBERLAND
Survey Certificate I, <u>MATTHEW AARON POWER</u> DEGOTARDI, SMITH AND PARTNERS of <u>1/9-11 BRIDGE STREET, PYMBLE NSW 2073</u> a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> , certify that: *(a) The land shown in the plan was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i> , is accurate and the survey was completed on <u>10 DECEMBER 2019</u> <del>*(b) The part of the land shown in the plan (*being/*excluding**</del> <del>.....)</del> was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i> , the part not surveyed is accurate and the survey was completed on, ..... the part not surveyed was compiled in accordance with that Regulation, or *(c) The land shown in this plan was compiled in accordance with the <del><i>Surveying and Spatial Information Regulation 2017</i></del> Datum Line: <u>'X'-'Y'</u> Type: *Urban/*Rural- <del>The terrain is *Level Undulating / *Steep Mountainous.</del> Signature: ..... Dated: <u>10/12/2019</u> Surveyor Identification No: <u>181</u> Surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> *Strike out inappropriate words. **Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.		Crown Lands NSW/Western Lands Office Approval I ..... (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given. Signature: ..... Date: ..... File Number: ..... Office: .....
Plans used in the preparation of survey/ <del>compilation</del> D.P. 405035 D.P. 510271 D.P. 1038595 D.P. 1231447 C.P. 18-1928 (UNREG. PLAN BY SURVEYOR ANTHONY BRUNSKILL)		Subdivision Certificate I, ..... *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein. Signature: ..... Accreditation number: ..... Consent Authority: ..... Date of endorsement: ..... Subdivision Certificate number: ..... File number: ..... *Strike through if inapplicable.
Surveyor's Reference: 35352DP-5 2019 M7100 (1500) PARTIAL SURVEY		Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land. IT IS INTENDED TO DEDICATE LOTS 1 TO 3 INCLUSIVE TO THE PUBLIC AS ROAD SUBJECT TO EASEMENT FOR DRAINAGE.
		Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A

CS19/22

PLAN FORM 6A (2017)      DEPOSITED PLAN ADMINISTRATION SHEET      Sheet 2 of 3 sheets																					
Office Use Only	Office Use Only																				
Registered:	<b>D.P.</b>																				
<b>PLAN OF SUBDIVISION OF LOT 1 D.P. 510271 AND LOT A D.P. 405035</b>																					
Subdivision Certificate number: ..... Date of endorsement: .....																					
This sheet is for the provision of the following information as required: <ul style="list-style-type: none"> <li>A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i></li> <li>Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i></li> <li>Signatures and seals- see 195D <i>Conveyancing Act 1919</i></li> <li>Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.</li> </ul>																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="5">SCHEDULE OF STREET ADDRESSES</th> </tr> <tr> <th style="width: 10%;">LOT NUMBER</th> <th style="width: 15%;">ADDRESS NUMBER</th> <th style="width: 25%;">ROAD NAME</th> <th style="width: 15%;">ROAD TYPE</th> <th style="width: 35%;">LOCALITY NAME</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">4</td> <td style="text-align: center;">30</td> <td style="text-align: center;">HIGH</td> <td style="text-align: center;">STREET</td> <td style="text-align: center;">RANDWICK, NSW, 2031</td> </tr> <tr> <td style="text-align: center;">5</td> <td style="text-align: center;">356</td> <td style="text-align: center;">ANZAC</td> <td style="text-align: center;">PARADE</td> <td style="text-align: center;">KENSINGTON, NSW, 2033</td> </tr> </tbody> </table>		SCHEDULE OF STREET ADDRESSES					LOT NUMBER	ADDRESS NUMBER	ROAD NAME	ROAD TYPE	LOCALITY NAME	4	30	HIGH	STREET	RANDWICK, NSW, 2031	5	356	ANZAC	PARADE	KENSINGTON, NSW, 2033
SCHEDULE OF STREET ADDRESSES																					
LOT NUMBER	ADDRESS NUMBER	ROAD NAME	ROAD TYPE	LOCALITY NAME																	
4	30	HIGH	STREET	RANDWICK, NSW, 2031																	
5	356	ANZAC	PARADE	KENSINGTON, NSW, 2033																	
PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919, IT IS INTENDED TO CREATE:- <ol style="list-style-type: none"> <li>1. RIGHT OF PUBLIC ACCESS AND EASEMENT FOR MAINTENANCE VARIABLE WIDTH. (A)</li> <li>2. EASEMENT FOR SERVICES VARIABLE WIDTH. (B)</li> <li>3. EASEMENT FOR TRAFFIC LIGHT SERVICES VARIABLE WIDTH. (C)</li> </ol>																					
If space is insufficient use additional annexure sheet																					
Surveyor's Reference: 35352DP-5 2019 M7100 (1500) PARTIAL SURVEY																					

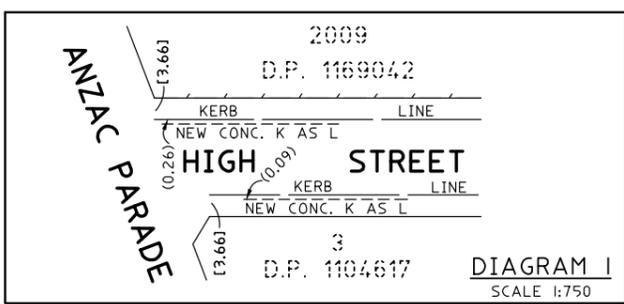
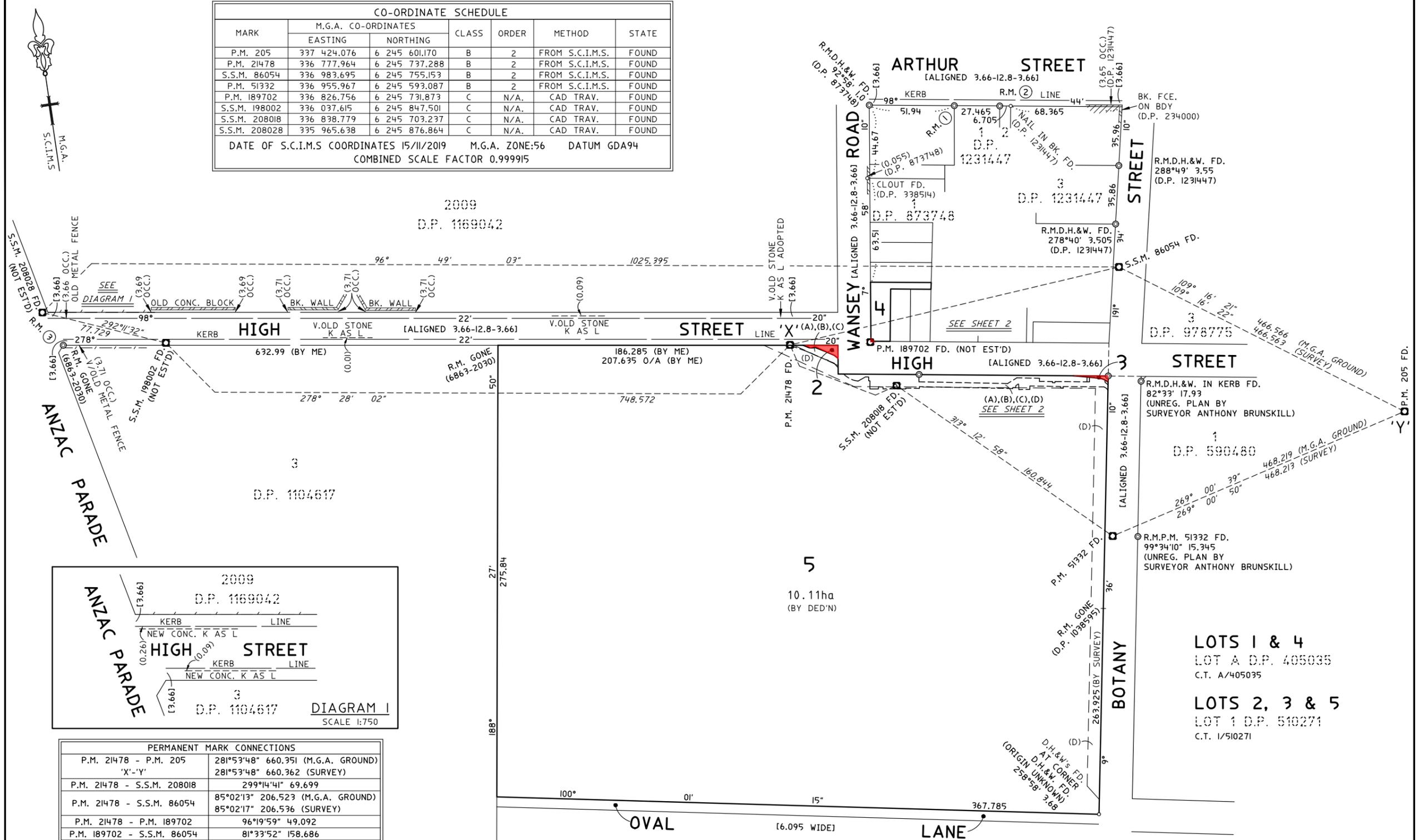
PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 1 of 3 sheets

MARK	M.G.A. CO-ORDINATES		CLASS	ORDER	METHOD	STATE
	EASTING	NORTHING				
P.M. 205	337 424.076	6 245 601.170	B	2	FROM S.C.I.M.S.	FOUND
P.M. 21478	336 777.964	6 245 737.288	B	2	FROM S.C.I.M.S.	FOUND
S.S.M. 86054	336 983.695	6 245 755.153	B	2	FROM S.C.I.M.S.	FOUND
P.M. 51332	336 955.967	6 245 593.087	B	2	FROM S.C.I.M.S.	FOUND
P.M. 189702	336 826.756	6 245 731.873	C	N/A.	CAD TRAV.	FOUND
S.S.M. 198002	336 037.615	6 245 847.501	C	N/A.	CAD TRAV.	FOUND
S.S.M. 208018	336 838.779	6 245 703.237	C	N/A.	CAD TRAV.	FOUND
S.S.M. 208028	335 965.638	6 245 876.864	C	N/A.	CAD TRAV.	FOUND

DATE OF S.C.I.M.S COORDINATES 15/11/2019 M.G.A. ZONE:56 DATUM GDA94  
COMBINED SCALE FACTOR 0.999915



PERMANENT MARK CONNECTIONS			
P.M. 21478 - P.M. 205	281°53'48"	660.351	(M.G.A. GROUND)
'X'-'Y'	281°53'48"	660.362	(SURVEY)
P.M. 21478 - S.S.M. 208018	299°14'41"	69.699	
P.M. 21478 - S.S.M. 86054	85°02'13"	206.523	(M.G.A. GROUND)
	85°02'17"	206.536	(SURVEY)
P.M. 21478 - P.M. 189702	96°19'59"	49.092	
P.M. 189702 - S.S.M. 86054	81°33'52"	158.686	

SCHEDULE OF REFERENCE MARKS				
No.	TYPE	BEARING	DISTANCE	ORIGIN
1	R.M.D.H.&W. IN KERB FD.	188°57'	3.535	D.P. 1231447
2	R.M.D.H.&W. FD.	188°55'	0.915	D.P. 1231447
3	S.S.M. 208028 FOUND	155°54'	23.73	UNREG. PLAN BY ME

- (A) RIGHT OF PUBLIC ACCESS AND EASEMENT FOR MAINTENANCE VARIABLE WIDTH.
- (B) EASEMENT FOR SERVICES VARIABLE WIDTH.
- (C) EASEMENT FOR TRAFFIC LIGHT SERVICES VARIABLE WIDTH.
- (D) EASEMENT FOR DRAINAGE 7.62 WIDE. (VIDE L852165)

Surveyor: <b>MATTHEW AARON POWER</b> DEGOTARDI, SMITH AND PARTNERS 1/9-11 BRIDGE STREET, PYMBLE NSW 2073 Date of Survey: 10 DECEMBER 2019 Surveyor's Ref: 35352DP-5 2019 M7100 (1500) PARTIAL SURVEY	PLAN OF SUBDIVISION OF LOT 1 D.P. 510271 AND LOT A D.P. 405035	LGA: RANDWICK Locality: RANDWICK / KENSINGTON Subdivision No: Lengths are in metres. Reduction Ratio 1:1500	Registered
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CS19/22

PLAN FORM 2 (A2)

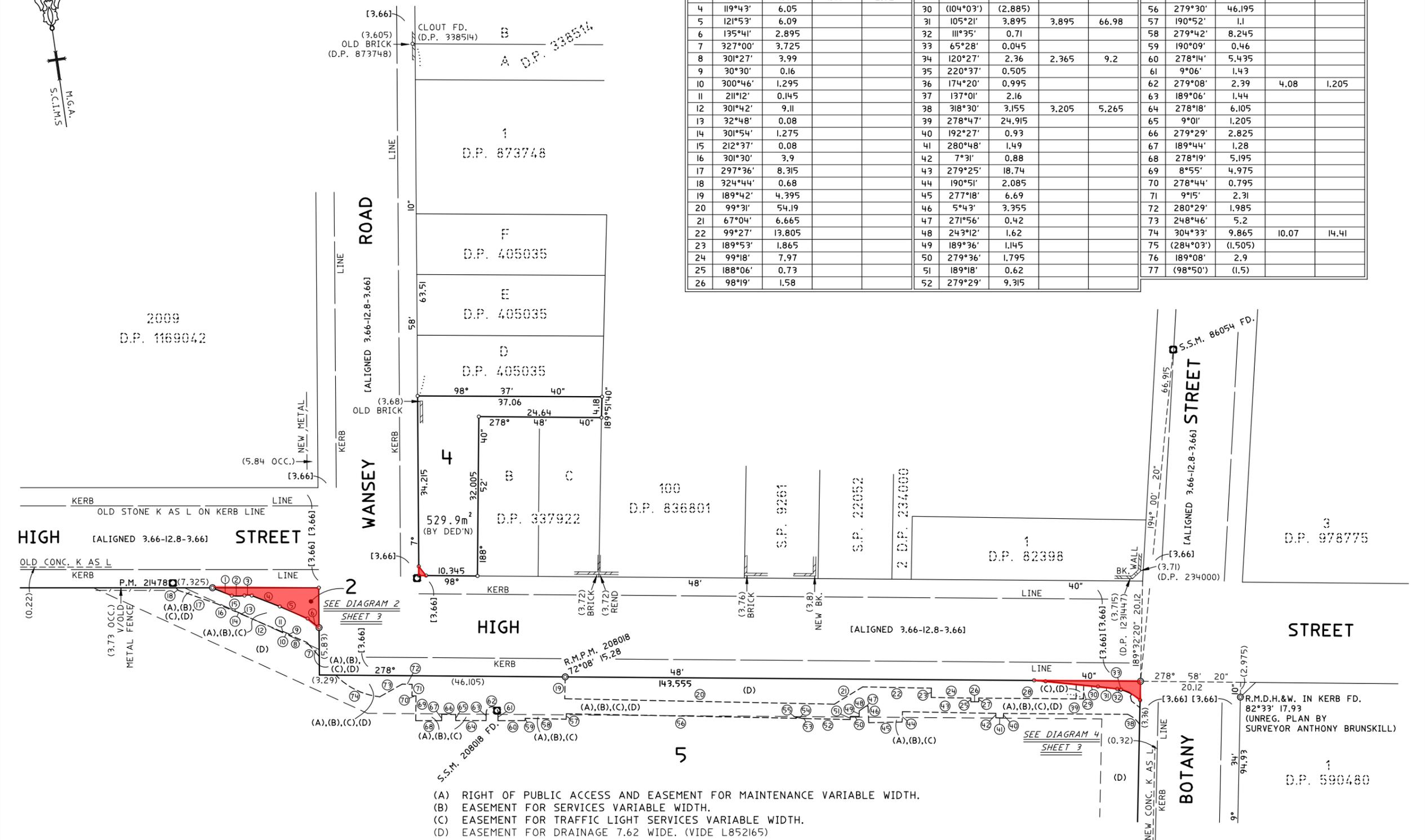
WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 2 of 3 sheets

CS19/22



SCHEDULE OF SHORT AND CURVED LINES														
No.	BEARING	DISTANCE	ARC	RADIUS	No.	BEARING	DISTANCE	ARC	RADIUS	No.	BEARING	DISTANCE	ARC	RADIUS
1	120°13'	4.175			27	9°04'	0.725			53	184°33'	0.04		
2	98°05'	2.54	2.555	7.215	28	98°50'	21.03			54	290°00'	1.555		
3	98°10'	1.47	1.49	2.62	29	9°08'	2.765			55	189°15'	0.215		
4	119°43'	6.05			30	(104°03')	(2.885)			56	279°30'	46.195		
5	121°53'	6.09			31	105°21'	3.895	3.895	66.98	57	190°52'	1.1		
6	135°41'	2.895			32	111°35'	0.71			58	279°42'	8.245		
7	327°00'	3.725			33	65°28'	0.045			59	190°09'	0.46		
8	301°27'	3.99			34	120°27'	2.36	2.365	9.2	60	278°14'	5.435		
9	30°30'	0.16			35	220°37'	0.505			61	9°06'	1.43		
10	300°46'	1.295			36	174°20'	0.995			62	279°08'	2.39	4.08	1.205
11	211°12'	0.145			37	137°01'	2.16			63	189°06'	1.44		
12	301°42'	9.11			38	318°30'	3.155	3.205	5.265	64	278°18'	6.105		
13	32°48'	0.08			39	278°47'	24.915			65	9°01'	1.205		
14	301°54'	1.275			40	192°27'	0.93			66	279°29'	2.825		
15	212°37'	0.08			41	280°48'	1.49			67	189°44'	1.28		
16	301°30'	3.9			42	7°31'	0.88			68	278°19'	5.195		
17	297°36'	8.315			43	279°25'	18.74			69	8°55'	4.975		
18	324°44'	0.68			44	190°51'	2.085			70	278°44'	0.795		
19	189°42'	4.395			45	277°18'	6.69			71	9°15'	2.31		
20	99°31'	54.19			46	5°43'	3.355			72	280°29'	1.985		
21	67°04'	6.665			47	271°56'	0.42			73	248°46'	5.2		
22	99°27'	13.805			48	243°12'	1.62			74	304°33'	9.865	10.07	14.41
23	189°53'	1.865			49	189°36'	1.145			75	(284°03')	(1.505)		
24	99°18'	7.97			50	279°36'	1.795			76	189°08'	2.9		
25	188°06'	0.73			51	189°18'	0.62			77	(98°50')	(1.5)		
26	98°19'	1.58			52	279°29'	9.315							



- (A) RIGHT OF PUBLIC ACCESS AND EASEMENT FOR MAINTENANCE VARIABLE WIDTH.
- (B) EASEMENT FOR SERVICES VARIABLE WIDTH.
- (C) EASEMENT FOR TRAFFIC LIGHT SERVICES VARIABLE WIDTH.
- (D) EASEMENT FOR DRAINAGE 7.62 WIDE. (VIDE L852165)

Surveyor: <b>MATTHEW AARON POWER</b> DEGOTARDI, SMITH AND PARTNERS 1/9-11 BRIDGE STREET, PYMBLE NSW 2073 Date of Survey: 10 DECEMBER 2019 Surveyor's Ref: 35352DP-5 2019 M7100 (1500) PARTIAL SURVEY	PLAN OF SUBDIVISION OF LOT 1 D.P. 510271 AND LOT 4 D.P. 405035	LGA: RANDWICK Locality: RANDWICK / KENSINGTON Subdivision No: Lengths are in metres. Reduction Ratio 1:500	Registered
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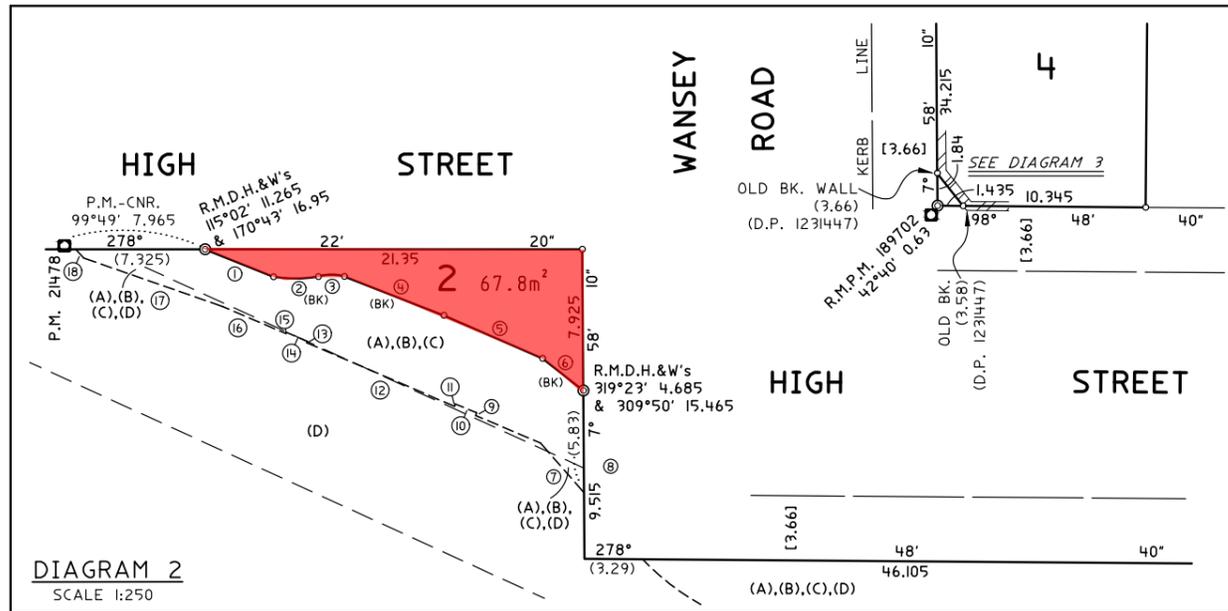


DIAGRAM 2  
SCALE 1:250

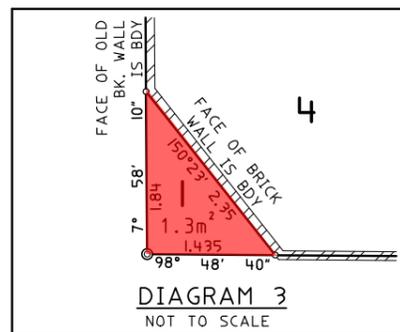


DIAGRAM 3  
NOT TO SCALE

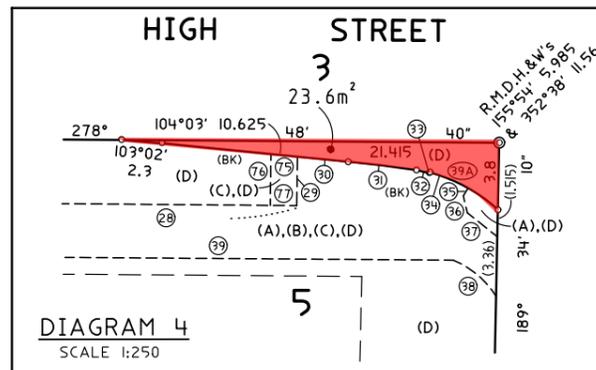


DIAGRAM 4  
SCALE 1:250

SCHEDULE OF SHORT AND CURVED LINES				
No.	BEARING	DISTANCE	ARC	RADIUS
1	120°13'	4.175		
2	98°05'	2.54	2.555	7.215
3	98°10'	1.47	1.49	2.62
4	119°43'	6.05		
5	121°53'	6.09		
6	135°41'	2.895		
7	327°00'	3.725		
8	301°27'	3.99		
9	30°30'	0.16		
10	300°46'	1.295		
11	211°12'	0.145		
12	301°42'	9.11		
13	32°48'	0.08		
14	301°54'	1.275		
15	212°37'	0.08		
16	301°30'	3.9		
17	297°36'	8.315		
18	324°44'	0.68		
28	98°50'	21.03		
29	9°08'	2.765		
30	(104°03')	(2.885)		
31	105°21'	3.895	3.895	66.98
32	111°35'	0.71		
33	65°28'	0.045		
34	(120°27')	(2.36)	(2.365)	9.2
35	220°37'	0.505		
36	174°20'	0.995		
37	137°01'	2.16		
38	318°30'	3.155	3.205	5.265
39	278°47'	24.915		
39A	126°58'	4.415	4.455	9.2
75	(284°03')	(1.505)		
76	189°08'	2.9		
77	(98°50')	(1.5)		

- (A) RIGHT OF PUBLIC ACCESS AND EASEMENT FOR MAINTENANCE VARIABLE WIDTH.
- (B) EASEMENT FOR SERVICES VARIABLE WIDTH.
- (C) EASEMENT FOR TRAFFIC LIGHT SERVICES VARIABLE WIDTH.
- (D) EASEMENT FOR DRAINAGE 7.62 WIDE. (VIDE L852165)
- (BK) DENOTES BACK OF KERB IS BOUNDARY

Surveyor: MATTHEW AARON POWER  
 DEGOTARDI, SMITH AND PARTNERS  
 1/9-11 BRIDGE STREET, PYMBLE NSW 2073  
 Date of Survey: 10 DECEMBER 2019  
 Surveyor's Ref: 35352DP-5  
 2019 M7100 (1500) PARTIAL SURVEY

PLAN OF SUBDIVISION OF LOT 1 D.P. 510271 AND  
 LOT A D.P. 405035

LGA: RANDWICK  
 Locality: RANDWICK / KENSINGTON  
 Subdivision No:  
 Lengths are in metres. Reduction Ratio 1:500

Registered





CS19/22

PLAN FORM 6A (2017)		DEPOSITED PLAN ADMINISTRATION SHEET		Sheet 2 of 3 sheets																				
Office Use Only		Office Use Only																						
Registered:		<b>PPN DP1264172</b>																						
<b>PLAN OF SUBDIVISION OF LOT 3 D.P. 1104617 AND LOT 2 D.P. 1173179 &amp; EASEMENTS OVER LOT 11 D.P. 1062204 , LOTS 1 &amp; 2 D.P. 1173179 AND LOT 3 D.P. 1104617</b>		This sheet is for the provision of the following information as required: <ul style="list-style-type: none"> <li>A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i></li> <li>Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i></li> <li>Signatures and seals- see 195D <i>Conveyancing Act 1919</i></li> <li>Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.</li> </ul>																						
Subdivision Certificate number: .....																								
Date of endorsement: .....																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="5">SCHEDULE OF STREET ADDRESSES</th> </tr> <tr> <th style="width: 10%;">LOT NUMBER</th> <th style="width: 15%;">ADDRESS NUMBER</th> <th style="width: 25%;">ROAD NAME</th> <th style="width: 15%;">ROAD TYPE</th> <th style="width: 35%;">LOCALITY NAME</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">3</td> <td style="text-align: center;">356</td> <td style="text-align: center;">ANZAC</td> <td style="text-align: center;">PARADE</td> <td style="text-align: center;">KENSINGTON, NSW, 2033</td> </tr> <tr> <td style="text-align: center;">4</td> <td style="text-align: center;">215B</td> <td style="text-align: center;">ANZAC</td> <td style="text-align: center;">PARADE</td> <td style="text-align: center;">KENSINGTON, NSW, 2033</td> </tr> </tbody> </table>					SCHEDULE OF STREET ADDRESSES					LOT NUMBER	ADDRESS NUMBER	ROAD NAME	ROAD TYPE	LOCALITY NAME	3	356	ANZAC	PARADE	KENSINGTON, NSW, 2033	4	215B	ANZAC	PARADE	KENSINGTON, NSW, 2033
SCHEDULE OF STREET ADDRESSES																								
LOT NUMBER	ADDRESS NUMBER	ROAD NAME	ROAD TYPE	LOCALITY NAME																				
3	356	ANZAC	PARADE	KENSINGTON, NSW, 2033																				
4	215B	ANZAC	PARADE	KENSINGTON, NSW, 2033																				
PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919, IT IS INTENDED TO CREATE:-																								
<ol style="list-style-type: none"> <li>1. RIGHT OF PUBLIC ACCESS AND EASEMENT FOR MAINTENANCE VARIABLE WIDTH. (A)</li> <li>2. EASEMENT FOR SERVICES VARIABLE WIDTH. (B)</li> <li>3. EASEMENT FOR TRAFFIC LIGHT SERVICES VARIABLE WIDTH. (C)</li> <li>4. EASEMENT FOR SIGNAGE VARIABLE WIDTH. (R)</li> </ol>																								
If space is insufficient use additional annexure sheet																								
Surveyor's Reference: 35352DP-8																								

PLAN FORM 6A (2017)	DEPOSITED PLAN ADMINISTRATION SHEET	Sheet 3 of 3 sheets
Office Use Only	Office Use Only	
Registered:	<b>PPN DP1264172</b>	
<b>PLAN OF SUBDIVISION OF LOT 3 D.P. 1104617 AND LOT 2 D.P. 1173179 &amp; EASEMENTS OVER LOT 11 D.P. 1062204 , LOTS 1 &amp; 2 D.P. 1173179 AND LOT 3 D.P. 1104617</b>	This sheet is for the provision of the following information as required: <ul style="list-style-type: none"> <li>A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i></li> <li>Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i></li> <li>Signatures and seals- see 195D <i>Conveyancing Act 1919</i></li> <li>Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.</li> </ul>	
Subdivision Certificate number: .....		
Date of endorsement: .....		
If space is insufficient use additional annexure sheet		
Surveyor's Reference: 35352DP-8		

**CS19/22**



PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

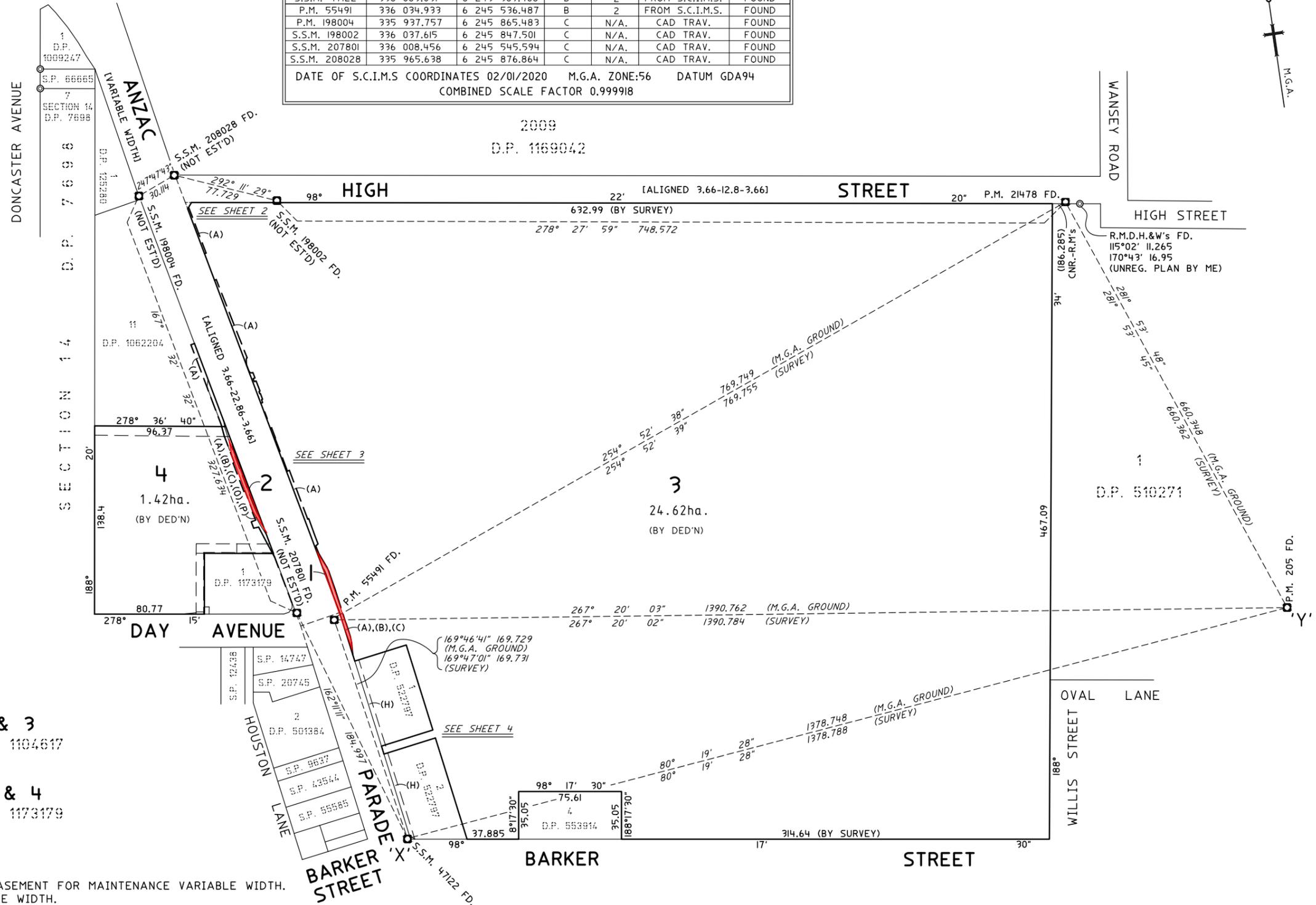
Sheet 1 of 4 sheets

MARK	M.G.A. CO-ORDINATES		CLASS	ORDER	METHOD	STATE
	EASTING	NORTHING				
P.M. 205	337 424.076	6 245 601.170	B	2	FROM S.C.I.M.S.	FOUND
P.M. 21478	336 777.964	6 245 737.288	B	2	FROM S.C.I.M.S.	FOUND
S.S.M. 47122	336 065.051	6 245 369.466	B	2	FROM S.C.I.M.S.	FOUND
P.M. 55491	336 034.933	6 245 536.487	B	2	FROM S.C.I.M.S.	FOUND
P.M. 198004	335 937.757	6 245 865.483	C	N/A.	CAD TRAV.	FOUND
S.S.M. 198002	336 037.615	6 245 847.501	C	N/A.	CAD TRAV.	FOUND
S.S.M. 207801	336 008.456	6 245 545.594	C	N/A.	CAD TRAV.	FOUND
S.S.M. 208028	335 965.638	6 245 876.864	C	N/A.	CAD TRAV.	FOUND

DATE OF S.C.I.M.S COORDINATES 02/01/2020 M.G.A. ZONE:56 DATUM GDA94  
COMBINED SCALE FACTOR 0.999918



CS19/22



**LOTS 1 & 3**  
LOT 3 D.P. 1104617  
C.T. 3/1104617

**LOTS 2 & 4**  
LOT 2 D.P. 1173179  
C.T. 2/1173179

- (A) RIGHT OF PUBLIC ACCESS AND EASEMENT FOR MAINTENANCE VARIABLE WIDTH.
- (B) EASEMENT FOR SERVICES VARIABLE WIDTH.
- (C) EASEMENT FOR TRAFFIC LIGHT SERVICES VARIABLE WIDTH.
- (H) EASEMENT TO DRAIN WATER 3.05 WIDE (D.P. 522797)
- (O) RIGHT OF CARRIAGEWAY VARIABLE WIDTH.  
(UNREGISTERED PLAN BY SURVEYOR MITCHELL AYRES)
- (P) EASEMENT FOR ELECTRICITY AND OTHER PURPOSES VARIABLE WIDTH.  
(UNREGISTERED PLAN BY SURVEYOR MITCHELL AYRES)

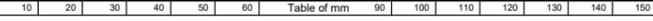
Surveyor: **MATTHEW AARON POWER**  
DEGOTARDI, SMITH AND PARTNERS  
1/9-11 BRIDGE STREET, PYMBLE NSW 2073  
Date of Survey: **2ND APRIL 2020**  
Surveyor's Ref: **35352DP-8**

PLAN OF SUBDIVISION OF LOT 3 D.P. 1104617 AND  
LOT 2 D.P. 1173179 & EASEMENTS OVER  
LOT 11 D.P. 1062204, LOTS 1 & 2 D.P. 1173179 AND  
LOT 3 D.P. 1104617

LGA: **RANDWICK**  
Locality: **KENSINGTON**  
Subdivision No:  
Lengths are in metres. Reduction Ratio 1:2000

Registered

**PPN DP1264172**

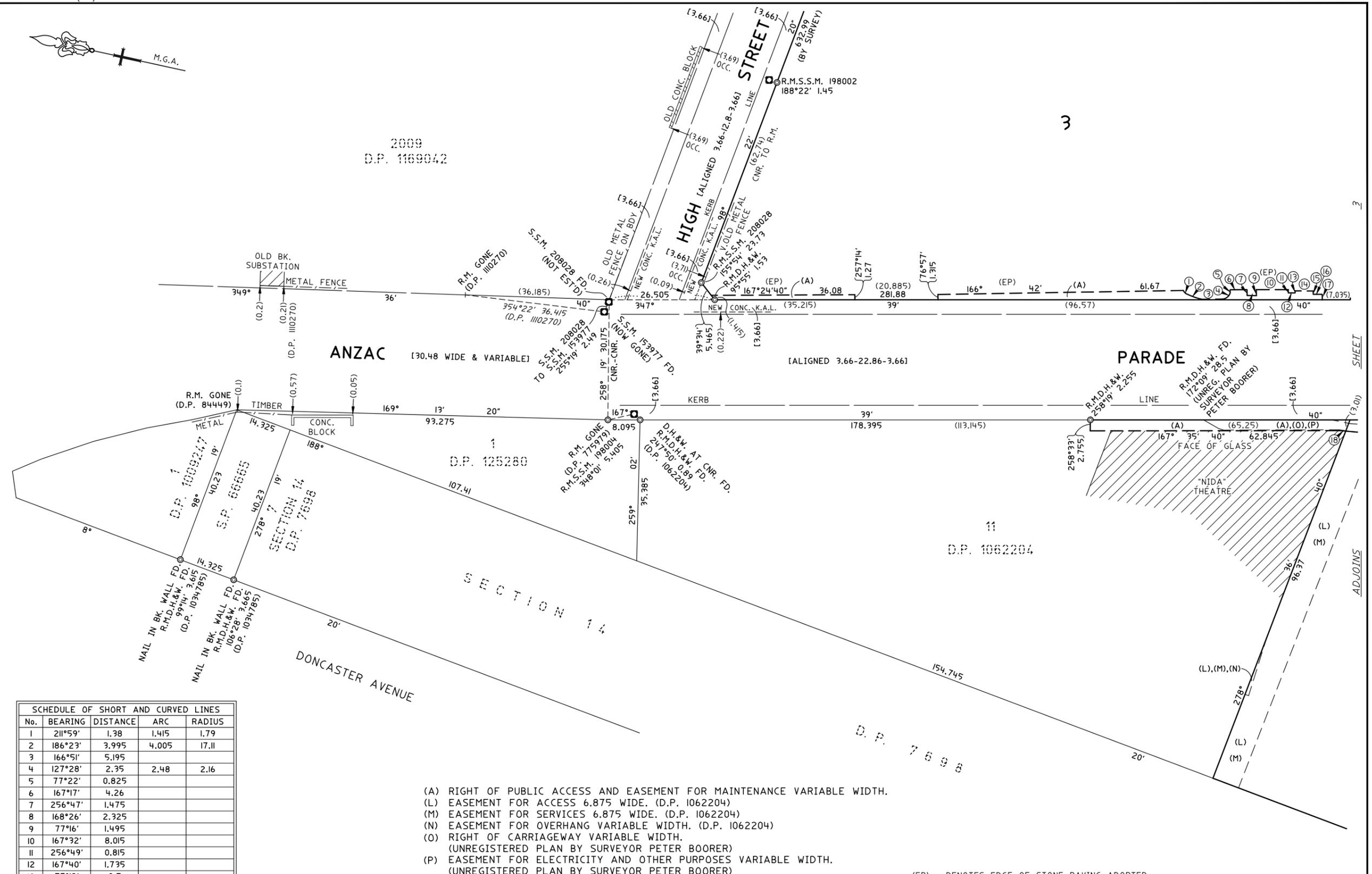


PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 2 of 4 sheets

CS19/122



SCHEDULE OF SHORT AND CURVED LINES				
No.	BEARING	DISTANCE	ARC RADIUS	RADIUS
1	211°59'	1.38	1.415	1.79
2	186°23'	3.995	4.005	17.11
3	166°51'	5.195		
4	127°28'	2.35	2.48	2.16
5	77°22'	0.825		
6	167°17'	4.26		
7	256°47'	1.475		
8	168°26'	2.325		
9	77°16'	1.495		
10	167°32'	8.015		
11	256°49'	0.815		
12	167°40'	1.735		
13	77°12'	0.5		
14	168°00'	4.515		
15	256°33'	0.835		
16	167°54'	2.28		
17	256°58'	1.37		
18	173°01'	1.38		

- (A) RIGHT OF PUBLIC ACCESS AND EASEMENT FOR MAINTENANCE VARIABLE WIDTH.
- (L) EASEMENT FOR ACCESS 6.875 WIDE. (D.P. 1062204)
- (M) EASEMENT FOR SERVICES 6.875 WIDE. (D.P. 1062204)
- (N) EASEMENT FOR OVERHANG VARIABLE WIDTH. (D.P. 1062204)
- (O) RIGHT OF CARRIAGEWAY VARIABLE WIDTH. (UNREGISTERED PLAN BY SURVEYOR PETER BOORER)
- (P) EASEMENT FOR ELECTRICITY AND OTHER PURPOSES VARIABLE WIDTH. (UNREGISTERED PLAN BY SURVEYOR PETER BOORER)

(EP) - DENOTES EDGE OF STONE PAVING ADOPTED.

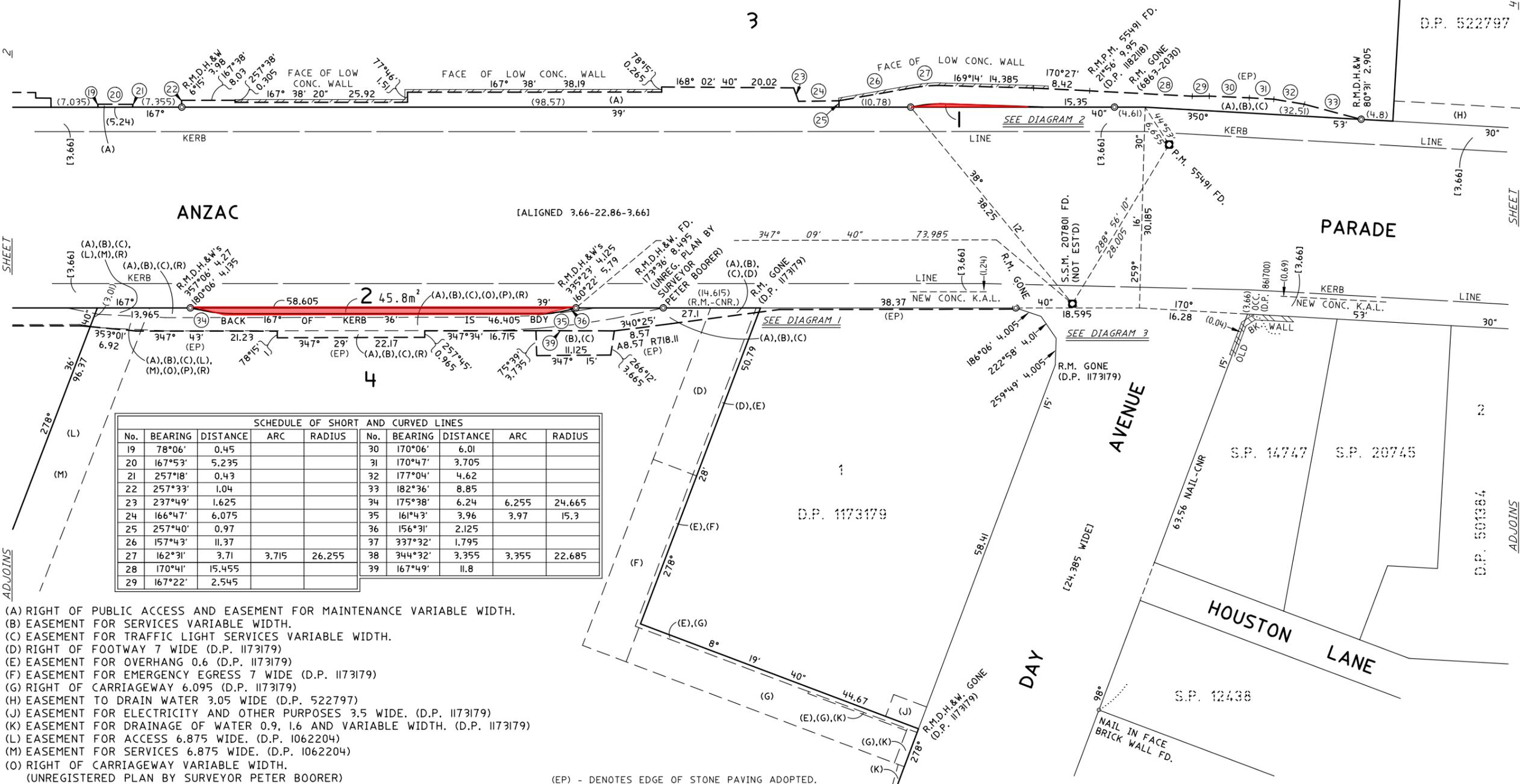
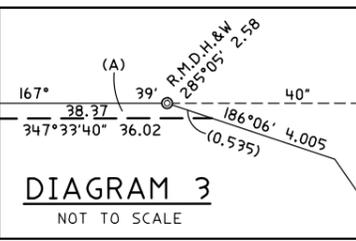
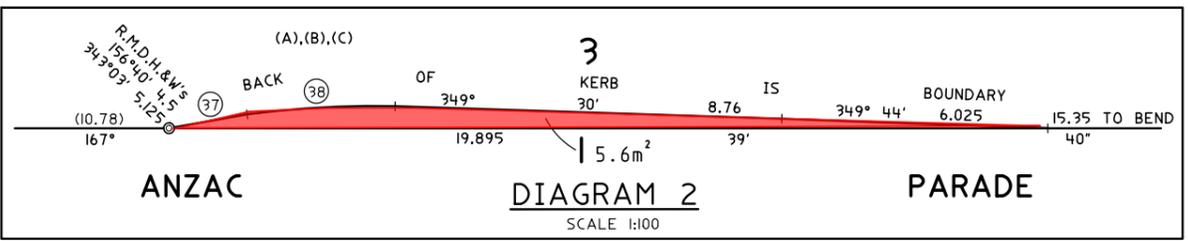
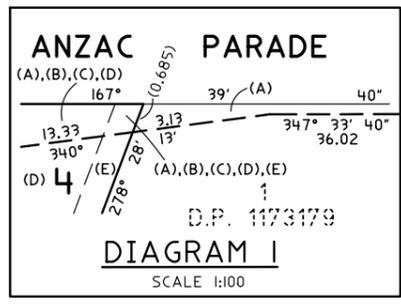
Surveyor: MATTHEW AARON POWER DEGOTARDI, SMITH AND PARTNERS 1/9-11 BRIDGE STREET, PYMBLE NSW 2073 Date of Survey: 2ND APRIL 2020 Surveyor's Ref: 35352DP-8	PLAN OF SUBDIVISION OF LOT 3 D.P. 1104617 AND LOT 2 D.P. 1173179 & EASEMENTS OVER LOT 11 D.P. 1062204, LOTS 1 & 2 D.P. 1173179 AND LOT 3 D.P. 1104617	LGA: RANDWICK Locality: KENSINGTON Subdivision No: Lengths are in metres. Reduction Ratio 1:600	Registered	PPN DP1264172
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10 20 30 40 50 60 Table of mm 90 100 110 120 130 140 150

PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 3 of 4 sheets



SCHEDULE OF SHORT AND CURVED LINES

No.	BEARING	DISTANCE	ARC	RADIUS	No.	BEARING	DISTANCE	ARC	RADIUS
19	78°06'	0.45			30	170°06'	6.01		
20	167°53'	5.235			31	170°47'	3.705		
21	257°18'	0.43			32	177°04'	4.62		
22	257°33'	1.04			33	182°36'	8.85		
23	237°49'	1.625			34	175°38'	6.24	6.255	24.665
24	166°47'	6.075			35	161°43'	3.96	3.97	15.3
25	257°40'	0.97			36	156°31'	2.125		
26	157°43'	11.37			37	337°32'	1.795		
27	162°31'	3.71	3.715	26.255	38	344°32'	3.355	3.355	22.685
28	170°41'	15.455			39	167°49'	11.8		
29	167°22'	2.545							

- (A) RIGHT OF PUBLIC ACCESS AND EASEMENT FOR MAINTENANCE VARIABLE WIDTH.
- (B) EASEMENT FOR SERVICES VARIABLE WIDTH.
- (C) EASEMENT FOR TRAFFIC LIGHT SERVICES VARIABLE WIDTH.
- (D) RIGHT OF FOOTWAY 7 WIDE (D.P. 1173179)
- (E) EASEMENT FOR OVERHANG 0.6 (D.P. 1173179)
- (F) EASEMENT FOR EMERGENCY EGRESS 7 WIDE (D.P. 1173179)
- (G) RIGHT OF CARRIAGEWAY 6.095 (D.P. 1173179)
- (H) EASEMENT TO DRAIN WATER 3.05 WIDE (D.P. 522797)
- (J) EASEMENT FOR ELECTRICITY AND OTHER PURPOSES 3.5 WIDE. (D.P. 1173179)
- (K) EASEMENT FOR DRAINAGE OF WATER 0.9, 1.6 AND VARIABLE WIDTH. (D.P. 1173179)
- (L) EASEMENT FOR ACCESS 6.875 WIDE. (D.P. 1062204)
- (M) EASEMENT FOR SERVICES 6.875 WIDE. (D.P. 1062204)
- (O) RIGHT OF CARRIAGEWAY VARIABLE WIDTH. (UNREGISTERED PLAN BY SURVEYOR PETER BOORER)
- (P) EASEMENT FOR ELECTRICITY AND OTHER PURPOSES VARIABLE WIDTH. (UNREGISTERED PLAN BY SURVEYOR PETER BOORER)
- (R) EASEMENT FOR SIGNAGE VARIABLE WIDTH.

(EP) - DENOTES EDGE OF STONE PAVING ADOPTED.

Surveyor: MATTHEW AARON POWER DEGOTARDI, SMITH AND PARTNERS 1/9-11 BRIDGE STREET, PYMBLE NSW 2073 Date of Survey: 2ND APRIL 2020 Surveyor's Ref: 35352DP-8	PLAN OF SUBDIVISION OF LOT 3 D.P. 1104617 AND LOT 2 D.P. 1173179 & EASEMENTS OVER LOT 11 D.P. 1062204, LOTS 1 & 2 D.P. 1173179 AND LOT 3 D.P. 1104617	LGA: RANDWICK Locality: KENSINGTON Subdivision No: Lengths are in metres. Reduction Ratio 1:400	Registered PPN DP1264172
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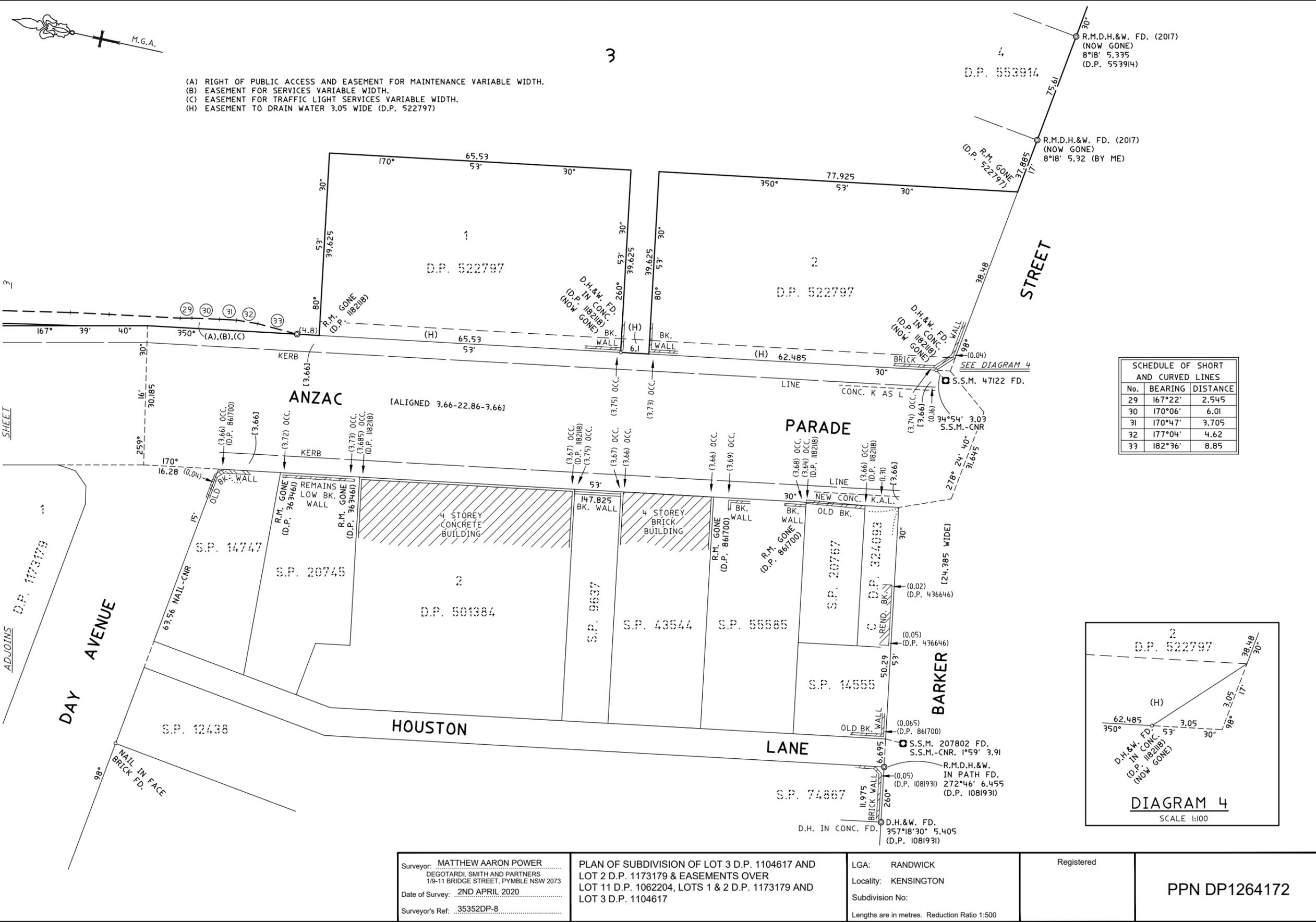
CS19/22

PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 4 of 4 sheets

CS19/122



Surveyor: MATTHEW AARON POWER  
 DEGOTARDI, SMITH AND PARTNERS  
 1/9-11 BRIDGE STREET, PYMBLE NSW 2073  
 Date of Survey: 2ND APRIL 2020  
 Surveyor's Ref: 35352DP-8

PLAN OF SUBDIVISION OF LOT 3 D.P. 1104617 AND  
 LOT 2 D.P. 1173179 & EASEMENTS OVER  
 LOT 11 D.P. 1062204, LOTS 1 & 2 D.P. 1173179 AND  
 LOT 3 D.P. 1104617

LGA: RANDWICK  
 Locality: KENSINGTON  
 Subdivision No:  
 Lengths are in metres. Reduction Ratio 1:500

Registered

PPN DP1264172

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Table of mm

PLAN FORM 6 (2017)	DEPOSITED PLAN ADMINISTRATION SHEET	Sheet 1 of 3 sheets
Office Use Only		Office Use Only
Registered:	<b>PPN D.P.1271476</b>	
Title System:		
<b>PLAN OF SUBDIVISION OF LOTS 1, 2 &amp; 4 D.P. 739594 AND PROPOSED EASEMENTS OVER LOTS 3 &amp; 5 D.P. 739594 AND LOT 1723 D.P. 45644</b>	LGA: SYDNEY / RANDWICK	Locality: CENTENNIAL PARK / RANDWICK
	Parish: ALEXANDRIA	County: CUMBERLAND
Survey Certificate	Crown Lands NSW/Western Lands Office Approval	
I, <u>PAUL LEONARD GARRETT</u> DEGOTARDI, SMITH AND PARTNERS of <u>1/9-11 BRIDGE STREET, PYMBLE NSW 2073</u> a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> , certify that: *(a) The land shown in the plan was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i> , is accurate and the survey was completed on <u>14TH FEBRUARY 2020</u> . <del>*(b) The part of the land shown in the plan (*being/*excluding**</del> <del>.....)</del> was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i> , the part not surveyed is accurate and the survey was completed on, ..... the part not surveyed was compiled in accordance with that Regulation, or *(c) <del>The land shown in this plan was compiled in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>.</del> Datum Line: <u>'X'-'Y'</u> Type: *Urban/*Rural <del>The terrain is *Level-Undulating / *Steep-Mountainous.</del>  Signature: ..... Dated: <u>.../.../2020</u> Surveyor Identification No: <u>1092</u> Surveyor registered under <i>the Surveying and Spatial Information Act 2002</i>  *Strike out inappropriate words. **Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.	I ..... (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.  Signature: ..... Date: ..... File Number: ..... Office: .....	
	Subdivision Certificate	
	I, ..... *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.  Signature: ..... Accreditation number: ..... Consent Authority: ..... Date of endorsement: ..... Subdivision Certificate number: ..... File number: .....  *Strike through if inapplicable.	
Plans used in the preparation of survey/compilation: D.P. 4598      D.P. 813837 D.P. 17271    D.P. 821362 D.P. 45644    D.P. 1050389 D.P. 212352   D.P. 1169042 D.P. 535269 D.P. 739594 D.P. 777738	Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land.  <p style="text-align: center;"><b>LOTS 5-9 ARE INTENDED TO BE DEDICATED TO THE PUBLIC AS PUBLIC ROAD</b></p>	
Surveyor's Reference: 35352DP-12	Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A	

CS19/22

PLAN FORM 6A (2017)      DEPOSITED PLAN ADMINISTRATION SHEET      Sheet 2 of 3 sheets																																									
Office Use Only  Registered:  <b>PLAN OF SUBDIVISION OF LOTS 1, 2 &amp; 4 D.P. 739594 AND PROPOSED EASEMENTS OVER LOTS 3 &amp; 5 D.P. 739594 AND LOT 1723 D.P. 45644</b>	Office Use Only  <div style="text-align: center; font-size: 1.2em; font-weight: bold;">PPN D.P.1271476</div>																																								
Subdivision Certificate number: ..... Date of endorsement: .....	This sheet is for the provision of the following information as required: <ul style="list-style-type: none"> <li>A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i></li> <li>Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i></li> <li>Signatures and seals- see 195D <i>Conveyancing Act 1919</i></li> <li>Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.</li> </ul>																																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="5">SCHEDULE OF STREET ADDRESSES</th> </tr> <tr> <th style="width: 10%;">LOT NUMBER</th> <th style="width: 15%;">ADDRESS NUMBER</th> <th style="width: 30%;">ROAD NAME</th> <th style="width: 15%;">ROAD TYPE</th> <th style="width: 30%;">LOCALITY NAME</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>		SCHEDULE OF STREET ADDRESSES					LOT NUMBER	ADDRESS NUMBER	ROAD NAME	ROAD TYPE	LOCALITY NAME																														
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<p style="text-align: center;"><b>EXECUTED by TRANSPORT FOR NSW ABN 18 804 239 602</b> by its duly authorised delegate.</p>																																									
I certify that I am an eligible witness and that the authorised officer of <b>Transport for NSW</b> signed this dealing in my presence. [See note* below]	Certified correct for the purpose of the Real Property Act 1900 by the Authorised Officer named below																																								
_____ Signature of Witness	_____ Signature of Authorised Officer																																								
_____ Name of Witness (BLOCK LETTERS)	_____ Name of Authorised Officer (BLOCK LETTERS)																																								
_____ Address of Witness	_____ Position of Authorised Officer																																								
*s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documents.																																									
If space is insufficient use additional annexure sheet																																									
Surveyor's Reference: 35352DP-12																																									

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Registered:	<b>PPN D.P.1271476</b>	
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Subdivision Certificate number: .....		
Date of endorsement: .....		
If space is insufficient use additional annexure sheet		
Surveyor's Reference: 35352DP-12		

**CS19/22**



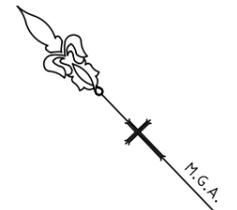
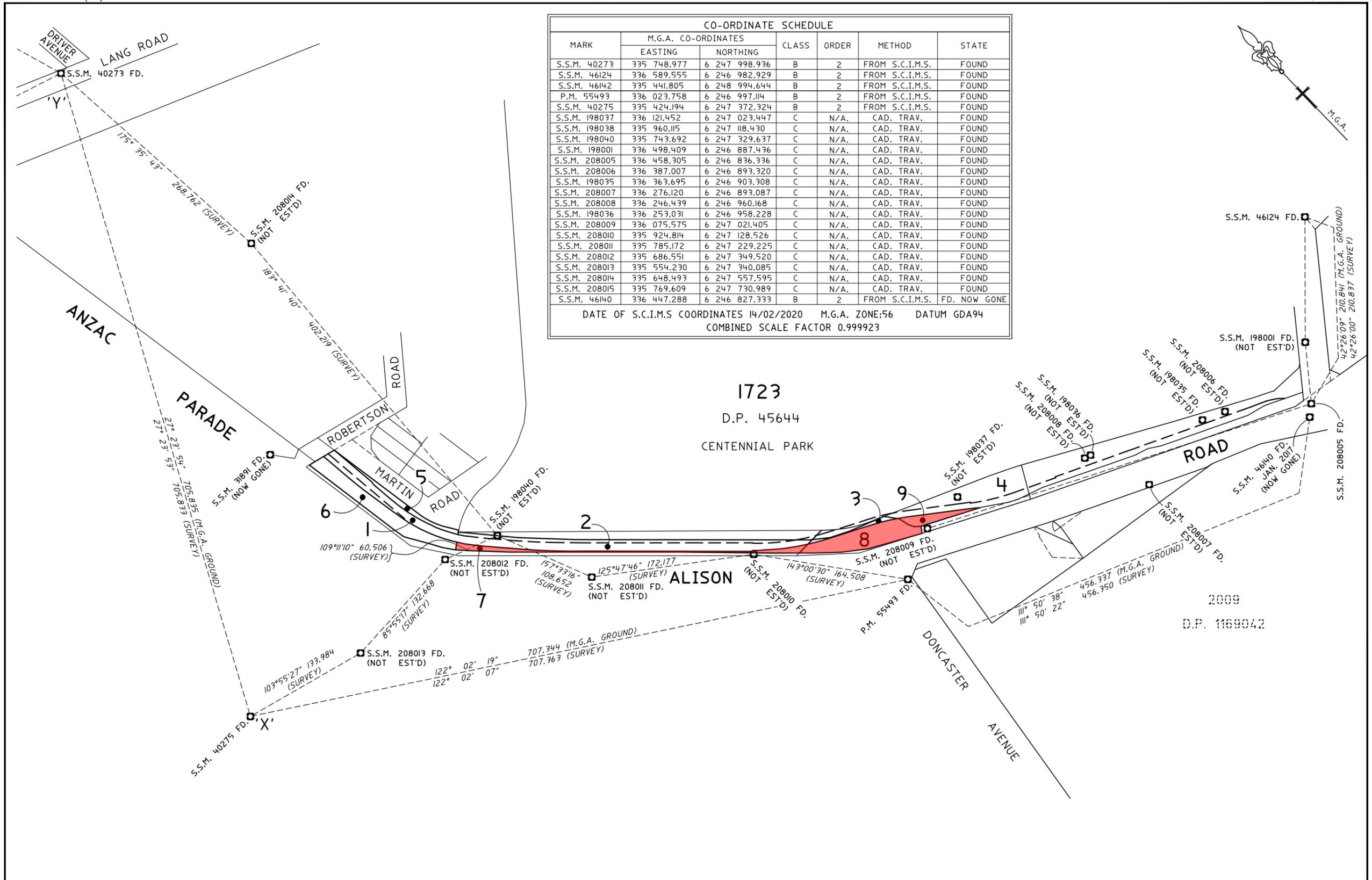
PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 1 of 6 sheets

MARK	M.G.A. CO-ORDINATES		CLASS	ORDER	METHOD	STATE
	EASTING	NORTHING				
S.S.M. 40273	335 748.977	6 247 998.936	B	2	FROM S.C.I.M.S.	FOUND
S.S.M. 46124	336 589.555	6 246 982.929	B	2	FROM S.C.I.M.S.	FOUND
S.S.M. 46142	335 441.805	6 248 994.644	B	2	FROM S.C.I.M.S.	FOUND
P.M. 55493	336 023.758	6 246 997.114	B	2	FROM S.C.I.M.S.	FOUND
S.S.M. 40275	335 424.194	6 247 372.324	B	2	FROM S.C.I.M.S.	FOUND
S.S.M. 198037	336 121.452	6 247 023.447	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 198038	335 960.115	6 247 118.430	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 198040	335 743.692	6 247 329.637	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 198001	336 498.409	6 246 887.436	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 208005	336 458.305	6 246 836.336	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 208006	336 387.007	6 246 893.320	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 198035	336 363.695	6 246 903.308	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 208007	336 276.120	6 246 893.087	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 208008	336 246.439	6 246 960.168	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 198036	336 253.031	6 246 958.228	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 208009	336 075.575	6 247 021.405	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 208010	335 924.814	6 247 128.526	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 208011	335 785.172	6 247 229.225	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 208012	335 686.551	6 247 349.520	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 208013	335 554.230	6 247 340.085	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 208014	335 648.493	6 247 557.595	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 208015	335 769.609	6 247 730.989	C	N/A.	CAD. TRAV.	FOUND
S.S.M. 46140	336 447.288	6 246 827.333	B	2	FROM S.C.I.M.S.	FD. NOW GONE

DATE OF S.C.I.M.S COORDINATES 14/02/2020 M.G.A. ZONE:56 DATUM GDA94  
COMBINED SCALE FACTOR 0.999923



CS19/22

Surveyor: PAUL LEONARD GARRETT DEGOTARDI, SMITH AND PARTNERS 1/9-11 BRIDGE STREET, PYMBLE NSW 2073 Date of Survey: --/02/2020 Surveyor's Ref: 35352DP-12	PLAN OF SUBDIVISION OF LOTS 1, 2 & 4 D.P. 739594 AND PROPOSED EASEMENTS OVER LOTS 3 & 5 D.P. 739594 AND LOT 1723 D.P. 45644	LGA: SYDNEY / RANDWICK Locality: CENTENNIAL PARK / RANDWICK Subdivision No: Lengths are in metres. Reduction Ratio 1:2500	Registered PPN D.P.1271476
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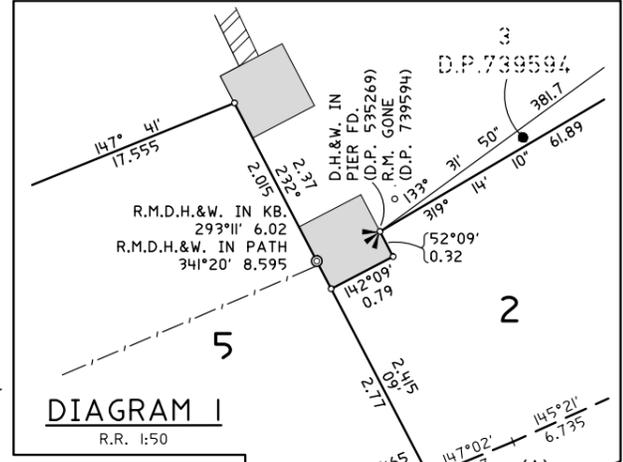
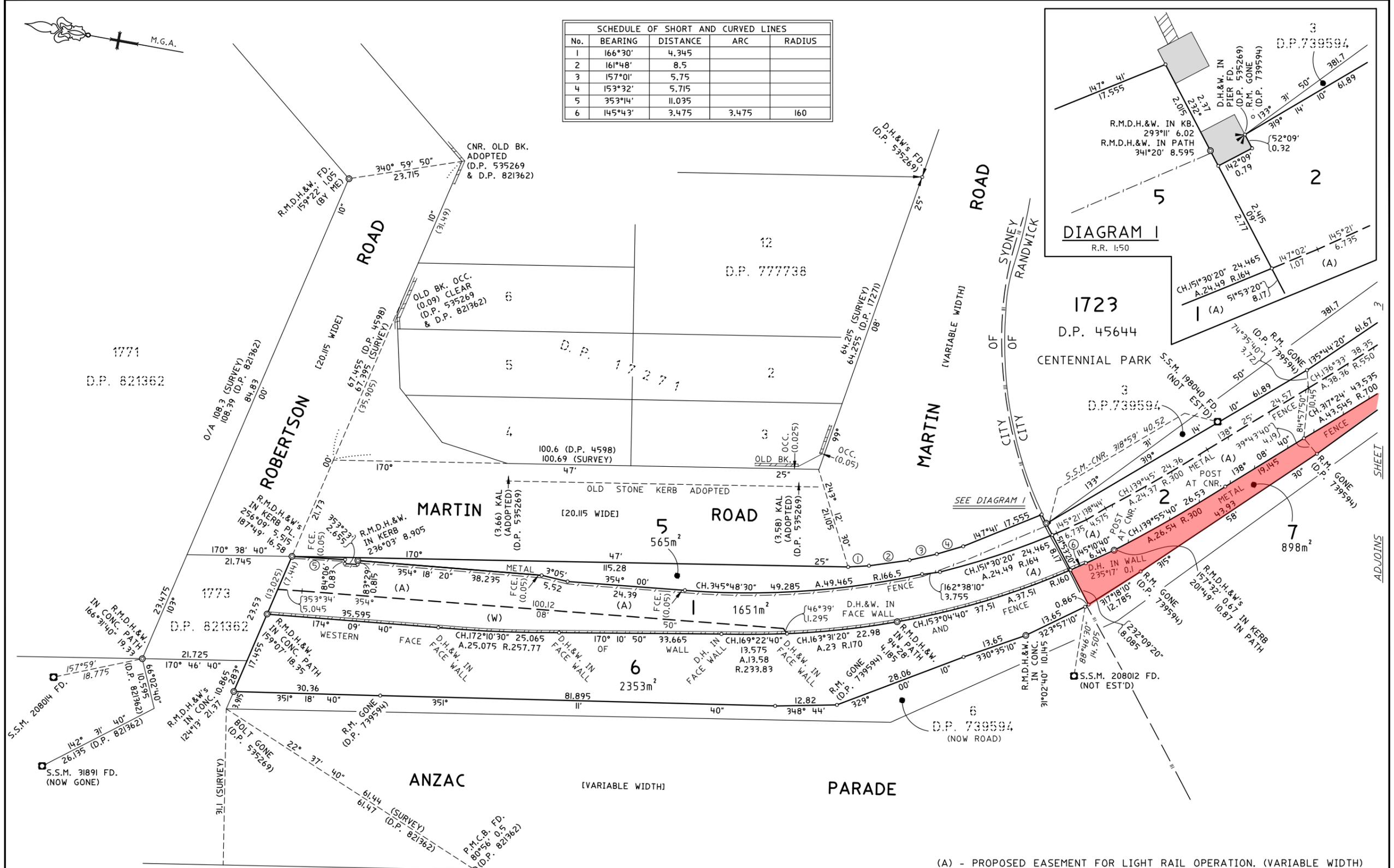
PLAN FORM 2 (A2)

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Sheet 2 of 6 sheets

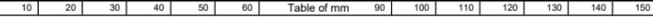
CS19/22

SCHEDULE OF SHORT AND CURVED LINES				
No.	BEARING	DISTANCE	ARC	RADIUS
1	166°30'	4.345		
2	161°48'	8.5		
3	157°01'	5.75		
4	153°32'	5.715		
5	353°14'	11.035		
6	145°43'	3.475	3.475	160



(A) - PROPOSED EASEMENT FOR LIGHT RAIL OPERATION. (VARIABLE WIDTH)  
 (W) - PROPOSED EASEMENT FOR BUS OPERATION. (VARIABLE WIDTH)

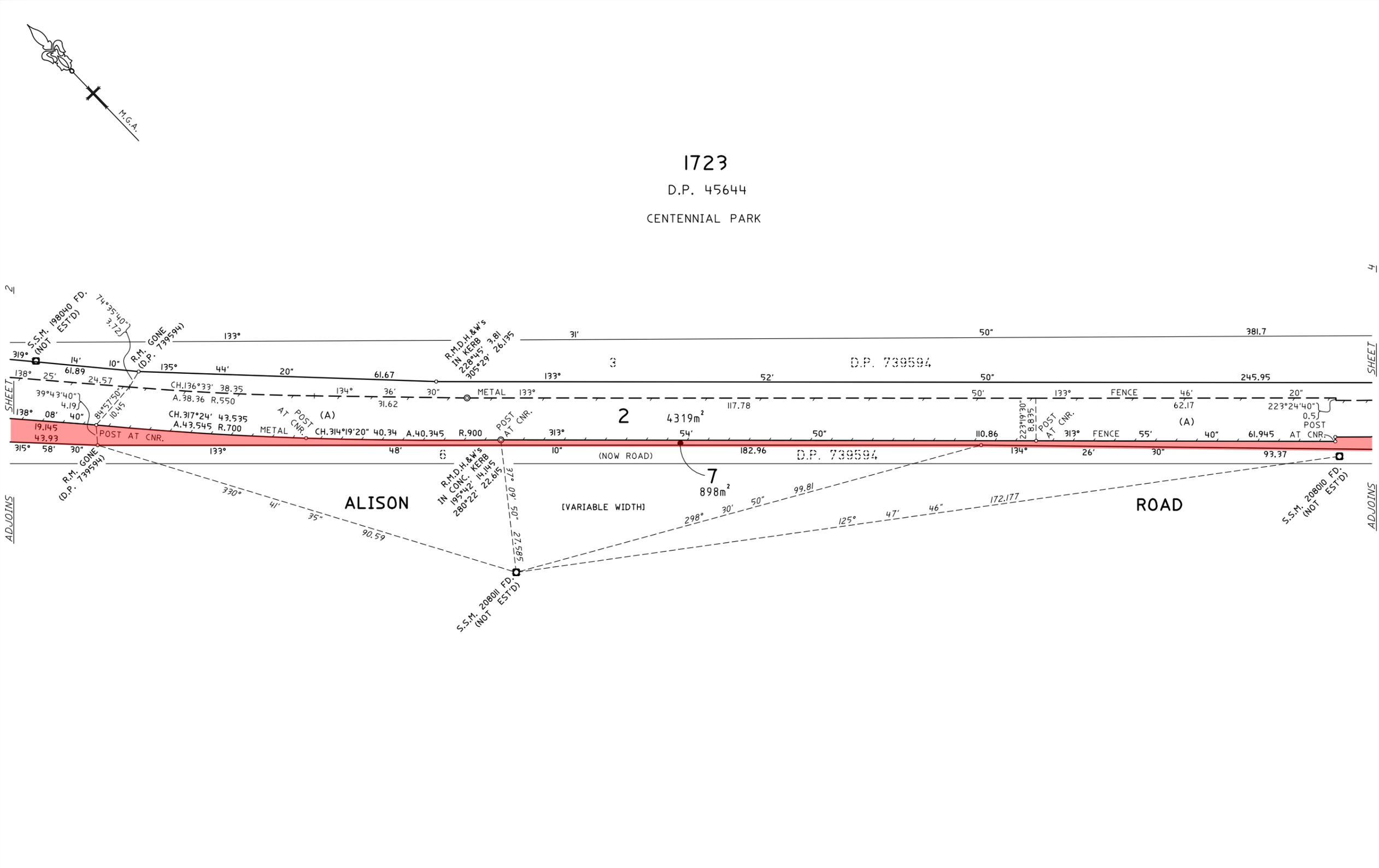
Surveyor: <b>PAUL LEONARD GARRETT</b> DEGOTARDI, SMITH AND PARTNERS 1/9-11 BRIDGE STREET, PYMBLE NSW 2073 Date of Survey: .../02/2020 Surveyor's Ref: ...35352DP-12	<b>PLAN OF SUBDIVISION OF LOTS 1, 2 &amp; 4 D.P. 739594 AND PROPOSED EASEMENTS OVER LOTS 3 &amp; 5 D.P. 739594 AND LOT 1723 D.P. 45644</b>	LGA: SYDNEY / RANDWICK Locality: CENTENNIAL PARK / RANDWICK Subdivision No: Lengths are in metres. Reduction Ratio 1:500	Registered <b>PPN D.P.1271476</b>
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PLAN FORM 2 (A2)

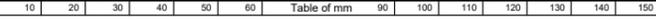
WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 3 of 6 sheets



(A) - PROPOSED EASEMENT FOR LIGHT RAIL OPERATION. (VARIABLE WIDTH)

<p>Surveyor: PAUL LEONARD GARRETT DEGOTARDI, SMITH AND PARTNERS 1/9-11 BRIDGE STREET, PYMBLE NSW 2073 Date of Survey: --/02/2020 Surveyor's Ref: 35352DP-12</p>	<p>PLAN OF SUBDIVISION OF LOTS 1, 2 &amp; 4 D.P. 739594 AND PROPOSED EASEMENTS OVER LOTS 3 &amp; 5 D.P. 739594 AND LOT 1723 D.P. 45644</p>	<p>LGA: SYDNEY / RANDWICK Locality: CENTENNIAL PARK / RANDWICK Subdivision No: Lengths are in metres. Reduction Ratio 1:500</p>	<p>Registered</p>	<p>PPN D.P.1271476</p>
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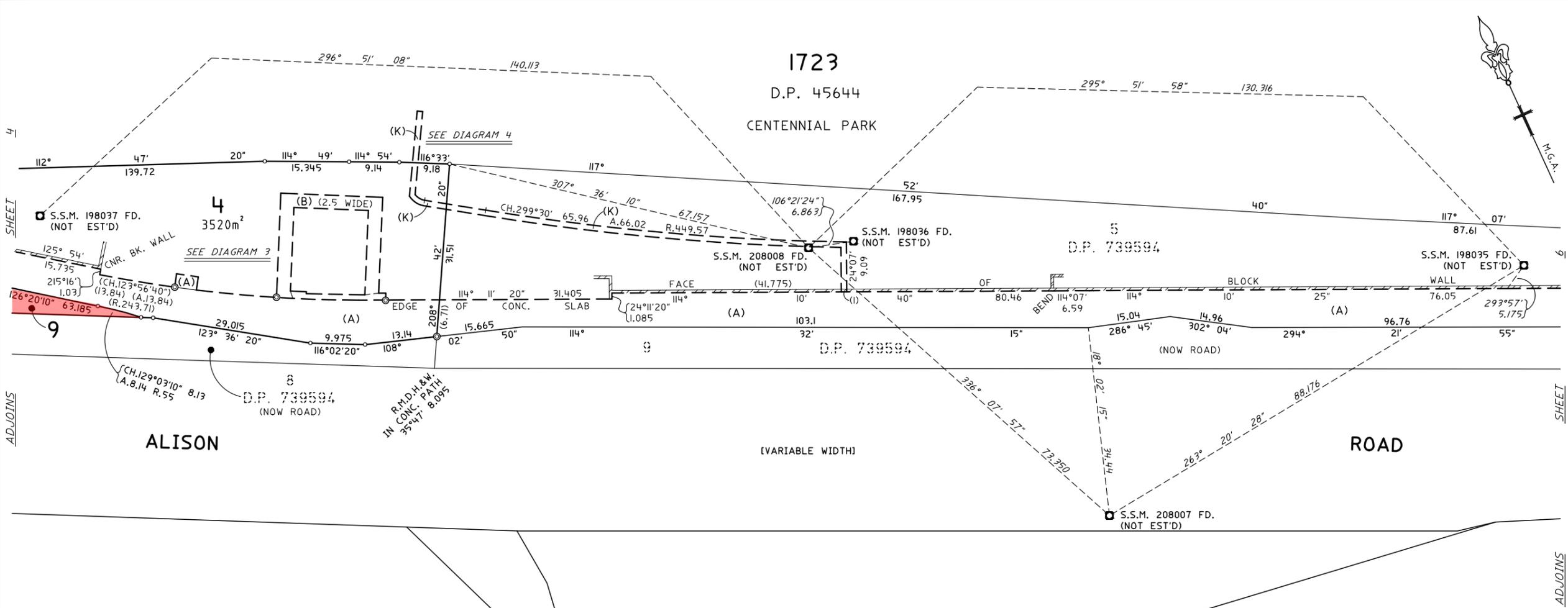
CS19/22



PLAN FORM 2 (A2)

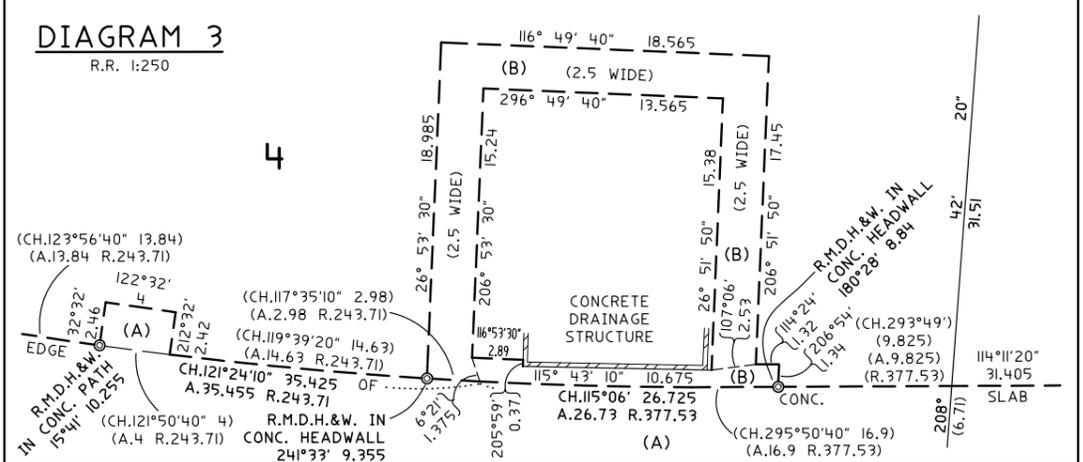
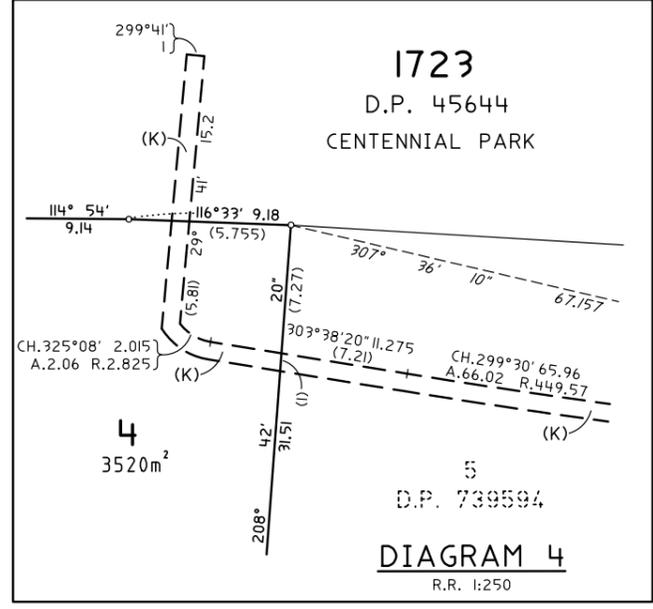
WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 5 of 6 sheets



CS19/22

- (A) - PROPOSED EASEMENT FOR LIGHT RAIL OPERATION. (VARIABLE WIDTH)
- (B) - PROPOSED EASEMENT FOR SERVICES. (VARIABLE WIDTH)
- (K) - PROPOSED EASEMENT FOR SERVICES. (1 WIDE)



2009 D.P. 1169042

<p>Surveyor: <b>PAUL LEONARD GARRETT</b>          DEGOTARDI, SMITH AND PARTNERS          1/9-11 BRIDGE STREET, PYMBLE NSW 2073          Date of Survey: .../02/2020          Surveyor's Ref: ...35352DP-12</p>	<p>PLAN OF SUBDIVISION OF LOTS 1, 2 &amp; 4 D.P. 739594 AND PROPOSED EASEMENTS OVER LOTS 3 &amp; 5 D.P. 739594 AND LOT 1723 D.P. 45644</p>	<p>LGA: SYDNEY / RANDWICK          Locality: CENTENNIAL PARK / RANDWICK          Subdivision No:          Lengths are in metres. Reduction Ratio 1:500</p>	<p>Registered</p>	<p>PPN D.P.1271476</p>
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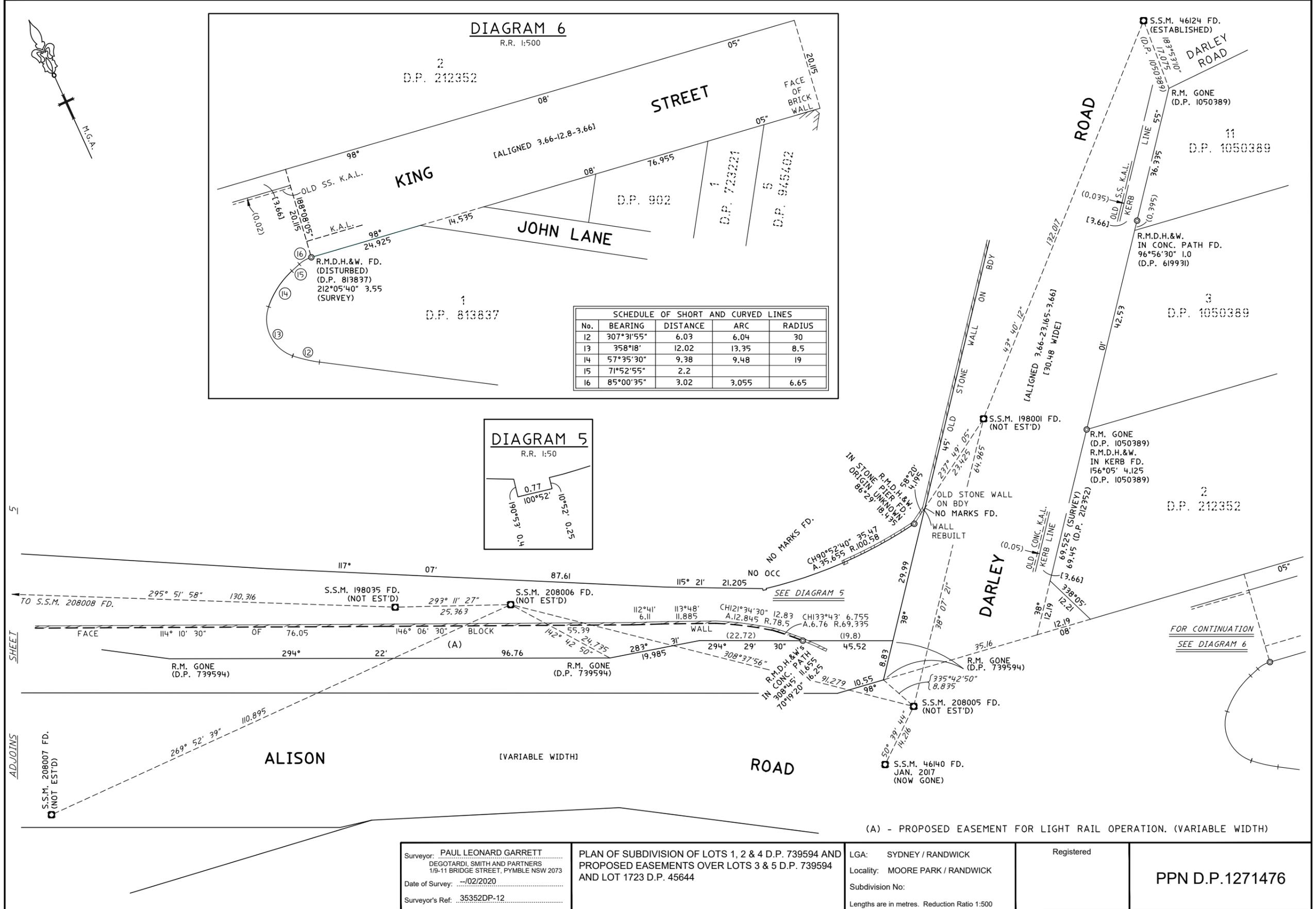
10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 Table of mm

PLAN FORM 2 (A2)

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Sheet 6 of 6 sheets

CS19/22



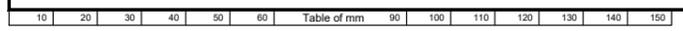
Surveyor: **PAUL LEONARD GARRETT**  
DEGOTARDI, SMITH AND PARTNERS  
1/9-11 BRIDGE STREET, PYMBLE NSW 2073  
Date of Survey: .../02/2020  
Surveyor's Ref: ...35352DP-12

PLAN OF SUBDIVISION OF LOTS 1, 2 & 4 D.P. 739594 AND PROPOSED EASEMENTS OVER LOTS 3 & 5 D.P. 739594 AND LOT 1723 D.P. 45644

LGA: SYDNEY / RANDWICK  
Locality: MOORE PARK / RANDWICK  
Subdivision No:  
Lengths are in metres. Reduction Ratio 1:500

Registered

**PPN D.P.1271476**



## Director City Services Report No. CS20/22

**Subject:** Parking Issues in the Gumara Street, Marida Street, Dooligah Avenue, Burragulung Street, Joongah Street and Hendy Avenue Area

---

### Executive Summary

- In July 2021, the Council passed the resolution (NM54/21) related to parking issues in the Gumara Street, Marida Street, Dooligah Avenue, Burragulung Street, Joongah Street and Hendy Avenue area, following community concerns being raised.

### Recommendation

That Council note the report in response to NM54/21.

### Attachment/s:

Nil

## Purpose

To provide the Council with information relating to the parking situation in the Gumara Street, Marida Street, Dooligah Avenue, Burragulung Street, Joongah Street and Hendy Avenue area.

## Discussion

In July 2021, the Council passed the following resolution:

**RESOLUTION: (Matson/Shurey) that:**

- a) Council notes negative community reaction to the recent Traffic Committee recommendation for the removal of “No Stopping, 10pm-5am” parking signage in Joongah Street and resolves to reassess via a report back to Councillors on their value in preventing overnight backpacker parking in that area.
- b) a second report be brought back to Councillors assessing the value of additional signage in Gumara Street, Marida Street, Dooligah Avenue, Burragulung Street and Hendy Avenue to reinforce current NSW Government restrictions applying to:
  - i. vehicles longer than 7.5 metres, or heavier than 4.5 tonnes parking for more than one hour as stipulated in NSW Road Rule No.200; and
  - ii. the 2016 requirement that boat trailers boat trailers are to be relocated by at least one street block, at least every 28 days.

With regard to Item a) above, it is noted that the previously existing night time parking ban was imposed when Joongah Street had no dwellings. The street contained no residents and local “car enthusiasts” would gather in the unoccupied street, execute ‘burn-outs’ and generally behave poorly. In late 2019, more than thirty (30) new Defence Department dwellings were constructed along Joongah Street. With these dwellings now fully occupied, there is passive surveillance of the street and there have been no further reports of such poor behaviour in the street.

Regarding Item b), the suggestion to install additional signage, informing motorists of one of the NSW Road Rules, is not supported. There are more than forty Road Rules in NSW which relate to parking. It is not considered appropriate to signpost one of these rules, in this area. Another concern is that installing signage at this location – to highlight this road rule - may by default, infer that at other locations (where signs are not installed), trucks / trailers can park in the street all day.

As an alternative, Council’s Ranger Services will undertake surveillance and enforcement of the parking rules to ensure compliance.

## Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	9. Integrated and accessible transport.
Direction	9e. Parking is managed to balance convenience against against reduced car reliance.

## Resourcing Strategy implications

There are no financial, staff or other resourcing implications arising from this report.

## Conclusion

Given the information provided within this report and the current parking situation in the Gumara Street, Marida Street, Dooligah Avenue, Burragulung Street, Joongah Street and Hendy Avenue area, no action is proposed to be undertaken, at this time.

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**Responsible officer:** Tony Lehmann, Manager Integrated Transport

**File Reference:** F2005/00284



## Director Corporate Services Report No. CO17/22

**Subject: Draft (amended) Code of Meeting Practice**

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### Executive Summary

- Council adopted its current Code of Meeting Practice on 23 July 2019. The current Code is based on the OLG Model Meeting Code 2018.
- The Office of Local Government published a Guide to webcasting council and committee meetings in March 2020 and an amended Model Meeting Code in 2021.
- Council's Code of Meeting Practice requires amending to;
  - bring Council's Code of Meeting Practice in-line with the Office of Local Governments Guide to webcasting council and committee meetings (March 2020).
  - bring Council's Code in-line with the 2021 Model Meeting Code and, in particular, provide for online attendance at Council meetings.
- An amended Code of Meeting Practice which provides for the above points must be adopted by 30 June 2022 and, prior to adoption, the amended Code must be publicly exhibited for at least 28 days and members of the community must be provided at least 42 days in which to comment on the draft (amended) code.

### Recommendation

That, in accordance with Section 361 of the Local Government Act 1993, the draft (amended) Code of Meeting Practice be publicly exhibited for at least 28 days and members of the community be provided at least 42 days in which to comment on the draft code.

### Attachment/s:

1.  Draft (amended) Code of Meeting Practice - May 2022

## Purpose

This report details proposed amendments to Council's Code of Meeting practice to bring Council's Code of Meeting Practice in-line with the Office of Local Governments Guide to webcasting council and committee meetings (March 2020) and the 2021 Model Meeting Code and to provide for online attendance at Council meetings.

## Discussion

Randwick City Council's current Code of Meeting Practice is based on the Office of Local Government's Model Code of Meeting Practice for Local Councils in NSW 2018 (the Model Meeting Code). The Model Meeting Code, however, was updated in 2021 and Council must now update its Code of Meeting Practice to incorporate changes to the provisions of the Model Meeting Code, as detailed below:

\*Provision in **red font** are not mandatory

Amended Model Meeting Code requirements	Comment
<p><u>Statement of ethical obligations</u></p> <p>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.</p>	<p>Included in amended Code. The required Statement is already included in Council meeting business papers.</p>
<p>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.</p>	<p>Included in amended Code.</p>
<p><u>Meetings held by audio-visual link</u></p> <p>5.16 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.</p>	<p>Included in amended Code.</p>
<p>5.17 Where the mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the general manager must:</p> <ul style="list-style-type: none"> <li>a) give written notice to all councillors that the meeting is to be held by audio-visual link, and</li> <li>b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and</li> <li>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.</li> </ul>	<p>Included in amended Code.</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>	<p>Included in amended Code.</p>

Amended Model Meeting Code requirements	Comment
<p><b>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.</b></p>	<p>Included in amended Code.</p>
<p><u>Attendance by councillors at meetings by audio-visual link</u></p>	<p>Included in amended Code.</p>
<p>5.19 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.</p>	<p>Included in amended Code.</p>
<p>5.20 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>Included in amended Code.</p>
<p>5.21 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 5.20.</p>	<p>Included in amended Code.</p>
<p>5.22 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>Included in amended Code.</p>
<p>5.23 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>Included in amended Code. Included in amended Code.</p>
<p>5.24 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:</p> <ul style="list-style-type: none"> <li>a) the meetings the resolution applies to, and</li> <li>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.</li> </ul>	<p>Included in amended Code.</p>
<p>5.25 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>Included in amended Code.</p>
<p>5.26 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>Included in amended Code.</p>
<p>5.27 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</p>	<p>Included in amended Code.</p>
<p></p>	<p>Included in amended Code.</p>

Amended Model Meeting Code requirements	Comment
<p>audio-visual link.</p> <p>5.28 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>5.29 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>5.30 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.</p> <p><u>Obligations of councillors attending meetings by audio-visual link</u></p> <p>14.20 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.</p>	
<p><u>Attendance of the general manager and other staff at meetings</u></p> <p>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.</p>	<p>Included in amended Code.</p>

Note: Council already has a number of the above (amended) provisions in place, in response to the temporary Covid-19 Public Health Orders over the past two years. These provisions now need to be reflected in our Meeting Code.

The Office of Local Government published a ‘Guide to webcasting council and committee meetings’ in March 2020 and it is noted that a number of matters in Council’s current Code of Meeting Practice are not consistent with the guide. The inconsistencies and recommended way forward are detailed in the following table:

OLG Guide to webcasting	Council’s current Code of Meeting Practice	Recommendation
<p>If a council holds its public forum as part of, or during, a council or committee meeting, rather than as a separate meeting before the council or committee meeting, the public forum must be webcast as part of the council or committee meeting.</p>	<p>All meetings of the council and committees of the council are to be webcast on the council’s website. To comply with this section of the Code, council will upload audio recordings of meetings to its website on the first business day following the meeting. The audio recording will not include that part of the meeting that comprises public forum (as referred to in Part 4 of this Code). (clause 5.20)</p>	<p>Updated to include public forum in audio recording.</p>
<p>Retention of webcast recordings - At a minimum this retention</p>	<p>A recording of each meeting of the council and committee of the</p>	<p>Update the Code of Meeting Practice to provide for</p>

OLG Guide to webcasting	Council's current Code of Meeting Practice	Recommendation
<p>period should be 12 months or more. This is the minimum period required to ensure appropriate community scrutiny of council and committee deliberations and decision making.</p> <p>Councils are to determine how long webcast recordings may have an administrative or reference use, and therefore must be kept, after they are removed from a council's website.</p>	<p>council is to be retained on the council's website for three months. Recordings of meetings may be disposed of in accordance with the State Records Act 1998. (clause 5.23)</p>	<p>webcast recordings to be retained on Council's website for 12 months and after they are removed from the website to be retained for a further 2 years as a council record.</p>

In addition, the 'Guide to webcasting council and committee meetings' suggests Councils should;

OLG Guide to webcasting	Recommendation
<p>Include written disclaimers in meeting agendas, business papers, 'request to speak' application forms, and on notices displayed in relevant meeting rooms advising attendees that:</p> <ul style="list-style-type: none"> <li>the meeting is being livestreamed and/or recorded for on-demand viewing via council's website and a person's image and/or voice may be broadcast</li> <li>attendance at the meeting is to be taken as consent by a person to their image and/or voice being webcast</li> <li>all speakers should refrain from making any defamatory comments or releasing any personal information about another individual without their consent</li> <li>council accepts no liability for any damage that may result from defamatory comments made by persons attending meetings – all liability will rest with the individual who made the comments, and</li> <li>the meeting must not be recorded by others without the prior written consent of the council in accordance with the council's code of meeting practice.</li> </ul>	<p>Notices will be prepared for;</p> <ul style="list-style-type: none"> <li>business papers, and</li> <li>the Council Chamber.</li> </ul> <p>In addition, a statement will be prepared;</p> <ul style="list-style-type: none"> <li>for the Mayor to read out at the beginning of each Council meeting, and</li> <li>to notify residents when they request to address Council.</li> </ul>
<p>For members of the public who wish to speak at a council meeting:</p> <ul style="list-style-type: none"> <li>obtain their consent prior to the meeting to broadcast their voice in the webcast (individuals who do not consent will be unable to address the meeting)</li> <li>seek their confirmation prior to the meeting that their address does not include any comments or information that may present a legal risk.</li> </ul>	<p>When speakers register to speak at Council meetings, staff will obtain an email address and consent (via email) for the matters referred to.</p>
<p>The Chairperson or general manager to confirm that the webcast has halted when a meeting goes into closed session</p>	<p>A statement to this effect will be included on the agenda for each council meeting where closed session items are to be considered.</p>
<p>The Guide recommends holding any Public Forum prior to a council meeting and ensuring it is not webcast – this will minimise the broadcast of any comments made by members of the public that may present a legal risk.</p>	<p>Council considered this in 2019 and opted to leave public forum as part of the meeting.</p>
<p>After the meeting:</p> <ul style="list-style-type: none"> <li>require recordings to be reviewed and authorised for broadcast prior to their availability for on-demand viewing on council's website seeking legal advice before publishing any comments that may present a legal risk</li> <li>accompanying on-demand recordings with:             <ul style="list-style-type: none"> <li>a written disclaimer limiting liability and</li> <li>instructions that the recording cannot be edited and/or shared in anyway, including on social media, without the prior written consent of the council.</li> </ul> </li> </ul>	<p>Authorisation for broadcast will be provided by the Director Corporate Services prior to publication (for on-demand viewing) on Council's website. The web link for recordings will contain a disclaimer and instructions as detailed.</p>

In addition to the above changes relating to online attendance at meetings, it is proposed that the following minor amendment be made to the Code of Meeting Practice:

Clause 4.12 (amended) Each speaker will be allowed four minutes to address the council. This time is to be strictly enforced by the chairperson. *[changed from 3 minutes, with an optional 1 minute extension, to a maximum of 4 minutes – as discussed at the 10 May 2022 Councillors’ briefing].*

### Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability
Direction	1c. Continuous improvement in service delivery based on accountability, transparency and good governance.

### Resourcing Strategy implications

The configuration of the Council Chambers is not currently suited to best practice audio/visual experience for virtual attendance by Councillors/staff.

Council staff are currently exploring options to refit the Council Chambers, including obtaining heritage assessments. A report will be provided to Council in due course with recommendations including costings.

In the interim, Council meetings will continue at Prince Henry.

### Policy and legislative requirements

- Local Government Act 1993

Extract from relevant sections of the Local Government Act:

**Section 361 - Preparation, public notice and exhibition of draft code**

- (1) Before adopting a code of meeting practice, a council must prepare a draft code.
- (2) The council must give public notice of the draft code after it is prepared.
- (3) The period of public exhibition must not be less than 28 days.
- (4) The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to the council.
- (5) The council must publicly exhibit the draft code in accordance with its notice.

**Section 362 - Adoption of draft code**

- (1) After considering all submissions received by it concerning the draft code, the council may decide—
  - (a) to amend those provisions of its draft mandatory code that are non-mandatory provisions, or
  - (b) to adopt the draft code as its code of meeting practice.
- (2) If the council decides to amend its draft code, it may publicly exhibit the amended draft in accordance with this Division or, if the council is of the opinion that the amendments are not substantial, it may adopt the amended draft code without public exhibition as its code of meeting practice.

**Section 363 - Amendment of the code**

A council may amend a code adopted under this Part by means only of a code so adopted.

- Local Government (General) Regulation 2021
- Model Code of Meeting Practice for local councils in NSW
- Model Code of Meeting Practice for local councils in NSW – Guide to webcasting council and committee meetings.

## Conclusion

Before adopting a new Code of Meeting Practice, Council is required to exhibit a draft of the Code of Meeting Practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.

If the report recommendation is adopted, a post-exhibition report will be submitted to the 28 June 2022 Council meeting for the new Code of Meeting Practice to be adopted. Should submissions be received after this date, a further report will be prepared for the July Ordinary Council meeting.

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**Responsible officer:** Julie Hartshorn, Senior Administrative Coordinator

**File Reference:** F2004/06570

CORPORATE SERVICES

CO17/22

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# Code of Meeting Practice

(Based on the Model Code of Meeting Practice for Local Councils in NSW 2021)

Adoption Date:  
**28 June 2022**

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**28 June 2025**

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## 1. Introduction

Randwick City Council's Code of Meeting Practice is based on the Office of Local Government's Model Code of Meeting Practice for Local Councils in NSW 2021 (the Model Meeting Code), which is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation). Councils must adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code.

The Model Meeting Code applies to all meetings of council and committees of council 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. A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with this Code of Meeting Practice.

Council's adopted Code of Meeting Practice (this Code) also incorporates non-mandatory provisions of the Model Meeting Code and other supplementary provisions. It being noted that a Code of Meeting Practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of the Model Meeting Code.

The provisions of this Code that are not mandatory are indicated in **red font**.

The provisions of this Code that are supplementary are indicated in **blue font**.

## 2. Principles

### 2.1. Council and committee meetings should be:

Principles	What this means for us
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:	Meeting 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.

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## 3. Before the Meeting

### Timing of ordinary council meetings

- 3.1 Ordinary meetings of the council will be held on the following occasions: 4th Tuesday of every month from February – November and the 2nd Tuesday of December in each year. Meetings commence at 7:00pm and are held in the Council Chamber (Town Hall building, 90 Avoca Street, Randwick) or other location as advertised on Council's website.

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.

- 3.2 Not required.

### Extraordinary meetings

- 3.3 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 reflects section 366 of the Act.

### Notice to the public of council meetings

- 3.4 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 3.4 reflects section 9(1) of the Act.

- 3.5 For the purposes of clause 3.4, 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.

- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

### Notice to councillors of ordinary council meetings

- 3.7 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 3.7 reflects section 367(1) of the Act.

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

Note: Clause 3.8 reflects section 367(3) of the Act.

### Notice to councillors of extraordinary meetings

- 3.9 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 3.9 reflects section 367(2) of the Act.

### Giving notice of business to be considered at council meetings

- 3.10 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 six (6) business days before the meeting is to be held (ie. by 12noon on the Monday of the week preceding the council meeting).
- 3.10(a) Notices of motions from councillors will be listed on the agenda of the relevant meeting in the order in which they are received.
- 3.11 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 Not required.

### Questions with notice

- 3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.15 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 3.14 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

- 3.17 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.
- 3.18 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.
- 3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.20 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.
- 3.21 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 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 3.21 reflects section 9(2A) (a) of the Act.

- 3.22 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

- 3.24 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 3.24 reflects section 9(2) and (4) of the Act.

- 3.25 Clause 3.24 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.25 reflects section 9(2A) (b) of the Act.

- 3.26 For the purposes of clause 3.24, 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 3.26 reflects section 9(3) of the Act.

- 3.27 A copy of an agenda, or of an associated business paper made available under clause 3.24 may, in addition, be given or made available in electronic form.

Note: Clause 3.27 reflects section 9(5) of the Act.

### Agenda and business papers for extraordinary meetings

- 3.28 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.

- 3.29 Despite clause 3.28, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:

- (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.

- 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.
- 3.32 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.29(b) on whether a matter is of great urgency.

### 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 upcoming meetings. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 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.
- 3.39 As a matter of policy, briefing sessions will only be available to councillors and staff, subject to the mayor being authorised to allow a person(s) to attend part or the whole of a briefing session where the mayor forms the opinion that such attendance would add to a better understanding of the issue under consideration.

## 4. Public Forums

- 4.1 The council shall hold a public forum at each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums shall also be held at extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums may be held by audio-visual link.
- 4.3 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 2:00pm, on the day 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.
- 4.4 A person may apply to speak on no more than three items of business on the agenda of the council meeting.
- 4.5 Any person representing (or speaking on behalf of) another person must indicate the name of the person they are representing and in what capacity they are representing the person (eg. Legal representative, town planner, relative etc). The name of the speaker and the person they are representing will be included in the speakers list and/or minutes in order to facilitate disclosures referred to in clause 4.23.
- 4.6 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.
- 4.7 No more than one speaker is to be permitted to speak 'for' and one speaker 'against' each item of business on the agenda for the council meeting.
- 4.8 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.
- 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, 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.
- 4.10 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 later than 2:00pm on the day on the day of the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.11 The mayor or their delegate is to determine the order of speakers at the public forum, but as a matter of policy, speakers against the recommendation/motion will be heard prior to speakers for the recommendation/motion.
- 4.12 Each speaker will be allowed four minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.13 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.
- 4.14 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.
- 4.15 Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question, are to be limited to two minutes.

- 4.16 Speakers at public forums cannot ask questions of the council, councillors or council staff.
- 4.17 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to two 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.
- 4.18 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.
- 4.19 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.
- 4.20 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.19, 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.
- 4.21 Clause 4.20 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.
- 4.22 Where a speaker engages in conduct of the type referred to in clause 4.19, 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.
- 4.23 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 forum is held as part of council and committee meetings and, as such, 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 Not required.
- 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.
- 5.5 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 act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.7 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 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 5.7 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

- 5.9 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 5.9 reflects section 368(1) of the Act.
- 5.10 Clause 5.9 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 5.10 reflects section 368(2) of the Act.
- 5.11 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.

- 5.12 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.
- 5.13 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.
- 5.14 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.
- 5.15 Where a meeting is cancelled under clause 5.14, 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 under clause 3.3.

### Meetings held by audio-visual link

- 5.16 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.
- 5.17 Where the mayor determines under clause 5.16 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.
- 5.18 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.

**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

- 5.19 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.
- 5.20 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.
- 5.21 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 5.20.
- 5.22 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.
- 5.23 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.
- 5.24 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.
- 5.25 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.
- 5.26 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.
- 5.27 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.
- 5.28 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.
- 5.29 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.
- 5.30 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

- 5.31 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 5.31 reflects section 10(1) of the Act.
- 5.32 Clause 5.31 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

5.33 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 5.33 reflects section 10(2) of the Act.

**Note: Clause 15.14 of this Code confers a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel any person, including a councillor, from a council or committee meeting.**

5.34 Members of the public are prohibited from approaching Councillors when a meeting is in progress.

### Webcasting of meetings

5.35 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device. **To comply with this section of the Code, council will live audio webcast meetings and will upload audio recordings of meetings to its website on the first business day following the meeting. The live audio webcast and audio recording will not include that part of the meeting that comprises public forum (as referred to in Part 4 of this Code).**

5.36 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 live audio webcast and audio recorded** and made publicly available on the council's website, and
- (b) persons attending the meeting should refrain from making any defamatory statements.

5.37 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.

5.38 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.

5.39 Clauses 5.36 and 5.37 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 5.35 – 5.39 reflect clause 236 of the Regulation.**

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

### Attendance of the general manager and other staff at meetings

5.41 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 5.24 reflects section 376(1) of the Act.

5.42 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 5.25 reflects section 376(2) of the Act.

5.43 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 5.26 reflects section 376(3) of the Act.

5.44 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.

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- 5.45 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.

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## 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.

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## 7. Modes of Address

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

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## 8. Order of Business for Ordinary Council meetings

- 8.1 Not required.
- 8.2 The general order of business for an ordinary meeting of the council shall be:
- 01 Opening meeting
  - 02 Acknowledgement of country and Prayer
  - 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 Urgent business
  - 08 Reports of committees
  - 09 Reports to council
  - 10 Notices of motions
  - 11 Confidential matters
  - 12 Notices of Rescission motions
  - 13 Conclusion of the meeting
- 8.3 The order of business as fixed under clause 8.2 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: Part 13 of this Code allows council to deal with items of business by exception.**
- 8.4 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 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 even though due notice of the business has not been given to the councillors if:
- (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.
- 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.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

### Mayoral minutes

- 9.6 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.
- 9.7 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.
- 9.8 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 **If a Mayoral Minute that has a financial cost is adopted without the identification of a funding source, the Council must call for a report from the general manager outlining funding options for implementation of the resolution. No funds are to be expended on the implementation of the motion until a decision is made on funding source, unless council resolves that the matter is of great urgency.**

### Staff reports

- 9.11 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

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

### Questions

- 9.14 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 3.14.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 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.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

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## 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 withdrawal of the motion when it is before the council.
- 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 If a motion that has a financial cost is adopted without the identification of a funding source, the Council must call for a report from the General Manager outlining funding options for implementation of the resolution. No funds are to be expended on implementation of the motion until a decision is made on funding source, unless the Council resolves that the matter is of great urgency.

### Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 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.
- 10.12 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.
- 10.13 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.

- 10.14 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.
- 10.15 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.
- 10.16 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

- 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.
- 10.18 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.
- 10.19 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

- 10.20 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.
- 10.21 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.
- 10.22 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.
- 10.23 Despite clause 10.22, 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.
- 10.25 Despite clauses 10.20 and 10.21, 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.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 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 10.20.

- 10.28 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.
- 10.29 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.
- 10.30 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.

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## 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.

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 Not required.

### 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 Not required.

### Voting on planning and tender decisions

11.12 The general manager must keep a register containing, for each planning **and tender** 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.

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

11.14 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.

11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

Note: Clauses 11.12–11.15 reflect section 375A of the Act.

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning **and tender** decision.

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## 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.

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

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.

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## 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 8.3.
- 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 Where the matter has been identified in the agenda of the meeting under clause 3.21 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 **2:00pm on the day of the meeting** at which the matter is to be considered.

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 **two speakers (one for and one against)** 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 **two speakers (one for and one against)** to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed **three** 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 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 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 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 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 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:
- the relevant provision of section 10A(2) of the Act,
  - the matter that is to be discussed during the closed part of the meeting,
  - 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 reflects section 10D of the Act.

**Resolutions passed at closed meetings to be made public**

- 14.22 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 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 during a part of the meeting that is webcast.

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## 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.
- 15.3 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

- 15.4 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.
- 15.5 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.
- 15.6 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.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

### Motions of dissent

- 15.8 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.
- 15.9 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.
- 15.10 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

- 15.11 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 or 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
  - (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 15.11 reflects section 182 of the Regulation.

15.12 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), or
- (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

### How disorder at a meeting may be dealt with

15.13 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

15.14 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.

15.15 Not required.

15.16 Clause 15.14 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.

15.17 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 15.12. 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.

15.18 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.

15.19 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.

15.20 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 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.

### Use of mobile phones and the unauthorised recording of meetings

15.21 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.

15.22 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.

15.23 Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.

15.24 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 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.

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## 16. Conflicts of Interests

- 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.

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## 17. Decision 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.

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.

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.

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. [If a notice of motion is withdrawn after the finalisation of the agenda for the meeting in question, the motion may be moved and seconded by any councillors nominated by the councillor who submitted the Notice of Motion.](#)

17.10 [Council staff will not commence actioning council resolutions until 12pm on the next business day following the meeting at which the resolution was adopted. A notice of motion to alter or rescind a resolution which is submitted to the general manager by 12pm on the next business day following the meeting at which the resolution was adopted will serve to suspend any action on the resolution in question until after the rescission motion has been considered by council. For rescission motions submitted outside this timeframe action on the council resolution may already be commenced or completed. Rescission motions are unable to be accepted for any resolutions actioned in full or for any part of a resolution which has been actioned.](#)

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, and
- (b) a motion 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 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 10.20–10.30, 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(c).

17.14(a) An original motion may be negatived (that is, lost) twice before a three month ban is placed on any councillor putting forward another motion to the same effect. However, to even bring the motion forward the second time will require three councillors' signatures if less than three months has passed since the first time the motion was defeated. It is possible for notice of motion to be given (but not for the motion to be moved) before the expiry of the three month period referred to in section 372(5) of the Act.

Note: Clause 17.14(a) reflects sections 372(4) and 372(5) of the Act.

17.14(b) The General Manager shall notify all Councillors within 24 hours of the receipt of a valid rescission motion.

### 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 10.20–10.30, only the mover of a motion referred to in clause 17.15 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 Limit on Council Meetings

- 18.1 Meetings of the council and committees of the council are to conclude no later than 11:30pm.
- 18.2 If the business of the meeting is unfinished at 11:30pm, the council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at 11:30pm, 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.
- 18.4 Clause 18.3 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.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, 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.

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## 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) details of each motion moved at a council meeting and of any amendments moved to it, including;

- motions which are validly moved, but which lapsed for the want of a seconder; and
- motions that are ruled out of order by the Mayor/Chairperson because they are;
  - i) not considered urgent
  - ii) are considered unlawful
  - iii) are considered to be outside of Council's jurisdiction.

(Note: The wording of motions ruled out of order by the Mayor/ Chairperson because they are defamatory or potentially defamatory in nature will not be included in the Minutes (in this case only the Mayors ruling will be included).

(b) the names of the mover and seconder of the motion or amendment,

(c) whether the motion or amendment was passed or lost, and

(d) such other matters specifically required under this code.

(e) The name of the Councillors present at the meetings and any apologies/leave of absences

(f) The names of officers in attendance and their organisational titles

(g) The arrival and departure of Councillors during the course of the meeting (including any temporary departures or arrivals)

(h) Details of any procedural motions moved

(i) Motions passed unanimously, if requested, should be noted

(j) Where a valid Division is called, a table of the names of every Councillor and the way their vote was cast, either For or Against

(k) When requested by Councillors, a record of their opposition to any motion

(l) Details of failure to achieve or maintain a quorum and any adjournment whether as a result or otherwise

(m) The time and reason for any adjournment of the meeting or suspension of standing orders

(n) The details of any disclosures of pecuniary interests by the Councillors

(o) The details of any acts of disorder as ruled and the reasons as stated by the Chairperson

(p) Any other matter which the General Manager thinks should be recorded to clarify the intention of the meeting or the reading of the minutes

(q) The date, time and venue where the meeting was commenced, adjourned, resumed and/or concluded.

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.

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## 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

20.10 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

20.11 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.

**Note:** the Mayor does not delegate his/her right to assume the chair of any committee at any time, regardless of any council resolution in relation to committee chairpersons and/or deputy chairpersons.

20.12 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.

20.13 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.

20.14 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

20.15 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.

20.16 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 20.15.

20.17 Not required.

20.18 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

20.19 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.

20.20 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, 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.

20.21 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 during a part of the meeting that is webcast.

### 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) details of each motion moved at a meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.

20.24 Not required.

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.

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## 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

Principles	What this means for us
the Act	means the Local Government Act 1993
act of disorder	means an act of disorder as defined in clause 15.11 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
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 20.11 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 10.18 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 Environmental Planning and Assessment Act 1979 including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, 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 Local Government (General) Regulation 2005
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

CO17/22



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**Randwick City Council**  
30 Frances Street  
Randwick NSW 2031

## Director Corporate Services Report No. CO18/22

**Subject: Code of Conduct**

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### Executive Summary

- Councils must adopt a Code of Conduct that incorporates the provisions of the Office of Local Government (OLG) 'Model Code of Conduct for Local Councils in NSW – 2020'.
- Under section 440(7) of the Local Government Act, Council must, within 12 months after each ordinary election, review its adopted Code and make such adjustments as it considers appropriate and as are consistent with this section.
- The current Code of Conduct for Councillors and Code of Conduct for Council committee members, delegates of Council and Council advisers are based on the Model Code of Conduct for Local Councils in NSW 2020 – which is the current Model Code.
- An amendment is proposed to both Codes in relation to "Personal benefit" – this section has been amended to reflect the provisions of the Model Code for the reasons detailed in this report.

### Recommendation

That the Code of Conduct for Councillors and Code of Conduct for Council committee members, delegates of Council and Council advisers be reconfirmed, noting the amendment of the "personal benefit" section of both Codes to reflect the Model Code of Conduct for Local Councils in NSW.

### Attachment/s:

1.  [Code of Conduct for Councillors \(May 2022\)](#)
2.  [Code of Conduct for Council committee members, delegates of Council and Council advisers \(May 2022\)](#)

## Purpose

To review and endorse the Code of Conduct for Councillors and the Code of Conduct for Council committee members, delegates of Council and Council advisers, as required by section 440(7) of the Local Government Act (the Act).

## Discussion

Under section 440(7) of the Act, Council must, within 12 months after each ordinary election, review its adopted code and make such adjustments as it considers appropriate and as are consistent with this section. Council's Codes are based on the current 'Model Code of Conduct for Local Councils in NSW' in 2020, with some Randwick City Council specific provisions added.

The Codes currently in place do not allow for the receipt of gifts or benefits by Councillors (or committee members) regardless of value (this is a Randwick City Council specific provision). It is proposed, however, that both of the Codes referred to in this report, be amended to reflect the Model Code of Conduct for Local Councils in NSW in relation to "personal benefit". This will allow for the acceptance of gifts/benefits up to the value of \$100.

The practicalities of representing the community can result in token gifts being offered (such as a coffee, flowers, community branded scarfs/ties etc) which is often part of the etiquette required by the role and accepted practice at other levels of government. It can put Councillors and the persons/organisations offering these types of gifts in an awkward situation if these gifts have to be refused, particularly if the gift is being offered at a function or event as a token thank you for a Councillor attending or speaking etc.

## Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability
Direction	1c. Continuous improvement in service delivery based on accountability, transparency and good governance.

## Resourcing Strategy implications

Nil.

## Policy and legislative requirements

Model Code of Conduct for Local Councils in NSW 2020  
Local Government Act 1993.

## Conclusion

Councils must, within 12 months after each ordinary election, review its adopted Code of Conduct. The current Code of Conduct of Councillors and Code of Conduct for Council committee members, delegates of Council and Council advisers are based on the most recent Model Code of Conduct and, as such, it is proposed that Council's current Codes (copies attached) be reconfirmed.

**Responsible officer:** Julie Hartshorn, Coordinator Administration

**File Reference:** F2004/06569

CORPORATE SERVICES

CO18/22

# Code of Conduct for Councillors

(Based on the Model  
Code of Conduct for  
Local Councils in  
NSW 2020)

Adoption Date:  
**24 May 2022**

Review Date:  
**24 May 2025**

Version:  
**3**

Responsible Department:  
**Customer & Compliance**

TRIM Document Number:  
**D04286988**



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## 1. Introduction

This code of conduct applies to councillors. It is based on the *Model Code of Conduct for Local Councils in NSW* (“the Model Code of Conduct”) which has been prescribed under the *Local Government (General) Regulation 2005* (“the Regulation”).

Section 440 of the *Local Government Act 1993* (“LGA”) requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council’s or joint organisation’s adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not “council officials” for the purposes of the Model Code of Conduct (eg volunteers, contractors and members of wholly advisory committees).

The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

Councillors, administrators, members of staff of councils, delegates of councils, (including members of council committees that are delegates of a council) and any other person a council’s adopted code of conduct applies to, must comply with the applicable provisions of their council’s code of conduct. It is the personal responsibility of council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the LGA. The LGA provides for a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office. A councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

## 2. Definitions

In this code the following terms have the following meanings:

	Definition
administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
committee	see the definition of "council committee"
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and, for the purposes of clause 4.16, council advisers
councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
conduct	includes acts and omissions
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
election campaign	includes council, state and federal election campaigns
environmental planning instrument	has the same meaning as it has in the Environmental Planning and Assessment Act 1979
general manager	includes the executive officer of a joint organisation
joint organisation	a joint organisation established under section 4000 of the LGA
LGA	the Local Government Act 1993
local planning panel	a local planning panel constituted under the Environmental Planning and Assessment Act 1979
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisation
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW prescribed under the Regulation
the Regulation	the Local Government (General) Regulation 2005
voting representative	a voting representative of the board of a joint organisation
wholly advisory committee	a council committee that the council has not delegated any functions to

## 3. General Conduct Obligations

### General conduct

- 3.1 You must not conduct yourself in a manner that:
- is likely to bring the council or other council officials into disrepute
  - is contrary to statutory requirements or the council's administrative requirements or policies
  - is improper or unethical
  - is an abuse of power
  - causes, comprises or involves intimidation or verbal abuse
  - involves the misuse of your position to obtain a private benefit
  - constitutes harassment or bullying behaviour under this code or is unlawfully discriminatory.
- 3.2 You must act lawfully and honestly and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act (section 439).

### Fairness and equity

- 3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.
- 3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

### Harassment and discrimination

- 3.6 You must not harass or unlawfully discriminate against others or support others who harass or unlawfully discriminate against others, on the grounds of sex, pregnancy, breastfeeding, race, age, marital or domestic status, homosexuality, disability, transgender status, infectious disease, carer's responsibilities or political, religious or other affiliation.
- 3.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that:
- is not wanted by the person
  - offends, humiliates or intimidates the person, and
  - creates a hostile environment.
- 3.8 **Randwick Council is committed to a safe working environment free of sexual harassment. Sexual harassment is against the law and is any unwelcome behaviour of a sexual nature that makes a person feel offended, humiliated or intimidated. Sexual harassment can be physical, verbal or written.**

### Bullying

- 3.9 You must not engage in bullying behaviour towards others.
- 3.10 For the purposes of this code, "bullying behaviour" is any behaviour in which:
- a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
  - the behaviour creates a risk to health and safety.
- 3.11 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:
- aggressive, threatening or intimidating conduct
  - belittling or humiliating comments
  - spreading malicious rumours
  - teasing, practical jokes or 'initiation ceremonies'
  - exclusion from work-related events

- f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
  - g) displaying offensive material
  - h) pressure to behave in an inappropriate manner
- (Note: bullying behaviour includes, but is not limited to, verbal and written comments (via email and/or social media etc).

- 3.12 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:
- a) performance management processes
  - b) disciplinary action for misconduct
  - c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
  - d) directing a worker to perform duties in keeping with their job
  - e) maintaining reasonable workplace goals and standards
  - f) legitimately exercising a regulatory function
  - g) legitimately implementing a council policy or administrative processes.

### Work health and safety

- 3.13 All council officials, including councillors, owe statutory duties under the Work Health and Safety Act 2011 (WH&S Act). You must comply with your duties under the WH&S Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:
- a) take reasonable care for your own health and safety
  - b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
  - c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WH&S Act and any policies or procedures adopted by the council to ensure workplace health and safety
  - d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
  - e) report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations
  - f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WH&S Act in relation to the same matter.

### Land use planning, development assessment and other regulatory functions

- 3.14 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.
- 3.15 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

### Binding caucus votes

- 3.16 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.17 For the purposes of clause 3.15, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.

- 3.18 Clause 3.15 does not prohibit councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting, or from voluntarily holding a shared view with other councillors on the merits of a matter.
- 3.19 Clause 3.15 does not apply to a decision to elect the mayor or deputy mayor, or to nominate a person to be a member of a council committee or a representative of the council on an external body.

### Obligations in relation to meetings

- 3.20 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.21 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.22 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.
- 3.23 If you are a councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the council, or of a committee of the council. Without limiting this clause, you must not:
- leave a meeting of the council or a committee for the purposes of depriving the meeting of a quorum, or
  - submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another councillor from submitting a rescission motion with respect to the same decision, or
  - deliberately seek to impede the consideration of business at a meeting.

### Council's values

- 3.24 Randwick City Council's Code of Conduct incorporates the following 'ICARE' values:

ICARE	What this means for us
Integrity	ensuring transparency and honesty in all our activities
Customer focus	delivering prompt, courteous and helpful service and being responsive to people's changing needs
Accountability	accepting our responsibility to all our residents, Councillors, staff and the community for the provision of quality services, facilities and information that meet agreed standards
Respect	treating everyone in the community and within Council with courtesy, dignity and fairness regardless of our own feelings about the person of the issue
Excellence	is being recognised for providing services, programs and information which consistently meet and exceed expectations, through the use of best known practices and innovation

## 4. Pecuniary Interests

### What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- a) your interest, or
  - b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
  - c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- a) Your “relative” is any of the following:
    - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - ii) your spouse’s or de facto partner’s parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
  - b) “de facto partner” has the same meaning as defined in section 21C of the Interpretation Act 1987.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
- a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
  - b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
  - c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

### What interests do not have to be disclosed?

- 4.6 You do not have to disclose the following interests for the purposes of this Part:
- a) your interest as an elector
  - b) your interest as a ratepayer or person liable to pay a charge
  - c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
  - d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code
  - e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
  - f) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
  - g) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a

- shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
- h) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or 4.7 as are proposed to be made, by the council in respect of similar matters with other residents of the area:
- i) the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
  - ii) security for damage to footpaths or roads
  - iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
- i) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor)
- j) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252 of the LGA
- k) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor
- l) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
- m) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or a council committee member
- n) an interest arising from the appointment of a councillor to a body as a representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.
- 4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4 but includes your spouse or de facto partner.

### What disclosures must be made by a Councillor?

- 4.8 A councillor:
- a) must prepare and submit written returns of interests in accordance with clause 4.9, and
  - b) must disclose pecuniary interests in accordance with clause 4.16 and comply with clause 4.17 where it is applicable.

### Disclosure of interests in written returns

- 4.9 A councillor must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's interests as specified in schedule 1 to this code within 3 months after:
- a) becoming a councillor, and
  - b) 30 June of each year, and
  - c) the councillor becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).
- 4.10 A person need not make and lodge a return under clause 4.21, paragraphs (a) and (b) if:
- a) they made and lodged a return under that clause in the preceding 3 months, or
  - b) they have ceased to be a councillor in the preceding 3 months.
- 4.11 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- 4.12 The general manager must keep a register of returns required to be made and lodged with the general manager.
- 4.13 Returns required to be lodged with the general manager under clause 4.9(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.

- 4.14 Returns required to be lodged with the general manager under clause 4.9(c) must be tabled at the next council meeting after the return is lodged.
- 4.15 Information contained in returns made and lodged under clause 4.9 is to be made publicly available in accordance with the requirements of the Government Information (Public Access) Act 2009, the Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

#### Disclosure of pecuniary interests at meetings

- 4.16 A councillor who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.17 The councillor must not be present at, or in sight of, the meeting of the council or committee:
- a) at any time during which the matter is being considered or discussed by the council or committee, or
  - b) at any time during which the council or committee is voting on any question in relation to the matter.
- 4.18 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.
- 4.19 A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.
- 4.20 A general notice may be given to the general manager in writing by a councillor to the effect that the councillor or the councillor's spouse, de facto partner or relative, is:
- a) a member of, or in the employment of, a specified company or other body, or
  - b) a partner of, or in the employment of, a specified person.
- Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the councillor's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.
- 4.21 A councillor is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor has an interest in the matter of a kind referred to in clause 4.6.
- 4.22 A person does not breach clauses 4.16 or 4.17 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.23 Despite clause 4.17, a councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 4.24 Clause 4.17 does not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting if:
- a) the matter is a proposal relating to:
    - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
    - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
  - b) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
  - c) the councillor made a special disclosure under clause 4.25 in relation to the interest before the commencement of the meeting.

- 4.25 A special disclosure of a pecuniary interest made for the purposes of clause 4.24(c) must:
- a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
  - b) be laid on the table at a meeting of the council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.
- 4.26 The Minister for Local Government may, conditionally or unconditionally, allow a councillor who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
  - b) that it is in the interests of the electors for the area to do so.
- 4.27 A councillor with a pecuniary interest in a matter who is permitted to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.26, must still disclose the interest they have in the matter in accordance with clause 4.16.

## 5. Non-Pecuniary Conflict of Interest

### What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any nonpecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

### Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
  - a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
  - b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship
  - c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation
  - d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter

- e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
  - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
  - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.16 and 4.17.
- 5.11 If you determine that you have a nonpecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.

### Political donations

- 5.13 Councillors should be aware that matters before council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 5.14 Where you are a councillor and have received or knowingly benefitted from a reportable political donation:
- a) made by a major political donor in the previous four years, and
  - b) the major political donor has a matter before council,
- you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.16 and 4.17. A disclosure made under this clause must be recorded in the minutes of the meeting.
- 5.15 For the purposes of this Part:
- a) a “reportable political donation” has the same meaning as it has in section 6 of the Electoral Funding Act 2018
  - b) “major political donor” has the same meaning as it has in the Electoral Funding Act 2018.
- 5.16 Councillors should note that political donations that are not a “reportable political donation”, or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.
- 5.17 Despite clause 5.14, a councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

### Loss of quorum as a result of compliance with this Part

- 5.18 A councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:
- a) the matter is a proposal relating to:
    - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council’s area, or
    - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council’s area, and

- b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and
- c) the councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.

- 5.19 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
  - b) that it is in the interests of the electors for the area to do so.
- 5.20 Where the Minister exempts a councillor or committee member from complying with a requirement under this Part under clause 5.19, the councillor or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

### Personal dealings with council

- 5.21 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 5.22 You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

## 6. Personal Benefit

- 6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment.
- 6.2 A reference to a gift or benefit in this Part does not include:
- a) items with a value of \$10 or less
  - b) a political donation for the purposes of the Electoral Funding Act 2018
  - c) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them
  - d) a benefit or facility provided by the council to a councillor
  - e) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
  - f) free or subsidised meals, beverages or refreshments provided to councillors in conjunction with the performance of their official duties such as, but not limited to:
    - i) the discussion of official business
    - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops
    - iii) conferences
    - iv) council functions or events
    - v) social functions organised by groups, such as council committees and community organisations.

### Gifts and benefits

- 6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.
- 6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

### How are offers of gifts and benefits to be dealt with?

- 6.5 You must not:
- a) seek or accept a bribe or other improper inducement
  - b) seek gifts or benefits of any kind
  - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
  - d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9
  - e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
  - f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer-supplier relationship with the competition organiser
  - g) personally benefit from reward points programs when purchasing on behalf of the council.
- 6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to the general manager in writing.
- The recipient or general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:
- a) the nature of the gift or benefit
  - b) the estimated monetary value of the gift or benefit
  - c) the name of the person who provided the gift or benefit, and
  - d) the date on which the gift or benefit was received.

- 6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

### Gifts and benefits of token value

- 6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$100. They include, but are not limited to:
- invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100
  - gifts of alcohol that do not exceed a value of \$100
  - ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
  - prizes or awards that do not exceed \$100 in value.

### Gifts and benefits of more than token value

- 6.9 Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.
- 6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.
- 6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.
- 6.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

### “Cash-like gifts”

- 6.13 For the purposes of clause 6.5(e), “cash like gifts” include but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

### Improper and undue influence

- 6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials through the proper exercise of their role as prescribed under the LGA.
- 6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.

## 7. Relationship between Council Officials

### Obligations of councillors and administrators

- 7.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy, and to keep the performance of the council under review.
- 7.2 Councillors or administrators must not:
- direct council staff other than by giving appropriate direction to the general manager by way of council or committee resolution, or by the mayor or administrator exercising their functions under section 226 of the LGA
  - in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the staff member or delegate
  - contact a member of the staff of the council on council-related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager
  - contact or issue instructions to any of the council's contractors, including the council's legal advisers, unless by the mayor or administrator exercising their functions under section 226 of the LGA.
- 7.3 Despite clause 7.2, councillors may contact the council's external auditor or the chair of the council's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

### Obligations of staff

- 7.4 Under section 335 of the LGA, the role of the general manager includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.
- 7.5 Members of staff of council must:
- give their attention to the business of the council while on duty
  - ensure that their work is carried out ethically, efficiently, economically and effectively
  - carry out reasonable and lawful directions given by any person having authority to give such directions
  - give effect to the lawful decisions, policies and procedures of the council, whether or not the staff member agrees with or approves of them
  - ensure that any participation in political activities outside the service of the council does not interfere with the performance of their official duties.

### Inappropriate interactions

- 7.6 You must not engage in any of the following inappropriate interactions:
- councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
  - council staff approaching councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
  - subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
  - councillors and administrators who have lodged an application with the council, discussing the matter with council staff in staff-only areas of the council

- e) councillors and administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the councillor has a right to be heard by the panel at the meeting
- f) councillors and administrators being overbearing or threatening to council staff
- g) council staff being overbearing or threatening to councillors or administrators
- h) councillors and administrators making personal attacks on council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
- i) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make
- j) council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
- k) councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the council associated with current or proposed legal proceedings unless permitted to do so by the council's general manager or, in the case of the mayor or administrator, unless they are exercising their functions under section 226 of the LGA.

### **Randwick City Council's Councillors Access to Information and Interaction between Councillors and Staff Policy**

- 7.7 [Randwick City Council has adopted a 'Councillors Access to Information and Interaction between Councillors and staff policy'](#). Non-compliance with this policy could be considered a breach of the Code of Conduct.

## 8. Access to Information and Council Resources

### Councillors and administrator access to information

- 8.1 The general manager is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The general manager and public officer are also responsible for ensuring that members of the public can access publicly available council information under the Government Information (Public Access) Act 2009 (the GIPA Act).
- 8.2 The general manager must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.
- 8.4 Members of staff of council who provide any information to a particular councillor in the performance of their official functions must also make it available to any other councillor who requests it and in accordance with council procedures.
- 8.5 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.
- 8.6 Despite clause 8.4, councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise available to members of the public, or the council has determined to make the information available under the GIPA Act.

### Councillors and administrators to properly examine and consider information

- 8.7 Councillors and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

### Refusal of access to information

- 8.8 Where the general manager or public officer determine to refuse access to information requested by a councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the councillor or administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The general manager or public officer must state the reasons for the decision if access is refused.

### Use of certain council information

- 8.9 In regard to information obtained in your capacity as a council official, you must:
  - a) subject to clause 8.14, only access council information needed for council business
  - b) not use that council information for private purposes
  - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with council
  - d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

### Use and security of confidential information

- 8.10 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.

- 8.11 In addition to your general obligations relating to the use of council information, you must:
- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
  - b) protect confidential information
  - c) only release confidential information if you have authority to do so
  - d) only use confidential information for the purpose for which it is intended to be used
  - e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
  - f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body
  - g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

### Personal information

- 8.12 When dealing with personal information you must comply with:
- a) the Privacy and Personal Information Protection Act 1998
  - b) the Health Records and Information Privacy Act 2002
  - c) the Information Protection Principles and Health Privacy Principles
  - d) the council's privacy management plan
  - e) the Privacy Code of Practice for Local Government

### Use of council resources

- 8.13 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.
- 8.14 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- 8.15 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 8.16 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 8.17 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:
- a) for the purpose of assisting your election campaign or the election campaign of others, or
  - b) for other non-official purposes.
- 8.18 You must not convert any property of the council to your own use unless properly authorised.

### Internet access and use of social media

- 8.19 You must not use council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.
- 8.20 You must not use social media to post or share comments, photos, videos, electronic recordings or other information that:
- a) is offensive, humiliating, threatening or intimidating to other council officials or those that deal with the council

- b) divulges confidential council information
- c) breaches the privacy of other council officials or those that deal with council, or
- d) contains allegations of suspected breaches of this code or information about the consideration of a matter under the Procedures.

### Council record keeping

- 8.21 You must comply with the requirements of the State Records Act 1998 and the council's records management policy.
- 8.22 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the State Records Act 1998 and the council's approved records management policies and practices.
- 8.23 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of whether the original intention was to create the information for personal purposes.
- 8.24 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the State Records Act 1998.

### Randwick City Council's Records Management for Councillors Policy

- 8.25 Randwick City Council has adopted a 'Records Management for Councillors policy'. Non-compliance with this policy could be considered a breach of the Code of Conduct.

### Councillor access to council buildings

- 8.26 Councillors and administrators are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the general manager.
- 8.27 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or their delegate) or as provided for in the procedures governing the interaction of councillors and council staff.
- 8.28 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence council staff decisions.

## 9. Maintaining the Integrity of this Code

### Complaints made for an improper purpose

- 9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- a) to bully, intimidate or harass another council official
  - b) to damage another council official's reputation
  - c) to obtain a political advantage
  - d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
  - e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
  - f) to avoid disciplinary action under the Procedures
  - g) to take reprisal action against a person for making a complaint alleging a breach of this code
  - h) to take reprisal action against a person for exercising a function prescribed under the Procedures
  - i) to prevent or disrupt the effective administration of this code under the Procedures.

### Detrimental action

- 9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:
- a) injury, damage or loss
  - b) intimidation or harassment
  - c) discrimination, disadvantage or adverse treatment in relation to employment
  - d) dismissal from, or prejudice in, employment
  - e) disciplinary proceedings.

### Compliance with requirements under the Procedures

- 9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.
- 9.8 You must comply with a practice ruling made by the Office under the Procedures.
- 9.9 Where you are a councillor or the general manager, you must comply with any council resolution requiring you to take action as a result of a breach of this code.

### Disclosure of information about the consideration of a matter under the Procedures

- 9.10 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 9.11 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.

- 9.12 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 9.13 You must not disclose information about a complaint you have made alleging a breach of this code or a matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.
- 9.14 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the Public Interest Disclosures Act 1994.

#### **Complaints alleging a breach of this Part**

- 9.15 Complaints alleging a breach of this Part by a councillor, the general manager or an administrator are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the council for consideration in accordance with the Procedures.

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## Schedule 1 Disclosure of Interest and Other Matters in Written Returns Submitted Under Clause 4.9

### Part 1: Preliminary

#### Definitions

1. For the purposes of the schedules to this code, the following definitions apply:

*address* means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the councillor or designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

*de facto partner* has the same meaning as defined in section 21C of the Interpretation Act 1987.

*disposition of property* means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

*gift* means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition but does not include a financial or other contribution to travel.

*interest* means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the Corporations Act 2001 of the Commonwealth) in securities issued or made available by the corporation.

*listed company* means a company that is listed within the meaning of section 9 of the Corporations Act 2001 of the Commonwealth.

*occupation* includes trade, profession and vocation.

*professional or business association* means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

*property* includes money.

*return date* means:

- a) in the case of a return made under clause 4.21(a), the date on which a person became a councillor or designated person
- b) in the case of a return made under clause 4.21(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21(c), the date on which the councillor or designated person became aware of the interest to be disclosed.

*relative* includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).

*travel* includes accommodation incidental to a journey.

### Matters relating to the interests that must be included in returns

- 2. *Interests etc. outside New South Wales:* A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
- 3. *References to interests in real property:* A reference in this schedule or in schedule 2 to real property in which a councillor or designated person has an interest includes a reference to any real property situated in Australia in which the councillor or designated person has an interest.
- 4. *Gifts, loans etc. from related corporations:* For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the Corporations Act 2001 of the Commonwealth are all given, made or supplied by a single corporation.

## Part 2: Pecuniary interests to be disclosed in returns

### Real property

- 5. A person making a return under clause 4.21 of this code must disclose:
  - a) the street address of each parcel of real property in which they had an interest on the return date, and
  - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
  - c) the nature of the interest.
- 6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
- 7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a councillor or designated person.
- 8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

### Gifts

- 9. A person making a return under clause 4.21 of this code must disclose:
  - a) a description of each gift received in the period since 30 June of the previous financial year, and
  - b) the name and address of the donor of each of the gifts.

10. A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the Electoral Funding Act 2018, or
  - c) the donor was a relative of the donee, or
  - d) subject to paragraph (a), it was received prior to the person becoming a councillor or designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

### Contributions to travel

12. A person making a return under clause 4.21 of this code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
  - b) the dates on which the travel was undertaken, and
  - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
13. A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
  - e) was a political donation disclosed, or required to be disclosed, under Part 3 of the Electoral Funding Act 2018, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a councillor or designated person.
14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

### Interests and positions in corporations

15. A person making a return under clause 4.21 of this code must disclose:
  - a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
  - a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.

18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a councillor or designated person.

### Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.21 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
20. For the purposes of clause 19 of this schedule:

*close associate*, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018.

*property developer* has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

[The following is an extract from Section 53 of the Electoral Funding Act 2018:

- (1) “Each of the following persons is a property developer for the purposes of this Division:
- a. An individual or corporate if:
    - i. The individual or a corporate carries on a business mainly concerned with the residential or commercial development of land, with the ultimate purpose of the sale or lease of the land for profit, and
    - ii. In the course of that business:
      - A. 1 relevant planning application has been made by or on behalf of the individual or corporation and is pending, or
      - B. 3 or more relevant planning applications made by or on behalf of the individual or corporation have been determined within the preceding 7 years,
  - b. A person who is a close associate of an individual or a corporation referred to in paragraph (a).
- (2) Any activity engaged in by an individual or corporation for the dominant purpose of providing commercial premises at which the individual or corporation, or a related body corporate of the corporation, will carry on business is to be disregarded for the purpose of determining whether the individual or corporation is a property developer unless that business involves the sale or leasing of a substantial part of the premises.”

“(5) In this section:

Close associate of the corporation means each of the following:

- (a) a director or officer of the corporation or the spouse of such a director or officer,
- (b) a related body corporate of the corporation,
- (c) a person whose voting power in the corporation or a related body corporate of the corporation is greater than 20% or the spouse of such a person,
- (d) if the corporation or a related body corporate of the corporation is a stapled entity in relation to a stapled security—the other stapled entity in relation to that stapled security,
- (e) if the corporation is a trustee, manager or responsible entity in relation to a trust—a person who holds more than 20% of the units in the trust (in the case of a unit trust) or is a beneficiary of the trust (in the case of a discretionary trust),
- (f) in relation to a corporation that is a property developer referred to in subsection (1) (a)—a person in a joint venture or partnership with the property developer in connection with a relevant planning application made by or on behalf of the property developer who is likely to obtain a financial gain if development that would be or is authorised by the application is authorised or carried out.

Close associate of an individual means each of the following:

- (a) the spouse of the individual,
- (b) in relation to an individual who is a property developer referred to in subsection (1) (a)—a person in a joint venture or partnership with the property developer in connection with a relevant planning application made by or on behalf of the property developer who is likely to obtain a financial gain if development that would be or is authorised by the application is authorised or carried out.”

### Positions in trade unions and professional or business associations

21. A person making a return under clause 4.21 of the code must disclose:
  - a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
  - b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a councillor or designated person.

### Dispositions of real property

23. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
24. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
25. A disposition of real property need not be disclosed if it was made prior to a person becoming a councillor or designated person.

### Sources of income

26. A person making a return under clause 4.21 of this code must disclose:
  - a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
  - b) each source of income received by the person in the period since 30 June of the previous financial year.
27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
  - a) in relation to income from an occupation of the person:
    - i) a description of the occupation, and
    - ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
    - iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
  - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
29. The source of any income received by the person that they ceased to receive prior to becoming a councillor or designated person need not be disclosed.
30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

### Debts

31. A person making a return under clause 4.21 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
- a) on the return date, and
  - b) at any time in the period since 30 June of the previous financial year.
32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
33. A liability to pay a debt need not be disclosed by a person in a return if:
- a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
    - i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
    - ii) the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of a debt arising from the supply of goods or services:
    - i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
    - ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
  - e) subject to paragraph (a), the debt was discharged prior to the person becoming a councillor or designated person.

### Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

## Schedule 2 Form of Written Return of Interests Submitted Under Clause 4.9

### 'Disclosures by councillors' return

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.
6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

### Important information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the Government Information (Public Access) Act 2009, the Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

Disclosure of pecuniary interests and other matters by *[full name of councillor or designated person]*

as at *[return date]*

In respect of the period from *[date]* to *[date]*

*[councillor's or designated person's signature]*

*[date]*

#### A. Real Property

Street address of each parcel of real property in which I had an interest at the return date/at any time since 30 June	Nature of interest
--	--------------------

#### B. Sources of Income

1 Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from an occupation at any time since 30 June

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
---------------------------	--	--

2 Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee
-----------------------------	-----------------------------

3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June

Sources of other income I received at any time since 30 June

*[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]*

#### C. Gifts

Description of each gift I received at any time since 30 June	Name and address of donor
---	---------------------------

**D. Contributions to travel**

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken

**E. Interests and positions in corporations**

Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June	Nature of Interest (If any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)

**F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)**

**G. Positions in trade unions and professional or business associations**

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June	Description of position

**H. Debts**

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June

**I. Dispositions of property**

1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time

2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

**J. Discretionary disclosures**

---

## Schedule 3 Form of Special Disclosure of Pecuniary Interest Submitted Under Clause 4.37

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

### Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.24(c) of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

**Special disclosure of pecuniary interests by** *[full name of councillor]*

In the matter of *[Insert name of environmental planning instrument]*

which is to be considered at a meeting of the *[name of council or council committee (as the case requires)]*

to be held on the      day of      20 .

**Pecuniary Interest**

**Address of the affected principal place of residence of the councillor or an associated person, company or body (the Identified land)**

Relationship of Identified land to councillor  
*[Tick or cross one box.]*

- The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise).
- An associated person of the councillor has an interest in the land.
- An associated company or body of the councillor has an interest in the land.

**Matter giving rise to pecuniary interest<sup>1</sup>**

Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land)<sup>2</sup>

*[Tick or cross one box]*

- The identified land.
- Land that adjoins or is adjacent to or is in proximity to the identified land.

Current zone/planning control

*[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]*

- 1 Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.
- 2 A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

---

*Proposed change of zone/planning control*

*[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]*

---

Effect of proposed change of zone/planning control on councillor or associated person

*[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]*

---

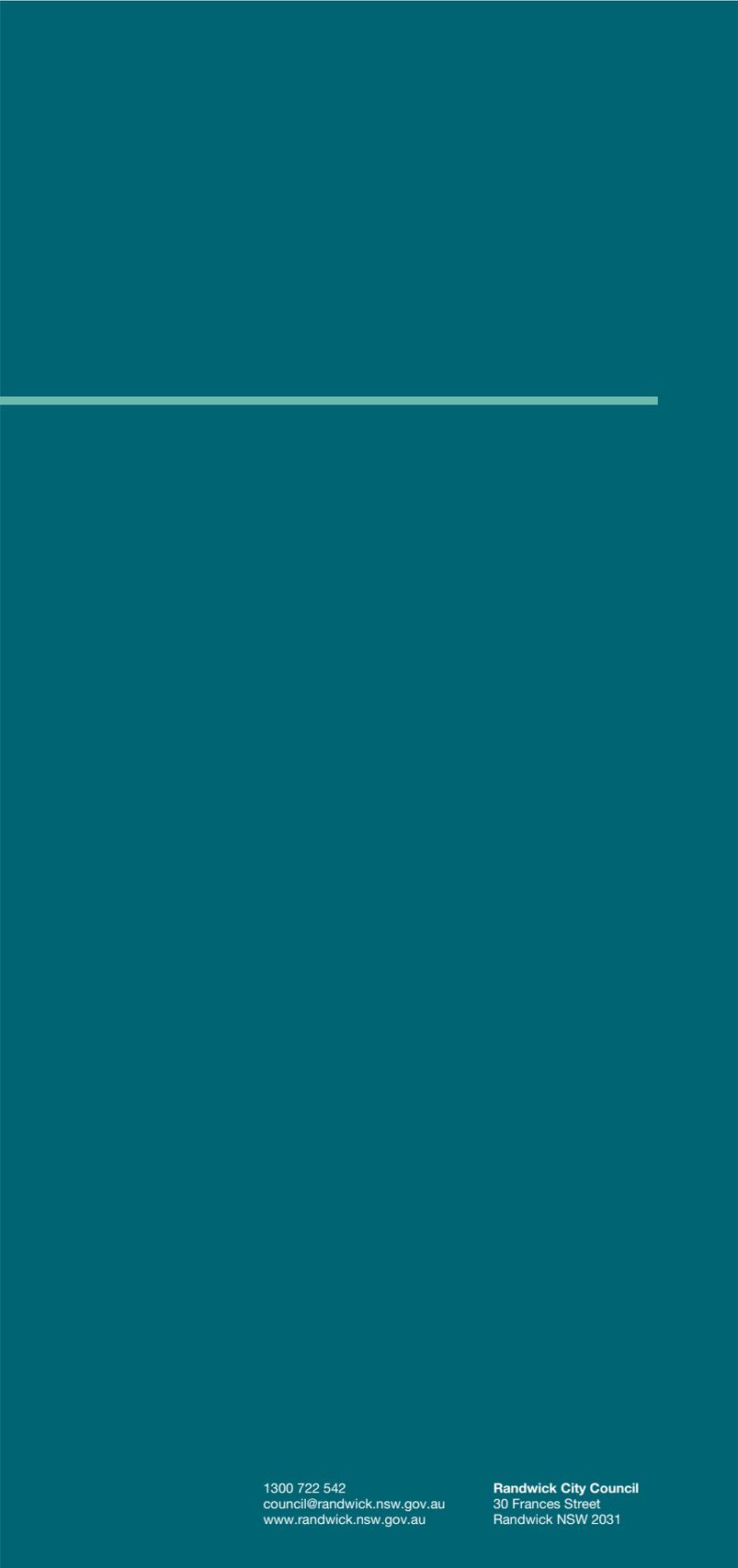
*[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]*

Councillor's signature

Date

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

CO18/22



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**Randwick City Council**  
30 Frances Street  
Randwick NSW 2031

CORPORATE SERVICES

CO18/22

# Code of Conduct for Council Committee members, delegates of Council and Council advisers

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**24 May 2022**

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**3**

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## 1. Introduction

This code of conduct applies to council committee members and delegates of council who are not councillors or staff of the council. It also applies to advisers of council for the purposes of clause 4.12. It is based on the *Model Code of Conduct for Local Councils in NSW* (“the Model Code of Conduct”) which is made under section 440 of the *Local Government Act 1993* (“LGA”) and the *Local Government (General) Regulation 2005* (“the Regulation”).

The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439), and
- act in a way that enhances public confidence in local government.

Section 440 of the LGA requires every council to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council’s adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not “council officials” for the purposes of the Model Code of Conduct (eg volunteers, contractors and members of wholly advisory committees).

A council’s adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a council’s adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Councillors, administrators, members of staff of councils, delegates of councils, (including members of council committees that are delegates of a council) and any other person a council’s adopted code of conduct applies to, must comply with the applicable provisions of their council’s code of conduct. It is the personal responsibility of council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a council committee member or delegate of the council to comply with a council’s code of conduct may give rise to disciplinary action.

## 2. Definitions

In this code the following terms have the following meanings:

	Definition
advisory committee	committees formed by Council with no delegated functions or decision-making authority including but not limited to Precinct Committees, working groups and advisory groups
advisory committee member	an elected or appointed member of an advisory committee including Precinct Executives but not Precinct members (see separate definition)
committee	see the definition of “council committee”
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures
conduct	includes acts and omissions
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council’s audit, risk and improvement committee
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council’s audit, risk and improvement committee
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and, for the purposes of clause 4.12, council advisers

	Definition
councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
designated person	a person referred to in clause 4.8
election campaign	includes council, state and federal election campaigns
General Manager	includes the executive officer of a joint organisation
Joint organisation	a joint organisation established under section 400O of the LGA
LGA	the Local Government Act 1993
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisation
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
Precincts	Regular, structured, resident meetings operated voluntarily by local residents as part of Randwick City Council's Precinct system.
Precinct Executive	An elected office bearer of a Precinct as voted at a properly convened meeting of the Precinct where a properly constituted election took place and the results have been accepted by the Council (The Precinct Executive is typically, but not limited, to the Chairperson, Secretary and Treasurer).
Precinct member	A resident or ratepayer within a prescribed Precinct area
The Procedures	the <i>Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> prescribed under the Regulation
The Regulation	the <i>Local Government (General) Regulation 2005</i>
wholly advisory committee	a council committee that the council has not delegated any functions to

### 3. General Conduct Obligations

#### General conduct

- 3.1. You must not conduct yourself in a manner that:
- is likely to bring the council or other council officials into disrepute
  - is contrary to statutory requirements or the council's administrative requirements or policies
  - is improper or unethical
  - is an abuse of power
  - causes, comprises or involves intimidation or verbal abuse
  - involves the misuse of your position to obtain a private benefit
  - constitutes harassment or bullying behaviour under this code or is unlawfully discriminatory.

- 3.2. You must act lawfully and honestly and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. (section 439).

### Fairness and equity

- 3.3. You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.4. You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.
- 3.5. An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

### Harassment and discrimination

- 3.6. You must not harass or unlawfully discriminate against others or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.
- 3.7. For the purposes of this code, "harassment" is any form of behaviour towards a person that:
- is not wanted by the person
  - offends, humiliates or intimidates the person, and
  - creates a hostile environment.
- 3.8. **Randwick Council is committed to a safe working environment free of sexual harassment. Sexual harassment is against the law and is any unwelcome behaviour of a sexual nature that makes a person feel offended, humiliated or intimidated. Sexual harassment can be physical, verbal or written.**

### Bullying

- 3.9. You must not engage in bullying behaviour towards others.
- 3.10. For the purposes of this code, "bullying behaviour" is any behaviour in which:
- a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
  - the behaviour creates a risk to health and safety.
- 3.11. Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:
- aggressive, threatening or intimidating conduct
  - belittling or humiliating comments
  - spreading malicious rumours
  - teasing, practical jokes or 'initiation ceremonies'
  - exclusion from work-related events
  - unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
  - displaying offensive material
  - pressure to behave in an inappropriate manner.
- 3.12. Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:
- performance management processes
  - disciplinary action for misconduct
  - informing a worker about unsatisfactory work performance or inappropriate work behaviour
  - directing a worker to perform duties in keeping with their job
  - maintaining reasonable workplace goals and standards
  - legitimately exercising a regulatory function
  - legitimately implementing a council policy or administrative processes.

### Work health and safety

- 3.13. All council officials, including councillors, have statutory duties under the *Work Health and Safety Act 2011* (WHS Act). You must comply with your duties under the WHS Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:
- take reasonable care for your own health and safety
  - take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
  - comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WHS Act and any policies or procedures adopted by the council to ensure workplace health and safety
  - cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
  - report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations
  - so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WHS Act in relation to the same matter.

### Land use planning, development assessment and other regulatory functions

- 3.14. You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.
- 3.15. In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

### Obligations in relation to meetings

- 3.16. You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.17. You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.18. You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.

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## 4. Pecuniary Interests

### What is a pecuniary interest?

- 4.1. A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2. You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3. For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- your interest, or
  - the interest of your spouse or de facto partner, your relative, or your partner or employer, or
  - a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.

- 4.4. For the purposes of clause 4.3:
- (a) Your “relative” is any of the following:
    - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - ii) your spouse’s or de facto partner’s parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
  - (b) “de facto partner” has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5. You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
  - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
  - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

#### What interests do not have to be disclosed?

- 4.6. You do not have to disclose the following interests for the purposes of this Part:
- (a) your interest as an elector
  - (b) your interest as a ratepayer or person liable to pay a charge
  - (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
  - (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code
  - (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
  - (f) if you are a council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the council committee
  - (g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
  - (h) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
  - (i) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
    - i) the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
    - ii) security for damage to footpaths or roads
    - iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
  - (j) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
  - (k) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a council committee member.
- 4.7. For the purposes of clause 4.6, “relative” has the same meaning as in clause 4.4 but includes your spouse or de facto partner.

#### What disclosure must be made by a designated person?

- 4.8. Designated persons include:
- (a) a person who is a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person’s duty as a delegate and the person’s private interest

- (b) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.
- 4.9. A designated person:
  - (a) must prepare and submit written returns of interests in accordance with clause 4.15, and
  - (b) must disclose pecuniary interests in accordance with clause 4.10.
- 4.10. A designated person must disclose in writing to the general manager the nature of any pecuniary interest the person has in any council matter with which the person is dealing as soon as practicable after becoming aware of the interest.
- 4.11. The general manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.

#### What disclosure must be made by council advisers?

- 4.12. A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.
- 4.13. A person does not breach clause 4.12 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

#### What disclosure must be made by a council committee member?

- 4.14. A council committee member must disclose pecuniary interests in accordance with clause 4.22 and comply with clause 4.23.

Note: A council committee member identified by council as a "designated person" for the purposes of clause 4.8(b) must also prepare and submit written returns of interests in accordance with clause 4.15.

#### Disclosure of interests in written returns

- 4.15. A designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the designated person's interests as specified in schedule 1 to this code within 3 months after:
  - (a) becoming a designated person, and
  - (b) 30 June of each year, and
  - (c) the designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).
- 4.16. A person need not make and lodge a return under clause 4.15, paragraphs (a) and (b) if:
  - (a) they made and lodged a return under that clause in the preceding 3 months, or
  - (b) they have ceased to be a designated person in the preceding 3 months.

- 4.17. A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- 4.18. The general manager must keep a register of returns required to be made and lodged with the general manager.
- 4.19. Returns required to be lodged with the general manager under clause 4.15(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.
- 4.20. Returns required to be lodged with the general manager under clause 4.15(c) must be tabled at the next council meeting after the return is lodged.
- 4.21. Information contained in returns made and lodged under clause 4.15 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

#### Disclosure of pecuniary interests at meetings

- 4.22. A council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.23. The council committee member must not be present at, or in sight of, the meeting of the committee:
  - (a) at any time during which the matter is being considered or discussed by the committee, or
  - (b) at any time during which the committee is voting on any question in relation to the matter.
- 4.24. A disclosure made at a meeting of a council committee must be recorded in the minutes of the meeting.
- 4.25. A general notice may be given to the general manager in writing by a council committee member to the effect that the council committee member, or the council committee member's spouse, de facto partner or relative, is:
  - (a) a member of, or in the employment of, a specified company or other body, or
  - (b) a partner of, or in the employment of, a specified person.

Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council committee after the date of the notice.
- 4.26. A council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the council committee member has an interest in the matter of a kind referred to in clause 4.6.
- 4.27. A person does not breach clauses 4.22 or 4.23 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.28. The Minister for Local Government may, conditionally or unconditionally, allow a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion that it is in the interests of the electors for the area to do so.
- 4.29. A council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on

the matter under clause 4.28, must still disclose the interest they have in the matter in accordance with clause 4.22.

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## 5. Non-Pecuniary Conflicts of Interest

### What is a non-pecuniary conflict of interest?

- 5.1. Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2. A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3. The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4. Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5. When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

### Managing non-pecuniary conflicts of interest

- 5.6. Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.
- 5.7. If a disclosure is made at a committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8. How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9. As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
  - a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
  - b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
  - c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
  - d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter

- e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
  - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10. Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
  - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.22 and 4.23.
- 5.11. If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12. Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

### Loss of quorum as a result of compliance with this Part

- 5.13. The Minister for Local Government may, conditionally or unconditionally, allow a council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion that it is in the interests of the electors for the area to do so.
- 5.14. Where the Minister exempts a committee member from complying with a requirement under this Part under clause 5.13, the committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

### Personal dealing with Council

- 5.15. You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 5.16. You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

## 6. Personal Benefit

- 6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment.
- 6.2 A reference to a gift or benefit in this Part does not include:
- a) items with a value of \$10 or less
  - b) a political donation for the purposes of the *Electoral Funding Act 2018*
  - c) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them

- d) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
- e) free or subsidised meals, beverages or refreshments provided to council officials in conjunction with the performance of their official duties such as, but not limited to:
  - i. the discussion of official business
  - ii. work-related events such as council-sponsored or community events, training, education sessions or workshops
  - iii. conferences
  - iv. council functions or events
  - v. social functions organised by groups, such as council committees and community organisations.

### Gifts and benefits

- 6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.
- 6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

### How are offers of gifts and benefits to be dealt with?

- 6.5 You must not:
  - a) seek or accept a bribe or other improper inducement
  - b) seek gifts or benefits of any kind
  - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
  - d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9
  - e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
  - f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer-supplier relationship with the competition organiser
  - g) personally benefit from reward points programs when purchasing on behalf of the council.
- 6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to the general manager in writing. The general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:
  - a) the nature of the gift or benefit
  - b) the estimated monetary value of the gift or benefit
  - c) the name of the person who provided the gift or benefit, and
  - d) the date on which the gift or benefit was received.
- 6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

### Gifts and benefits of token value

- 6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$100. They include, but are not limited to:
  - a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100
  - b) gifts of alcohol that do not exceed a value of \$100
  - c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
  - d) prizes or awards that do not exceed \$100 in value.

### Gifts and benefits of more than token value

- 6.9 Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.
- 6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.
- 6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.
- 6.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

### “Cash-like gifts”

- 6.13 For the purposes of clause 6.5(e), “cash-like gifts” include but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

### Improper and undue influence

- 6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else.
- 6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.

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## 7. Access to information, use of council resources and Social Media

### Use of certain council information

- 7.1. In regard to information obtained in your capacity as a council official, you must:
- only access council information needed for council business
  - not use that council information for private purposes
  - not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your position with council
  - only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

### Use and security of confidential information

- 7.2. You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.
- 7.3. In addition to your general obligations relating to the use of council information, you must:
- only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
  - protect confidential information
  - only release confidential information if you have authority to do so
  - only use confidential information for the purpose for which it is intended to be used
  - not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
  - not use confidential information with the intention to cause harm or detriment to the council or any other person or body
  - not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

### Personal information

- 7.4. When dealing with personal information you must comply with:
- the *Privacy and Personal Information Protection Act 1998*
  - the *Health Records and Information Privacy Act 2002*
  - the Information Protection Principles and Health Privacy Principles
  - the council's privacy management plan
  - the Privacy Code of Practice for Local Government.

### Use of council resources

- 7.5. You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes unless this use is lawfully authorised and proper payment is made where appropriate.
- 7.6. You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- 7.7. You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 7.8. You must not use council resources (including council staff), property or facilities for the purpose of assisting the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 7.9. You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:
  - a) for the purpose of assisting your election campaign or the election campaign of others, or
  - b) for other non-official purposes.
- 7.10. You must not convert any property of the council to your own use unless properly authorised.

### Internet access and use of social media

- 7.11. You must not use council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.
- 7.11A You must not use social media to post or share comments, photos, videos, electronic recordings or other information that:
  - a) is offensive, humiliating, threatening or intimidating;
  - b) divulges confidential council information; or
  - c) breaches the privacy of council officials or those that deal with council.

### Council record keeping

- 7.12. You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.
- 7.13. All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.
- 7.14. All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated

as council records, regardless of whether the original intention was to create the information for personal purposes.

- 7.15. You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

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## 8. Maintaining the integrity of this Code

### Complaints made for an improper purpose

- 8.1. You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 8.2. For the purposes of clause 8.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- to bully, intimidate or harass another council official
  - to damage another council official's reputation
  - to obtain a political advantage
  - to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
  - to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
  - to avoid disciplinary action under the Procedures
  - to take reprisal action against a person for making a complaint alleging a breach of this code
  - to take reprisal action against a person for exercising a function prescribed under the Procedures
  - to prevent or disrupt the effective administration of this code under the Procedures.

### Detrimental action

- 8.3. You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 8.4. You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 8.5. For the purposes of clauses 8.3 and 8.4, a detrimental action is an action causing, comprising or involving any of the following:
- injury, damage or loss
  - intimidation or harassment
  - discrimination, disadvantage or adverse treatment in relation to employment
  - dismissal from, or prejudice in, employment
  - disciplinary proceedings.

### Compliance with requirements under the Procedures

- 8.6. You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 8.7. You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.
- 8.8. You must comply with a practice ruling made by the Office under the Procedures.

### Disclosure of information about the consideration of a matter under the Procedures

- 8.9. All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.

- 8.10. You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 8.11. You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 8.12. You must not disclose information about a complaint you have made alleging a breach of this code or a matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.
- 8.13. Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

#### Complains alleging a breach of this Part

- 8.14. Complaints alleging a breach of this Part by a council committee member or delegate of council are to be managed by the general manager in accordance with the Procedures.

## Schedule 1: Disclosures of interests and other matters in written returns submitted under Clause 4.15

### Part 1 – Preliminary

#### Definitions

1. For the purposes of the schedules to this code, the following definitions apply:

*address* means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

*de facto partner* has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

*disposition of property* means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

*gift* means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition but does not include a financial or other contribution to travel.

*interest* means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

*listed company* means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

*occupation* includes trade, profession and vocation.

*professional or business association* means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

*property* includes money.

*return date* means:

- a) in the case of a return made under clause 4.15(a), the date on which a person became a designated person
- b) in the case of a return made under clause 4.15(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.15(c), the date on which the designated person became aware of the interest to be disclosed.

*relative* includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).

*travel* includes accommodation incidental to a journey.

### Matters relating to the interests that must be included in returns

2. *Interests etc. outside New South Wales:* A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
3. *References to interests in real property:* A reference in this schedule or in schedule 2 to real property in which a designated person has an interest includes a reference to any real property situated in Australia in which the designated person has an interest.
4. *Gifts, loans etc. from related corporations:* For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

### Part 2 – Pecuniary interests to be disclosed in returns

#### Real property

5. A person making a return under clause 4.15 of this code must disclose:
  - a) the street address of each parcel of real property in which they had an interest on the return date, and
  - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
  - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a designated person.
8. For the purposes of clause 5 of this schedule, “interest” includes an option to purchase.

#### Gifts

9. A person making a return under clause 4.15 of this code must disclose:
  - a) a description of each gift received in the period since 30 June of the previous financial year, and
  - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
  - c) the donor was a relative of the donee, or
  - d) subject to paragraph (a), it was received prior to the person becoming a designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

#### Contributions to travel

12. A person making a return under clause 4.15 of this code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
  - b) the dates on which the travel was undertaken, and
  - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
13. A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
  - e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or

- f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a designated person.
14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

#### Interests and position in corporations

15. A person making a return under clause 4.15 of this code must disclose:
- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a designated person.

#### Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.15 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
20. For the purposes of clause 19 of this schedule:

*close associate*, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.

*property developer* has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

#### Positions in trade unions and professional or business associations

21. A person making a return under clause 4.15 of the code must disclose:
- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
  - b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a designated person.

#### Dispositions of real property

23. A person making a return under clause 4.15 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
24. A person making a return under clause 4.15 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
25. A disposition of real property need not be disclosed if it was made prior to a person becoming a designated person.

### Sources of income

26. A person making a return under clause 4.15 of this code must disclose:
- a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
  - b) each source of income received by the person in the period since 30 June of the previous financial year.
27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
- a) in relation to income from an occupation of the person:
    - (i) a description of the occupation, and
    - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
    - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
  - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
29. The source of any income received by the person that they ceased to receive prior to becoming a designated person need not be disclosed.
30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

### Debts

31. A person making a return under clause 4.15 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
- a) on the return date, and
  - b) at any time in the period since 30 June of the previous financial year.
32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.15 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
33. A liability to pay a debt need not be disclosed by a person in a return if:
- a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
    - (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
    - (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of a debt arising from the supply of goods or services:
    - (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
    - (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
  - e) subject to paragraph (a), the debt was discharged prior to the person becoming a designated person.

### Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

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## Schedule 2: Form of written return of interests submitted under Clause 4.15

### Disclosures by councillors or designated persons' return

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.
6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

### Important information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

## Disclosure of pecuniary interests and other matters

Disclosure of pecuniary interests and other matters by *[full name of councillor or designated person]*

as at *[return date]*

In respect of the period from *[date]* to *[date]*

*[councillor's or designated person's signature]*

*[date]*

### A. Real Property

Street address of each parcel of real property in which I had an interest at the return date/at any time since 30 June	Nature of interest

### B. Sources of Income

1 Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from an occupation at any time since 30 June

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)

2 Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee

3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June

Sources of other income I received at any time since 30 June

*[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]*

### C. Gifts

Description of each gift I received at any time since 30 June	Name and address of donor

**D. Contributions to travel**

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken

**E. Interests and positions in corporations**

Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)

**F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)**

**G. Positions in trade unions and professional or business associations**

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June	Description of position

**H. Debts**

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June

**I. Dispositions of property**

1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time

2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

**J. Discretionary disclosures**

CO18/22



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**Randwick City Council**  
30 Frances Street  
Randwick NSW 2031

## Director Corporate Services Report No. CO19/22

**Subject: Investment Report - April 2022**

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### Executive Summary

- This report outlines Council's investment portfolio and performance as at 30 April 2022.
- All investments have been made in accordance with the Act, Regulations and Council's Investment Policy.
- For the month of April, the portfolio provided a solid return of +0.07% (actual) or +0.90% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of -0.02 % (actual) or -0.19% p.a. (annualised).
- Cashflow will continue to be monitored closely, as central bank begins withdrawing some of the extraordinary monetary support that was put in place to help the Australian economy during the pandemic. Investments will be managed to ensure liquidity to meet operational requirements.

### Recommendation

That the Investment Report for April 2022 be received and noted.

### Attachment/s:

1.  Certificate by Responsible Accounting Officer - April 2022

## Purpose

The Local Government (General) Regulation requires a written report to be provided to the Ordinary meeting of the Council giving details of all monies invested and a certificate as to whether, or not, the investments have been made in accordance with the Act, the regulations and the Council's Investment Policy.

## Discussion

As at 30 April 2022, Council held investments with a market value of \$147.065 million. The portfolio value decreased during April by ~\$2 million. The decrease is representative of a negative cash flow for the month reflecting the net effect of revenue receipts, rates, grants and miscellaneous payments, offset by capital works expenditure and other operational payments.

The size of the investment portfolio varies significantly from month to month because of cash flows for the period. Cash outflows (expenditure) are typically relatively stable from one month to another. Cash inflows (income) are cyclical and are largely dependent on the rates instalment due dates and the timing of grant payments including receipt of the Financial Assistance Grants.

The investment portfolio as at 30 April 2022 is ~\$56.60 million more than the same time last year or \$23.10 million more excluding the loan funds. This represents a stable cash flow despite the continuing impacts of Covid-19. The additional funds result from an accumulative increase of funds received since April 2021 to date where inflows exceeded outflows. The increased inflows are mainly from rates, grant and contributions received as well as effective debt management action, while outflows during the current financial year are less than the previous year.

Cashflow continues to be closely monitored, ensuring that there is enough cash in the business to operate on a day-to-day basis and:

- ensure that Council maintains a balanced operating result,
- ensure that payments are received on time to control debtors; and
- manage and financing capital projects.

At the RBAs last meeting on 3 May 2022 the RBA decided to:

- increase the cash rate target by 25 basis points to 35 basis points.

The Board judged that *"now was the right time to begin withdrawing some of the extraordinary monetary support that was put in place to help the Australian economy during the pandemic"*, given that:

- Headline CPI came in much stronger than expected at +5.1% y/y (+4.6% expected) on the quarter; and
- Wages growth has been picking up, with the unemployment rate declining over recent months to 4%; and
- Interest rates remains at a very low level.

The Board is committed to doing what is necessary to ensure that inflation in Australia returns to target over time. This will require:

- A further lift in interest rates over the period ahead; and
- Continue to close monitor the incoming information and evolving balance of risks as it determines the timing and extent of future interest rate increases.

## On Call Funds

On call funds are held to meet Council's immediate cash flow requirements. The balance of available on call funds was increased to cover the shortfall in income over the pandemic period in 2020. The on-call funds balance has now gradually been reduced as the economic outlook improves and will be monitored and reviewed in line with anticipated operational requirements.

The on-call balance at month end is \$15.048 million or 10.23% of the total portfolio.

Investment	Rating	Balance - 1 April 2022	Movement	Balance - 30 April 2022	Interest Rate
CBA	AA-	\$6,565,080	\$1,411,251	\$7,976,331	0.20%
Macquarie Bank	A+	\$7,068,732	\$3,370	\$7,072,102	0.60%

The closing on-call balance increased due to receipt of the contribution towards CHPC Heffron (\$916 thousand) and rates BPay payments (\$583 thousand) on the last working day of the month. The excess funds have since been invested in term deposits in early May 2022.

### Term Deposits

- At month end, the portfolio included \$105.50 million in term deposits.
- Term Deposits made up 71.74% of the total investment portfolio.
- Four term deposits totaling \$7.50 million matured in April 2022.
- During April, three new term deposits totaling \$4.0 million were placed.
- As at the end of April, the term deposit portfolio was yielding 0.96% p.a. (up 10bp from the previous month).

A	Rating	Balance 1 April 2022	Movement	Balance 30 April 2022	Date Invested	Maturity Date	Interest Rate
ICBC	A	\$2,000,000	0	\$2,000,000	21/09/2020	19/09/2022	0.85%
ICBC	A	\$1,500,000	-\$1,500,000	0	3/11/2020	27/04/2022	0.70%
ICBC	A	\$1,000,000	0	\$1,000,000	13/11/2020	09/11/2022	0.82%
ICBC	A	\$1,500,000	0	\$1,500,000	03/12/2020	07/12/2022	0.70%
ICBC	A	\$1,500,000	0	\$1,500,000	11/02/2021	29/03/2023	0.62%
ICBC	A	\$2,000,000	0	\$2,000,000	11/02/2021	31/06/2023	0.65%
ICBC	A	\$2,000,000	0	\$2,000,000	01/03/2021	22/6/2022	0.55%
CBA	AA-	\$2,000,000	-\$2,000,000	0	15/04/2021	6/4/2022	0.41%
ING	A	\$2,000,000	0	\$2,000,000	15/04/2021	29/6/2022	0.45%
CBA	AA-	\$2,000,000	-\$2,000,000	0	23/4/2021	20/4/2022	0.41%
NAB	AA-	\$1,000,000	0	\$1,000,000	26/08/2021	06/07/2022	0.31%
NAB	AA-	\$1,000,000	0	\$2,000,000	27/08/2021	14/09/2022	0.35%
CBA	AA-	\$2,000,000	0	\$2,000,000	30/08/2021	20/07/2022	0.39%
CBA	AA-	\$2,000,000	0	\$1,500,000	31/08/2021	04/05/2022	0.36%
NAB	AA-	\$1,500,000	0	\$1,500,000	31/08/2021	13/09/2023	0.65%
NAB	AA-	\$1,500,000	0	\$1,500,000	01/09/2021	20/09/2023	0.65%
CBA	AA-	\$1,500,000	0	\$1,500,000	01/09/2021	31/09/2022	0.42%
CBA	AA-	\$1,000,000	0	\$1,000,000	02/09/2021	27/07/2022	0.39%
CBA	AA-	\$2,000,000	0	\$2,000,000	03/09/2021	12/10/2022	0.41%
ICBC	A	\$2,000,000	0	\$2,000,000	09/09/2021	18/09/2024	0.94%
ICBC	A	\$1,500,000	0	\$1,500,000	27/09/2021	27/09/2023	0.60%
CBA	AA-	\$1,500,000	0	\$1,500,000	27/09/2021	19/10/2022	0.36%
WBC	AA-	\$1,000,000	0	\$1,000,000	21/10/2021	2/11/2022	0.46%
CBA	AA-	\$2,000,000	0	\$2,000,000	1/11/2021	19/04/2023	0.99%

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ICBC	AA-	\$1,000,000	0	\$1,000,000	10/11/2021	3/12/2025	1.70%
CBA	AA-	\$1,000,000	0	\$1,000,000	10/11/2021	9/12/2026	1.88%
CBA	AA-	\$2,000,000	0	\$2,000,000	11/11/2021	13/12/2023	1.22%
CBA	AA-	\$1,500,000	0	\$1,500,000	11/11/2021	20/12/2023	1.27%
CBA	AA-	\$2,000,000	0	\$2,000,000	11/11/2021	27/12/2023	1.31%
CBA	AA-	\$1,500,000	0	\$1,500,000	11/11/2021	03/01/2024	1.29%
CBA	AA-	\$2,000,000	0	\$2,000,000	11/11/2021	10/01/2024	1.29%
CBA	AA-	\$2,000,000	0	\$2,000,000	11/11/2021	23/12/2024	1.64%
CBA	AA-	\$1,500,000	0	\$1,500,000	11/11/2021	31/12/2024	1.65%
CBA	AA-	\$2,000,000	0	\$2,000,000	11/11/2021	08/01/2025	1.65%
CBA	AA-	\$1,500,000	0	\$1,500,000	11/11/2021	15/01/2025	1.66%
CBA	AA-	\$2,000,000	0	\$2,000,000	11/11/2021	22/01/2025	1.66%
CBA	AA-	\$2,000,000	0	\$2,000,000	12/11/2021	31/12/2022	0.70%
WBC	AA-	\$2,000,000	0	\$2,000,000	12/11/2021	18/01/2023	0.63%
CBA	AA-	\$1,500,000	0	\$1,500,000	12/11/2021	25/01/2023	0.74%
CBA	AA-	\$2,000,000	0	\$2,000,000	12/11/2021	01/02/2023	0.76%
CBA	AA-	\$1,500,000	0	\$1,500,000	12/11/2021	15/03/2023	0.84%
CBA	AA-	\$2,000,000	0	\$2,000,000	18/11/2021	12/04/2023	0.85%
ICBC	A	\$1,500,000	0	\$1,500,000	18/11/2021	26/04/2023	0.83%
ICBC	A	\$2,000,000	0	\$2,000,000	18/11/2021	14/6/2023	0.95%
ICBC	A	\$1,500,000	0	\$1,500,000	18/11/2021	21/06/2023	0.96%
ICBC	A	\$1,000,000	0	\$1,000,000	18/11/2021	05/07/2023	1.00%
NAB	AA-	\$2,000,000	0	\$2,000,000	26/11/2021	15/06/2022	0.40%
NAB	AA-	\$1,000,000	0	\$1,000,000	02/12/2021	11/05/2022	0.44%
NAB	AA-	\$1,000,000	0	\$1,000,000	02/12/2021	13/07/2022	0.52%
NAB	AA-	\$1,000,000	0	\$1,000,000	02/12/2021	04/12/2022	0.52%
NAB	AA-	\$2,000,000	0	\$2,000,000	02/12/2021	05/04/2023	0.80%
ICBC	A	\$2,000,000	0	\$2,000,000	02/12/2021	05/07/2023	1.00%
ICBC	A	\$2,000,000	0	\$2,000,000	02/12/2021	11/10/2023	1.10%
NAB	AA-	\$2,000,000	0	\$2,000,000	02/12/2021	18/10/2023	1.05%
ICBC	A	\$2,000,000	0	\$2,000,000	02/12/2021	24/01/2024	1.36%
ING	A	\$2,000,000	-\$2,000,000	0	17/02/2022	13/04/2022	0.30%
NAB	AA-	\$2,000,000	0	\$2,000,000	17/02/2022	22/6/2022	0.44%
NAB	AA-	\$2,000,000	0	\$2,000,000	31/02/2022	12/07/2023	1.20%
ICBC	A	\$2,000,000	0	\$2,000,000	31/02/2022	12/07/2023	1.20%
NAB	AA-	\$2,000,000	0	\$2,000,000	01/03/2022	11/01/2023	0.79%
NAB	AA-	\$2,000,000	0	\$2,000,000	01/03/2022	26/10/2022	0.65%
NAB	AA-	\$2,000,000	0	\$2,000,000	01/03/2022	19/07/2023	1.15%
ICBC	A	\$2,000,000	0	\$2,000,000	09/03/2022	25/10/2023	1.74%

<b>CBA</b>	AA-	0	\$1,500,000	\$1,500,000	20/04/2022	26/07/2023	2.44%
<b>CBA</b>	AA-	0	\$1,500,000	\$1,500,000	20/04/2022	04/10/2023	2.60%
<b>ICBC</b>	A	0	\$1,000,000	\$1,000,000	20/04/2022	24/04/2024	3.13%
<b>Total</b>		<b>\$109,000,000</b>	<b>\$3,500,000</b>	<b>\$105,500,000</b>			

### Floating Rate Notes (FRNs)

- The portfolio includes \$24.919 million in floating rate notes, making up 16.94% of the total portfolio.
- FRNs are classified as “held for trading” and are required to be reported at the latest indicative market valuations at month end.
- The indicative market value of the FRNs as at the 30 April 2022 increased by ~\$117 thousands. Over April, amongst the senior major banks FRNs physical credit securities marginally widened by up to 30bp at the long-end of the curve.
- There is no new floating rate note placed during April.
- Council will continue to look at opportunities and new issuances as they become available, and switch if viable.

Investment	Rating	Purchase Price	Indicative Value 30 April 2022	Date Invested	Maturity Date	Interest Rate
<b>Macquarie Bank</b>	A+	\$2,000,000	\$1,999,556	07/08/2019	07/08/2024	90D BBSW + 80 bpts
<b>Citibank</b>	A+	\$1,000,000	\$1,001,157	14/11/2019	14/11/2024	90D BBSW + 88 bpts
<b>NAB</b>	AA-	\$2,000,000	\$2,003,650	21/01/2021	21/01/2025	90D BBSW + 77 bpts
<b>Macquarie Bank</b>	A+	\$2,000,000	\$1,997,010	12/02/2020	12/02/2025	90D BBSW + 84 bpts
<b>UBS</b>	A+	\$1,300,000	\$1,299,120	30/7/2020	30/07/2025	90D BBSW + 87 bpts
<b>Bank of China</b>	A	\$1,000,000	\$1,000,132	18/08/2020	18/08/2023	90D BBSW + 80 bpts
<b>UBS</b>	A+	\$3,000,000	\$2,947,428	26/02/2021	26/02/2026	90D BBSW + 50 bpts
<b>CBC</b>	A	\$1,000,000	\$995,752	11/03/2021	11/03/2024	90D BBSW + 58 bpts
<b>ICBC</b>	A	\$1,700,000	\$1,669,650	18/06/2021	18/06/2026	90D BBSW + 66 bpts
<b>NAB</b>	AA-	\$3,100,000	\$3,045,632	24/08/2021	24/08/2026	90D BBSW + 41 bpts
<b>Suncorp</b>	A+	\$1,750,000	\$1,711,588	15/09/2021	15/9/2026	90D BBSW + 48 bpts
<b>CBA</b>	AA-	\$1,500,000	\$1,487,582	14/1/2022	14/1/2027	90D BBSW + 77 bpts
<b>Suncorp</b>	AA-	\$1,800,000	\$1,780,173	25/1/2022	25/1/2027	90D BBSW + 78 bpts
<b>Rabobank Australia Branch</b>	A+	\$2,000,000	\$1,980,636	27/1/2022	27/1/2027	90D BBSW + 73 bpts
<b>Total</b>		<b>\$25,150,000</b>	<b>\$24,919,065</b>			

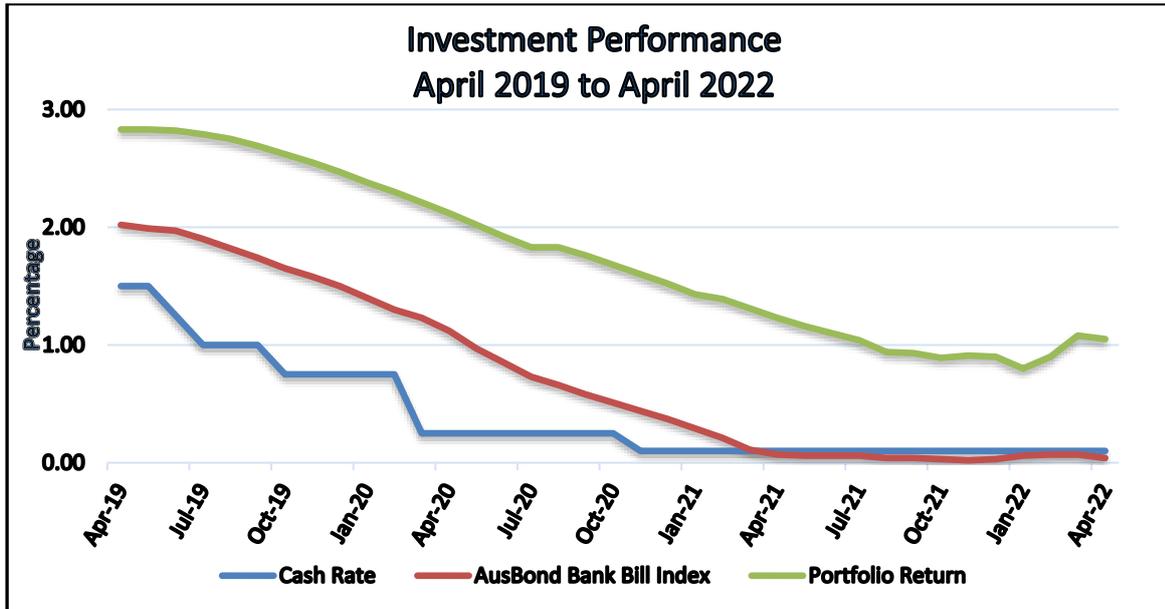
### Fixed Bonds

In August 2021, Council purchased at discount \$1.8 million (face value) of the AAA rated covered fixed bond with ING Bank Australia. An attractive fixed coupon rate of 1.10% will be paid on a semi-annual basis on the \$1.8 million face value. The indicative value is the value Council would receive at 30 April if it were to consider selling this investment prior to its maturity date. Selling prior to maturity would only be considered if a capital gain resulted, while holding to maturity ensures a return of the full amount invested along with quarterly interest payments over the life of the investment.

Investment	Rating	Purchase Price	Indicative Value 30 April 2022	Date Invested	Maturity Date	Interest Rate
ING Bank	AAA	\$1,794,762	\$1,597,486	19/08/2021	19/08/2026	1.10%
<b>Total</b>		<b>\$1,794,762</b>	<b>\$1,597,486</b>			

**Performance**

The following graph shows the investment returns achieved against the AusBond Bank Bill Index and the official Reserve Bank of Australia (RBA) cash interest rate for the period April 2019 to April 2022.



For the month of April, the total portfolio of term deposits (T/Ds) and floating rate notes (FRNs) provided a solid return of +0.07% (actual), or +0.90% p.a. (annualised) outperforming the benchmark AusBond Bank Index return of -0.02% (actual) and -0.19% p.a. (annualised). The outperformance continues to be driven by a combination of deposits that were originally invested longer than 6 months, as well as the higher yielding FRNs locked in at attractive margins and sold prior to maturity, realising small capital gains and boosting returns.

Over the past year, the combined term deposit and FRN portfolio returned +0.87% p.a., outperforming bank bills by 0.85% p.a. The overall return remains solid given deposit rates have again surpassed their all-time lows following the RBA’s successive interest rate cuts over the past 18 months.

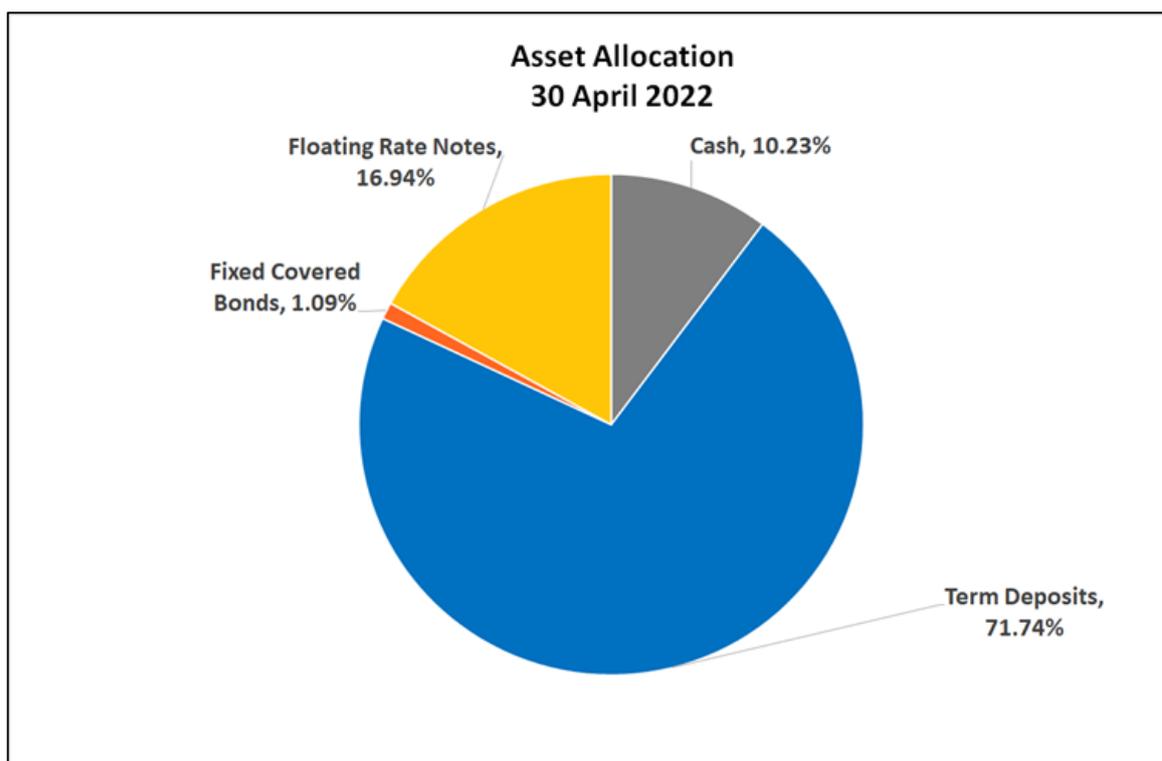
The performance for the month ending 30 April 2022 is summarised below.

Performance	1 month	3 months	6 months	FYTD	1 year	2 year
Official Cash Rate	0.01%	0.02%	0.05%	0.08%	0.10%	0.14%
AusBond Bank Bill Index	-0.02%	-0.01%	0.01%	0.02%	0.04%	0.40%
Council's T/D Portfolio	0.07%	0.22%	0.41%	0.59%	0.70%	0.97%
Council's FRN Portfolio	0.07%	0.21%	0.63%	1.03%	1.22%	1.23%
Council's Bond Portfolio	0.09%	0.27%	0.54%	-	-	-
Council's Portfolio	0.07%	0.22%	0.47%	0.73%	0.87%	1.05%
Outperformance	0.09%	0.22%	0.46%	0.72%	0.85%	1.01%

### Council's Portfolio and Compliance

#### Asset Allocation

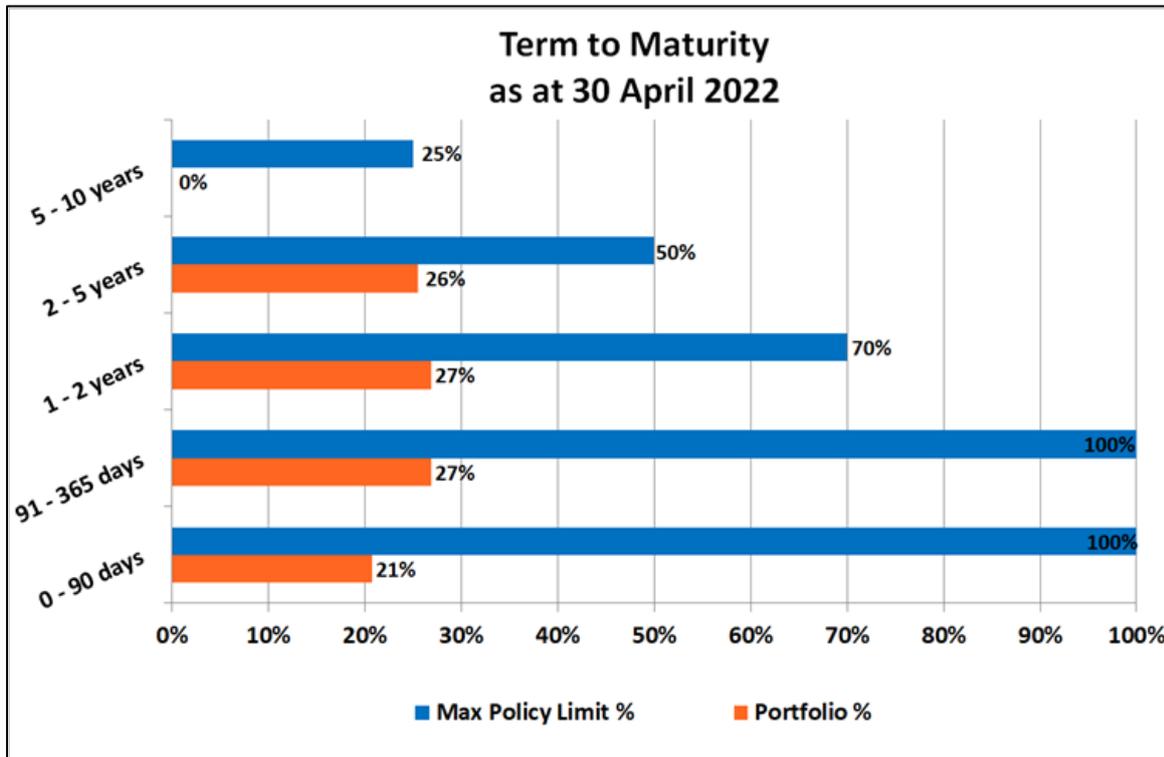
Most of the portfolio is spread between term deposits (71.74%) and senior floating rate notes (16.94%). The remainder of the portfolio is held in the overnight cash accounts with CBA and Macquarie Bank (10.23%) and the "AAA" rated fixed covered bond (1.09%). The FRNs add additional liquidity and are generally accessible within 2-3 business days. FRNs are also dominated by the higher rated ADIs which allows Council to maintain a bias towards the higher rated banks.



#### Term to Maturity

The portfolio remains diversified from a maturity perspective with a spread of maturities out to 5 years. Medium-term (2-5 years) assets account for around 26% of the total investment portfolio.

Compliant	Horizon	Invested	%	Min Limit	Max Limit
✓	0-90 days	\$30,548,433	20.77%	10%	100%
✓	91-365 days	\$39,500,000	26.86%	20%	100%
✓	1-2 years	\$39,495,884	26.86%	0%	70%
✓	2-5 years	\$37,520,667	25.51%	0%	50%
✓	5-10 years	0	0%	0%	25%



The investment portfolio is regularly reviewed to maximise investment performance and minimise risk. Comparisons are made between existing investments with available products that are not part of the Council’s portfolio. Independent advice is sought on new investment opportunities.

**Credit Quality**

As at the end of April, applying the long term S&P ratings only, Council is now compliant across all individual counterparties. The investment portfolio is entirely directly to assets rated “A” or higher, as per Council’s adopted policy framework.

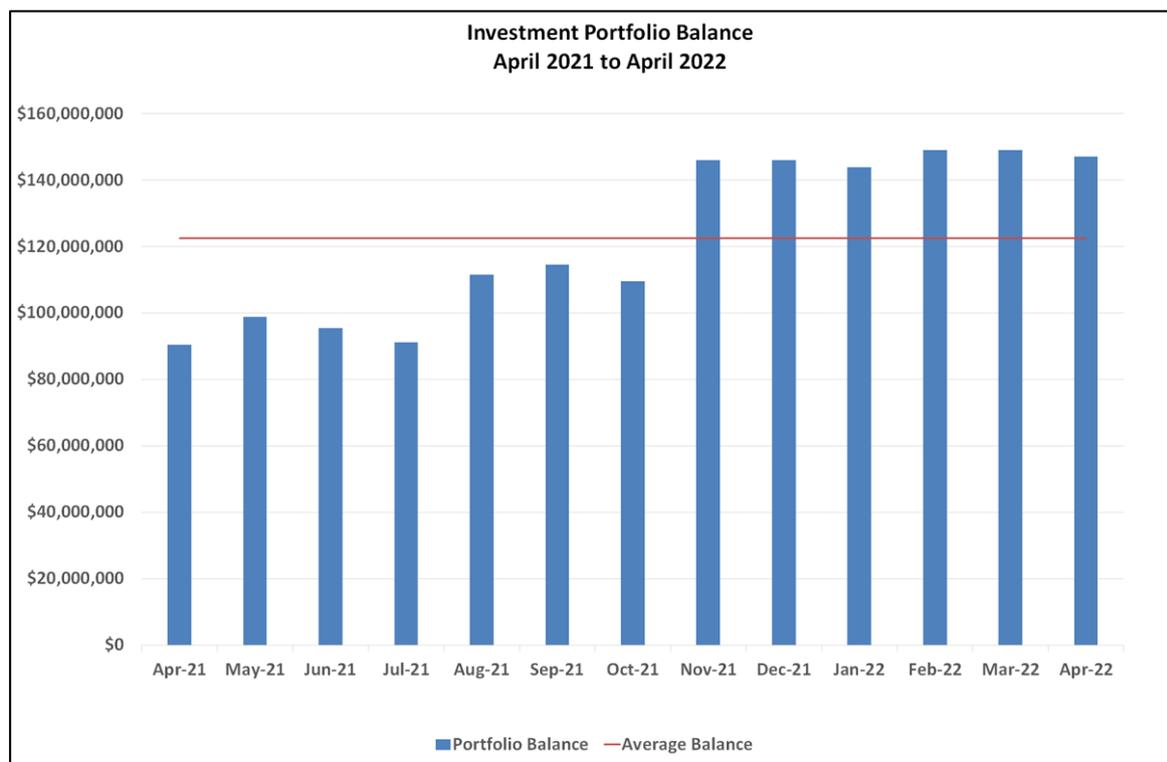
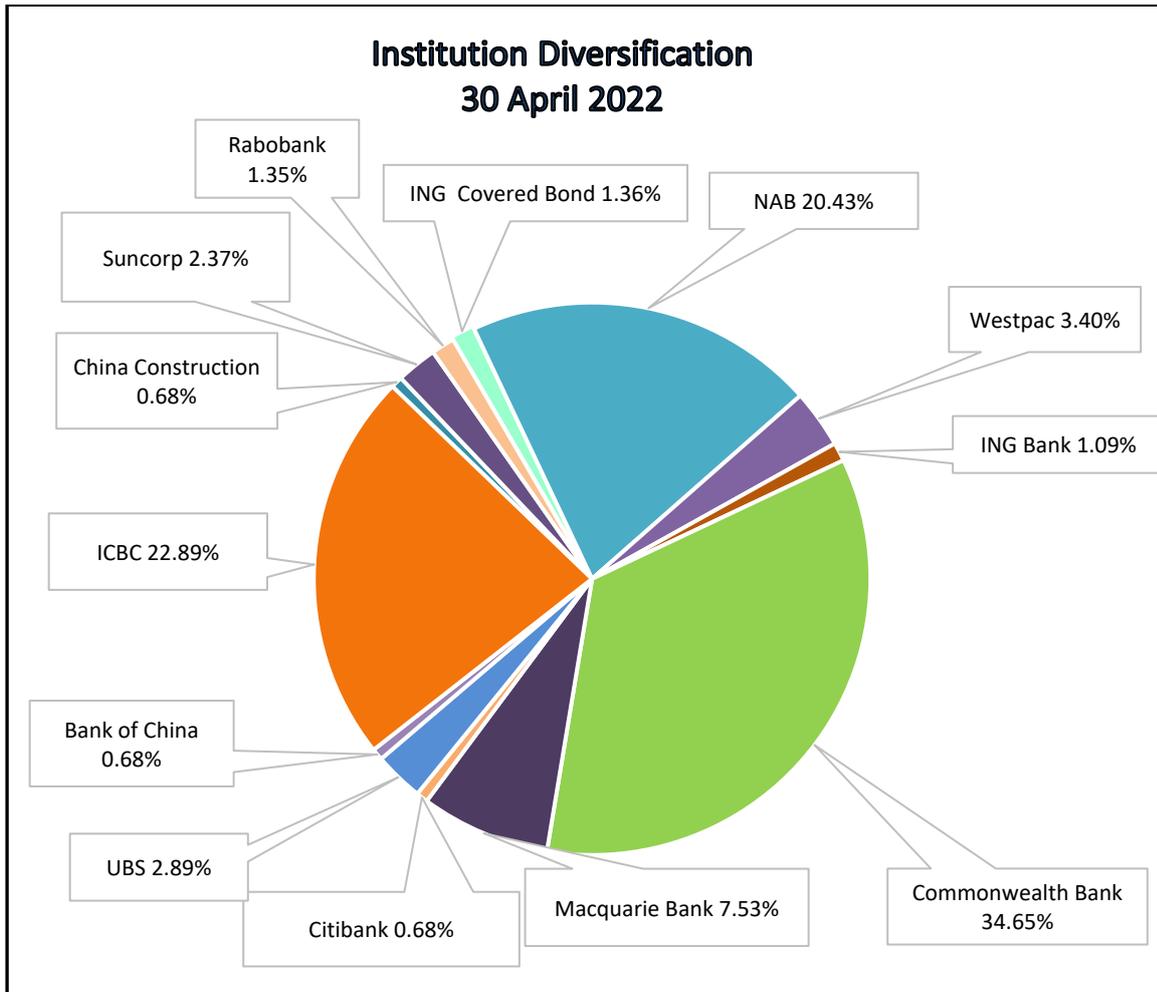
Compliant	Rating	Invested	Invested	Max. Limit	Available
✓	AAA Category	\$1,597,486	1.09%	100%	\$145,467,498
✓	AA Category	\$89,504,955	60.86%	100%	\$57,560,029
✓	A Category	\$55,962,543	38.05%	80%	\$61,689,444
✓	Unrated ADIs	\$0.00	0.00%	0.00%	\$0

## Counterparty

The table below shows the individual counterparty exposures against Council's current investment policy based on long term S&P ratings

Compliant	Issuer	Rating	Invested	%	Max. Limit	Available
✓	ING Bank	A	\$2,000,000	1.36%	25%	\$34,766,246
✓	Rabobank Australia Branch	A+	\$1,980,636	1.35%	25%	\$34,785,610
✓	CBA	AA-	\$50,963,913	34.65%	40%	\$7,862,081
✓	NAB	AA-	\$30,049,282	20.43%	40%	\$28,776,711
✓	Westpac	AA-	\$5,000,000	3.40%	40%	\$53,825,994
✓	Citibank	A+	\$1,001,157	0.68%	25%	\$35,765,089
✓	UBS	A+	\$4,246,548	2.89%	25%	\$32,519,698
✓	Bank of China	A	\$1,000,132	0.68%	25%	\$35,766,114
✓	Macquarie Bank	A+	\$11,068,668	7.53%	25%	\$25,697,578
✓	Suncorp	A+	\$3,491,761	2.37%	25%	\$55,334,233
✓	ICBC Sydney	A	\$33,669,650	22.89%	25%	\$3,096,596
✓	China Construction Bank	A	\$995,752	0.68%	25%	\$35,770,494
✓	ING Covered Bond	AAA	\$1,597,486	1.09%	40%	\$57,228,508

CO19/22



### Restricted Funds (*Local Government Act 1993 s 409*)

Councils restricted and unrestricted funds as at 30 April 2022 are shown below. Unrestricted Cash is the cash that is readily available or convertible to cash for Councils' day to day management. The restricted cash is either externally or internally restricted. Externally restricted cash can only be spent as permitted in line with legislative responsibilities and/or contractual obligations, while internally restricted cash is to be spent on Council specific funding commitments as per the operational plan and adopted Council budget.

<b>Investment Portfolio Balance as at 30 April 2022</b>		<b>\$147,064,984.02</b>
Restricted Cash	Internal	\$49,247,888.20
	External	\$43,188,252.46
Unrestricted Cash		\$54,628,843.36
<b>Total Restricted &amp; Unrestricted</b>		<b>\$147,064,984.02</b>

### Loan Funds

The total loan funds were drawn down on 10 November 2021 for \$33.5 million at 2.22%. The loan funded the following

- \$14.5M Capital Works
  - \$6.7M of Building Works which included Blenheim House, La Perouse Museum, Malabar Pool, Dunningham Reserve, Burrows Park and Southern Suburbs Youth Facilities
  - \$5.5M of Parks Projects which included Playground upgrade, Coral Sea Park, Coastal Walkways, Snape Park outdoor gym, and Pioneers Park
  - \$3.8M of Roads Projects which include drainage capital works and footpath construction
- \$19.5M for the Heffron Centre Project.

The payment frequency is semi-annually with the first loan repayment due on the 10 May 2022. The repayment total is for \$1,877,039.92 of which \$371,850.00 is interest. There are no further loan repayments this financial year.

The current interest rates offered on term deposits currently have far exceeded our cost of funds in obtaining the \$33.5m loan. Indicative term deposit rates offered currently at CBA are as follows

- For 1 Year – 3.17%
- For 2 Years – 3.79%
- For 3 Years – 3.97%
- For 4 Years – 4.07%
- For 5 Years - 4.15%

As such, the Council is at a notionally advantageous position in earning interest income on our loan. In addition, the delay in the use of loan funds with the deferral of capital works projects into the next financial year enables the council to invest these surplus funds in the short to medium term investment offerings.

### Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability

Outcome/Direction	Delivery Program actions
Direction	1a. Council has a long-term vision based on sustainability.

### Resourcing Strategy implications

The budget provision for investment income is \$642,409.00. Income received to 30 April 2022 is \$752,924, representing 117.20% of the budget year to date. Historically low interest rates in conjunction with the government term funding facility which provided deposit-taking institutions with low-cost borrowings impacted returns during the first half of the financial year. Inclusion of loan funds into the portfolio since November has resulted in improved returns over recent months due to the increased portfolio balance and currently interest rates on our deposits.

### Policy and legislative requirements

Council is authorised by Section 625 of the Local Government Act to invest its surplus funds. Funds may only be invested in the form of investment notified by Order of the Minister dated 12 April 2011. The Local Government (General) Regulation prescribes the records that must be maintained in relation to Council's Investment Policy

### Conclusion

Funds are invested with the aim of achieving budgeted income in the 2021-22 financial year and outperforming the AusBond Bank Bill Index over a 12-month period.

All investments as at 30 April 2022 have been made in accordance with the Local Government Act, the regulations and Council's Investment Policy.

**Responsible officer:** Xinyu Zhang, Financial Accountant

**File Reference:** F2016/06527

## Randwick City Council

### Investments

for the period ending 30 April 2022

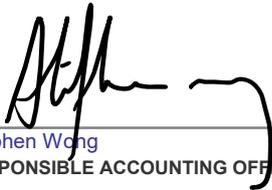
### Certificate by Responsible Accounting Officer

made pursuant to Clause 212(1)(b) of the Local Government (General) Regulations 2005

I hereby certify that all investments as at 30 April 2022 have been made in accordance with Council's Investment Policy (adopted Sept 2021).

I hereby certify that all investments as at 30 April 2022 meet the requirements of section 625 of the Local Government Act 1993 including the Ministerial Investment Order (2011).

I hereby certify that all investments as at 30 April 2022, and this investment report, meet the requirements of clause 212 of the Local Government (General) Regulation 2005.



Stephen Wong  
RESPONSIBLE ACCOUNTING OFFICER

9 May 2022

Date

CO19/22



## Director Corporate Services Report No. CO20/22

**Subject: Quarterly Budget Review - March 2022**

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### Executive Summary

- The Quarterly Budget Review Statements (QBRs) are designed to assist Council in meeting its charter relating to its finances and related responsibilities in respect of its management plan / operational plan.
- The QBRs have been prepared for the third quarter ended 31 March 2022 in accordance with the Regulations.
- The Council is pleased to have produced a surplus financial position for the March Quarter of \$218K. This together with the December Quarter brings a total surplus position of \$832K for the financial March period. This has been achieved through careful financial management and governance.
- On the 26 April 2022, Council endorsed the reallocation of \$17.4M relating to 15 capital projects that will not commence construction this financial year and as a result will be transferred into infrastructure reserves to be revoted in the 2022-23 period. Another \$28.1M in the administration building and Heffron Centre Project will also be transferred to reserves.
- The impact of the reallocation of capital works for the remainder of the 2021-22 financial period will reduce the renewal ratio predicted in 2021/22 to 70% from a benchmark of 100%. However, it will be overcome in 2022/23 as planning projects move into construction phase resulting in a renewal ratio of 193%.
- Council's Chief Financial Officer, as the Responsible Accounting Officer, advises that the projected financial position is satisfactory, and adoption of the report will satisfy statutory obligations.

### Recommendations

That Council:

- a) receives and notes the report of March 2022 Quarterly Budget Review Statements (QBRs).
- b) adopts the proposed March 2022 budget variations shown in the QBRs attachment to this report.

### Attachment/s:

1.  Attachment - March 2022 Quarterly Budget Review

## Purpose

The purpose of this report is to present the QBRS for the third quarter of the 2021-22 financial year and make recommendations in relation to variations to the adopted budget.

## Financial Summary for the Third Quarter

The Office of Local Government has published guidelines to Councils in respect to the preparation of Quarterly Budget Review Statements (QBRS) and clause 203(1) of the Local Government Regulation 2005 requires the responsible accounting officer to prepare and submit a QBRS to Council.

This Quarterly Budget Review informs the Council's third quarter progress against the current budget, together with recommendations for changes and reasons for any budget variations.

At the beginning of the financial year the original budgeted result was \$3.6m. During July to September, the council was responsive and supported the local community and businesses by approving pandemic relief packages. This resulted in a revised budget deficit result of (\$300k). During the ongoing budget revisions each quarter, the 2021-22 projected budget at the end of March 2022 has improved to a total surplus of \$832K.

The net impact of the proposed budget variations for the March 2022 quarter is an overall favourable budget variation of \$218K, which is achieved by:

- Revenue from Continuing Operations
  - Operating grants received from Transport NSW for assistance in management of road infrastructure was above budget expectations for the third quarter of \$132K;
  - Additional capital grants were received from Department of Planning for playground upgrades for Fitzpatrick Park and Ella Reserve of \$167K; and
  - Reduction in net revenues received from the Des Renford Centre due to lower patron numbers and reduced learn to swim programs of \$73k
- Expenses from Continuing Operations
  - Des Renford Centre achieved costs savings through reductions in utilities usage and purchases of food and stocks of \$73k;
  - Increased employee costs for overtime spent on garbage and disposal due to the shortage of staff \$40k;
  - Increased court costs associated with development applications which are funded by operating grants and recoveries of \$220k; and
  - Savings in election expenses held in December of \$85K on receipt of invoice from the NSW Electoral Commission

## Observations and Insights

- Waste Management Expenditure

Financial Services and the Waste Services budget unit completed a review of expenses during the month of April to ensure that it was tracking well towards budget. The current annual budget for domestic waste management is \$22.7M and to date actual spend to April is \$12.8M.

- There are outstanding invoices for processing of council's waste materials totaling \$1.6 million for February and March 2022 in addition to this there is an invoice for April approximately \$800k bringing the total to \$2.4 million. The outstanding

invoices are due to performance issues relating to the services provided by the Contractor.

- In addition to this, there are also currently outstanding payments for Council's waste collection contract for February, March and April 2022. Council has not paid these invoices due to performance issues relating to service provision by the contractor. The amount outstanding is a further ~\$2.7M.

Both these amounts have been budgeted for. Over the coming months, Council will confirm the budget variations expected as a result of contract management.

To ensure outstanding payments for work completed are recorded on a timely basis regardless of whether payment has been made, accrual accounting will be implemented for high value transactions. This will ensure budget management processes are streamlined and budget unit managers have proactive oversight.

- Salaries and Wages

Over the course of the financial year, it has been challenging for many business units to manage salaries and wages due unexpected lockdowns, managing leave and staffing levels. Employee costs are at 77.6% of the current budget as at the end of April. The year-to-date actual spend for April is at \$57M compared to a budget of \$73.7M.

Due to low unemployment and skills shortages in key areas, Council has experienced vacancies in some roles for varying periods throughout the year. At the same time, due to emerging demands throughout the pandemic, additional staff have been required in some areas. As a result, we anticipate at year end there could be immaterial year end budget savings in salaries and wages.

With the introduction of the new Human Resource Management Solution (HRMS) in May and with ongoing new education and training for budget unit managers, this will provide an opportunity to improve the quality and timeliness of the budget management of employment costs by business unit managers.

### Operating Result - Income Statements

	2021-22 Original Budget (\$'000)	2021-22 Mar Budget Revision (\$'000)	2021-22 Projected Budget (\$'000)
Revenue from continuing operations	180,919	596	184,397
Expense from continuing operations	164,939	103	165,312
Net Operating Result-Surplus	15,980	493	19,086
Net Operating Position Before Capital	3,636	218	366
Budget Result	3,706	218	832

Liquidity remains solid, with the current ratio as at 31 March 2022 being 2.17 compared to 2.49 as at 30 June 2020. The current ratio is a comparison of current assets to current liabilities. It is a liquidity ratio that measures Council's ability to pay short-term obligations or those due within one year. The original budget for 2021/22 was 1.49 for this ratio. The improvement reflects cash reserves held ahead of capital works expenditure and an improved recovery of debt.

### Des Renford Centre Progress

The Des Renford Centre activity has started to return to standard operation, with Learn to Swim classes back to 85% and Gym Memberships at 71% of pre covid levels, these numbers reflect the

ongoing impact of continuous wet weather and a general decline in consumer confidence. This has resulted in a further revenue downgrade for the March quarter of \$73k. This revenue downgrade has been largely offset by reductions in expenditure in prior periods for utilities and cost of goods sold. The centre is focused toward further generating more public awareness through strong marketing and promotions.

### Capital Works Transfers to Reserves

A comprehensive review was completed by the Director of City Services on the reallocation of budgeted capital works for the remainder of the 2021-22 finance period. On the 26 April 2022, Council endorsed the reallocation of \$17.4M relating to 15 capital projects that will not commence construction this financial year and as a result will be transferred into infrastructure reserves. These projects listed below are to be revoted in the 2022-23 period.

Project	Transfer to Reserves
City Plaza - Meeks St	\$1,513,550.00
Waratah Avenue Plaza	\$1,717,226.00
The Spot Streetscape Upgrade	\$1,827,852.00
Clovelly Road and Carrington Road Public	\$1,109,922.00
DRLC Splash Park	\$1,499,381.00
Lionel Bowen Library - Lift	\$640,000.00
Maroubra Surf Life Saving Club	\$623,430.00
Matraville Youth & Cultural Hall	\$4,033,595.00
Malabar Memorial Hall	\$200,000.00
La Perouse Toilets - Headland	\$625,418.00
Southern Suburbs Youth Facility	\$240,000.00
Blenheim House - Cultural Centre	\$2,118,139.00
Dunningham Reserve Amenities	\$497,793.00
Snape Park Amenities Upgrade	\$400,000.00
Malabar Pool Amenities	\$387,250.00
<b>Sub Total</b>	<b>\$17,433,556.00</b>

In addition to the above, the following funding will not be spent this financial year and instead transferred to reserves for expenditure in 2022/23:

- A total \$22M is transferred back to Heffron Centre Reserve; and
- A total of \$6.1M for incomplete works for the Administration Building.

The Administration Centre Airconditioning project will defer \$6.1M to 2022-23 due a change in specification in requirements. The Project was taken to the market in 2020 and due to covid and the impact of changes in workplace accommodation and HPAC requirements; the project will be updated to align to meet the requirements of fresh air rates, air circulation, layouts, the use of common spaces, utilisation of the office and filtration requirements.

The Heffron Project will transfer \$22M back into 2022-23 due to two primary reasons, being:

1. The original budget establishment was not aligned with the works program due to the timing of setting the budget and the acceptance of tender and finalisation of milestones; and
2. Timing changes to progress due to inclement weather encountered in the last two quarters, coupled with COVID related supply chain challenges and resourcing issues. The current programme has been re-forecasted with a revised target date of completion in mid-November.

The movement to reserves due to non-completion of projects, will have an impact on the building and infrastructure renewal ratio which is part of the Councils Financial Performance Indicators.

The building and infrastructure renewal ratio assesses the rate at which assets are being renewed against the rate at which they are depreciating. Renewal is defined as the replacement of existing assets to equivalent capacity or performance capability, as opposed to the acquisition of new assets. The table below highlights the impact.

	Renewal Ratio	Industry Benchmark	Result
Original 21/22 Operational Plan	140%	100%	✓
Predicted 21/22 after reserve transfer	70%	100%	✗
Estimated 22/23 after completion of Carry Over	193%	100%	✓

The pipeline for delivery of capital works, includes consultation, planning, design and construction. This can result in lumpy capital works expenditure and fluctuating asset ratios. The reduced renewal ratio predicted in 2021/22 will be improved in 2022/23 as planning projects move into construction phase.

Due to the lumpy nature of asset expenditure, it is best to review renewal indicators on a trend basis. The following table shows the renewal ratios for the past 4-year period, with an average renewal ratio of 103.62%

Year	2021	2020	2019	2018
Renewal Ratio	122.44%	66.09%	106.33%	119.65%

As at 31 March 2022, the Heffron Centre Project is showing \$13.7M actual expense and \$8.4M in committed expenditure and purchase orders, from an approved budget for the financial year 2021-22 of \$47.5M. The project remains on budget.

### Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability
Direction	1a. Council has a long-term vision based on sustainability.
Direction	1b. Council is a leader in the delivery of social, financial and operational activities.

### Resourcing Strategy implications

This report provides the March QBRS for the 2021-22 Budget. Once adopted, the variations contained within this review will be incorporated into the current Budget and where applicable, in future revisions of the Long-Term Financial Plan

## Policy and legislative requirements

- Section 203(1) (3) of the Local Government (General) Regulation 2005
- Section 211 of the Local Government (General) Regulation 2005
- Local Government Act 1993.

## Conclusion

Despite a challenging environment since the commencement of the financial year, due to the pandemic and the many challenges that this has brought to Council Operations, the Council is continuing to maintain the financial position at the end of the March Quarter.

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**Responsible officer:** Stephen Wong, Chief Financial Officer

**File Reference:** F2021/00364

CO20/22



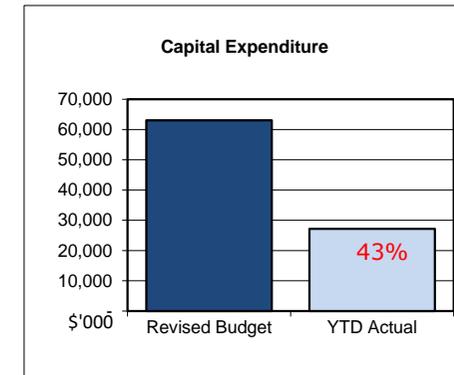
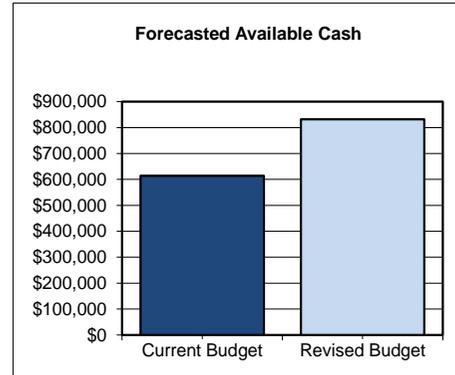
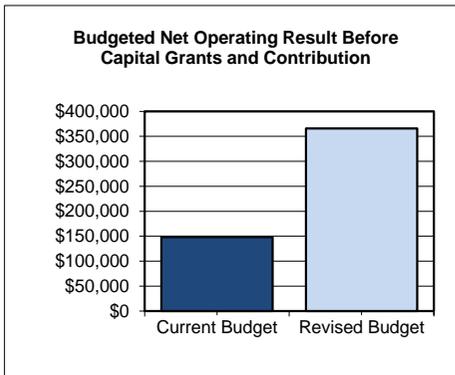
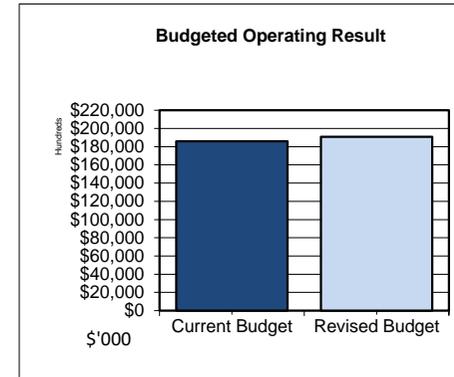
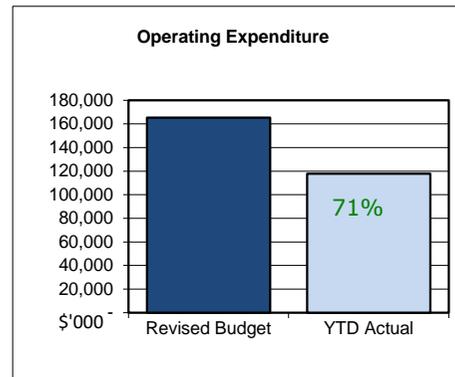
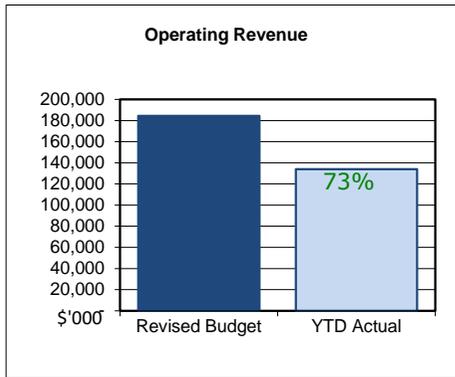
# Quarterly Budget Review Statement March 2022



Quarterly Budget Review Statement  
for the quarter ended 31 Mar 2022

Budget Review Key Performance Indicators

CO20/22



		FY2021/22 - MARCH QUARTER BUDGET REVIEW <b>Variations</b>			Key: Favourable variations Unfavourable variations Budget contras (\$0 impact)
Responsibility Centre	Account/Project	Comment	Amount (\$)	Narration (Favourable /Unfavourable /Budget contras)	
<b>User Fees and Charges</b>			<b>46,670</b>		
Des Renford Leisure Centre	Aquatic Centre - Entry Fee	Align budget with actual fees received	(40,000)	Favourable	
Des Renford Leisure Centre	Aquatic Centre - School Program	Reduced school program due to Covid	24,218	Unfavourable	
Des Renford Leisure Centre	Direct Debit Membership	Reduced membership fee due to lower patron numbers, still in the process of recovering confidence from Covid	88,282	Unfavourable	
General Trade Waste	Recycled Cardboard Sales	Align budget with actual proceed of sales received	(15,315)	Favourable	
Cultural Events	Event Fees	Fees received from Spot Festival 2022, not budgeted originally due to Covid	(10,515)	Favourable	
<b>Other Revenues</b>			<b>(70,000)</b>		
Development Assessment Services	Legal Costs Recovered - Other	Contra with increased legal cost	(70,000)	Contra	
<b>Operating Grants and Contributions</b>			<b>(297,383)</b>		
Lines & Signs Maintenance	Traffic Facilities Block Grant	Align budget with grants received during quarter three from Transport NSW	(132,383)	Favourable	
Development Assessment Services	Operating Grants-other	Faster Regionally Significant Development Applications Pilot Program - Expected receipt of grant from Department of Planning, to offset increased legal costs	(150,000)	Contra	
Cultural Events	Operating Grants-other	Summer Nights Fund Grant From Department of Planning, Industries and Environment	(15,000)	Favourable	
<b>Capital Grants and Contributions</b>			<b>(275,350)</b>		
Parks Construction	Capital Grants - Roads Bridges and Footpaths	Local Road & Community Infrastructure Program Grants (LRCI grants) via Department of Infrastructure, earmark for Paine Reserve planning and construction cost (contra)	(25,485)	Contra	
Parks Construction	Capital Grants Specific Purpose Other-Recreation	Capital contribution via Department of Regional NSW, earmark for playground upgrade	(87,500)	Contra	
Parks Construction	Capital Grants Specific Purpose Other-Recreation	Everyone Can Play Grants via Department of Planning, earmark for playground upgrade	(80,000)	Contra	
Building Construction	Capital Contribution -Other	Contribution from Marcellin College Randwick, earmark for clubhouse refurbishment	(82,365)	Contra	

CO20/22

CO20/22

Responsibility Centre	Account/Project	Comment	Amount (\$)	Narration (Favourable /Unfavourable /Budget contras)
<b>Employee Costs</b>			<b>40,000</b>	
Public Place Waste Management	Permanent Salaries Overtime	Budget transfer from Garbage Disposal Contract Cost	40,000	Contra
<b>Materials and Contracts</b>			<b>62,953</b>	
Election	Election Expense	Align budget with actual invoice amount	(85,377)	Favourable
Des Renford Leisure Centre	Electricity and Water	Cost saving through closure of DRLC for approximately 3.5 months at the start of the FY	(45,000)	Favourable
Des Renford Leisure Centre	Other Miscellaneous Expenses	Cost saving through closure of DRLC for approximately 3.5 months at the start of the FY	(2,500)	Favourable
Des Renford Leisure Centre	Kiosk Purchases	Cost saving of Kiosk stock purchase	(25,000)	Favourable
Cultural Events	Event/ Function Expense	Expenditure related to eat, drink and play community night market program, post covid economic boost up initiative	25,515	Unfavourable
Public Place Waste Management	Garbage Disposal	Transfer saving to cover staff over time expense	(40,000)	Contra
General Trade Waste	External Plant& Equipment Hire	Temporary hire of portable toilets for Coogee	15,315	Unfavourable
Development Assessment Services	Development Assess Court Costs	Increased court cost (contra with legal cost recovery and grants for Faster Regionally Significant Development Applications )	220,000	Contra
<b>Capital Works</b>			<b>(37,635,350)</b>	
Parks Construction	Fitzpatrick park and Ella Reserve playground	Expenditure for playground upgrade, from grants via Department of Planning and Regional NSW	167,500	Contra
Parks Construction	Paine Reserve	Expenditure for amenities and landscape upgrade, from LRCI grants via Department of Infrastructure	25,485	Contra
Parks Construction	Maroubra Junction Central Oasis	Expenditure for design and planning, funded via capital work design package	200,000	Contra
Road Construction	Clovelly Road Masterplan	Expenditure for design and planning, funded via capital work design package	100,000	Contra
Road Construction	Capital Works Design Package	Transfer to Maroubra Junction Central Oasis and Clovelly Road Masterplan for design expenditure	(300,000)	Contra
Building Construction	La Perouse Museum	Transfer budget to La Perouse Toilets Upgrade	(800,000)	Contra
Building Construction	La Perouse Toilets	Budget transfer from La Perouse Museum Project	800,000	Contra

Responsibility Centre	Account/Project	Comment	Amount (\$)	Narration (Favourable /Unfavourable /Budget contras)
Building Construction	The Heffron Centre	Transfer unspent budget back into Heffron Centre Reserve and Payment received in advance from Rabbitoh	(22,146,635)	Contra
Building Construction	Marcellin College Building	Expenditure for clubhouse refurbishment, funded from Marcellin College contribution	82,365	Contra
Drainage Construction	Coogee Beach Stormwater Diversion	Expenditure for Coogee Beach Stormwater Diversion	350,000	Contra
Parks Construction	City Plaza-Meek St	<p>On the matter of Council Report (CS18/22), Council resolved on 26 April 2022, to reallocate \$17,433,556 from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>City Plaza-Meek St Project</i> is the 1st of 15 projects. There is no \$1,513,550,000 remaining in the budget for this project as at 30 April 2022, but \$1,497,220. This amount (\$1,497,220) is funded from the following:</p> <ul style="list-style-type: none"> <li>- Infrastructure Internal Restricted Reserves(\$1.02M); and</li> <li>- Externally Restricted S94 Resave(\$477,220).</li> </ul> <p>Therefore,</p> <ul style="list-style-type: none"> <li>\$.1.02M to be transferred back into Infrastructure Reserves.</li> <li>\$.477,220 to be transferred back into S94-Place for People Reserves.</li> </ul>	(1,497,220)	Contra
Parks Construction	Waratah Avenue Plaza	<p>On the matter of Council Report (CS18/22), Council resolved on 26 April 2022, to reallocate \$17,433,556 from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>Waratah Avenue Plaza Project</i> is the 2nd of 15 projects. There is no \$1,717,226 remaining in the budget for this project as at 30 April 2022, but \$984,852. This amount (\$984,852) is funded from Specific Purpose Capital Grants</p> <p>Therefore,</p> <ul style="list-style-type: none"> <li>\$.984,852 to be transferred back into Externally Restricted Specific Purpose Unexpended Grants Reserves.</li> </ul>	(984,852)	Contra
Road Construction	The Spot Streetscape Upgrade	<p>On the matter of Council Report (CS18/22), Council resolved on 26 April 2022, to reallocate \$17,433,556 from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>The Spot Streetscape Upgrade Project</i> is the 3rd of 15 projects. There is no \$1,827,852 remaining in the budget for this project as at 30 April 2022, but \$1,748,711 as at 30 April 2022. This amount (\$1,748,711) is funded from the following:</p> <ul style="list-style-type: none"> <li>- OCOF Internal Restricted Reserves(\$859,048); and</li> <li>- Incomplete Works Internally Restricted Resave(\$889,663).</li> </ul> <p>Therefore,</p> <ul style="list-style-type: none"> <li>\$.859,048 to be transferred back into OCOF Internally Restricted Reserves.</li> <li>\$.889,663 to be transferred back into Incomplete Works Internally Restricted Reserves.</li> </ul>	(1,748,711)	Contra

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Responsibility Centre	Account/Project	Comment	Amount (\$)	Narration (Favourable /Unfavourable /Budget contras)
Parks Construction	Clovelly Road and Carrington Road Public Plaza	<p>On the matter of Council Report (C1S8/22), Council resolved on 26 April 2021,, to reallocate \$17,433,556 from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>Clovelly Road and Carrington Road Public Plaza Project</i> is the 4th of 15 projects. Its remaining budget of \$1,109,922 as at 30 April 2022 is funded from Specific Purpose Capital Grants.</p> <p>Therefore, \$.1,109,922 to be transferred back into Specific Purpose Unexpended Grants Externally Restricted Reserves.</p>	(1,109,922)	Contra
Parks Construction	DRLC Splash Park	<p>On the matter of Council Report (C1S8/22), Council resolved on 26 April 2021,, to reallocate \$17,433,556 from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>DRLC Splash Park Project</i> is the 5th of 15 projects. Its remaining budget of \$1,499,381 as at 30 April 2022 is funded from General Revenue.</p> <p>Therefore, \$.1,499,381 to be transferred back into Infrastructure Internally Restricted Reserves.</p>	(1,499,381)	Contra
Building Construction	Lionel Bowen Library - Lift	<p>On the matter of Council Report (CS18/22), Council resolved on 26 April 2022, to reallocate \$17,433,556 from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>Lionel Bowen Library - Lift Project</i> is the 6th of 15 projects. There is no \$640,000 remaining in the budget for this project as at 30 April 2022, but \$532,980 . This amount (\$532,980) is funded from General Revenue</p> <p>Therefore, \$.532,980 to be transferred back into Internally Restricted Infrastructure Reserves.</p>	(532,980)	Contra

Responsibility Centre	Account/Project	Comment	Amount (\$)	Narration (Favourable /Unfavourable /Budget contras)
Building Construction	Maroubra Surf Life Saving Club	<p>On the matter of Council Report (CS18/22), Council resolved on 26 April 2022, to reallocate \$17,433,556 from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>Maroubra Surf Life Saving Club Project</i> is the 7th of 15 projects. There is no \$623,430 remaining in the budget for this project as at 30 April 2022, but \$550,065. This amount (\$550,065) is funded by General Revenue</p> <p>Therefore, .\$550,065 to be transferred back into Internally Restricted Infrastructure Reserves.</p>	(550,065)	Contra
Building Construction	Matraville Youth & Cultural Hall	<p>On the matter of Council Report (C1S8/22), Council resolved on 26 April 2022,, to reallocate \$17,433,556 from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>Matraville Youth &amp; Cultural Hall Project</i> is the 8th of 15 projects. Its remaining budget of \$4,033,595 as at 30 April 2022 is funded from the following:</p> <ul style="list-style-type: none"> <li>- Our Community Our Future (OCOF) Internal Restricted Reserves (\$\$33,595); and</li> <li>- Infrastructure Internal Restricted Reserves (\$4M).</li> </ul> <p>Therefore, .\$33,595 to be transferred back into OCOF Internal Restricted Reserves; and .\$4M to be transferred back into Infrastructure Internal Restricted Reserves;</p>	(4,033,595)	Contra
Building Construction	Malabar Memorial Hall	<p>On the matter of Council Report (CS18/22), Council resolved on 26 April 2022, to reallocate \$17,433,556 from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>Malabar Memorial Hall Project</i> is the 9th of 15 projects. Its remaining budget of \$200,000 as at 30 April 2022 is funded from the incomplete works Internally Restricted Reserve</p> <p>Therefore, .\$200,000 to be transferred back into Incomplete Works Internal Restricted Reserves;</p>	(200,000)	Contra

Responsibility Centre	Account/Project	Comment	Amount (\$)	Narration (Favourable /Unfavourable /Budget contras)
Building Construction	La Perouse Toilets - Headland	<p>On the matter of Council Report (CS18/22), Council resolved on 26 April 2022, to reallocate \$17,433,556 from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>La Perouse Toilets - Headland project</i> is the 10th of 15 projects. Its remaining budget of \$625,418 as at 30 April 2022 is funded from the following:</p> <ul style="list-style-type: none"> <li>- S94 Externally Restricted Reserves (\$500,000); and</li> <li>- Incomplete Works Internal Restricted Reserves (\$125,418).</li> </ul> <p>Therefore,</p> <ul style="list-style-type: none"> <li>\$.500,000 to be transferred back into S94 Externally Restricted Reserves; and</li> <li>\$.125,418 to be transferred back into Incomplete Works Internal Reserves.</li> </ul>	(625,418)	Contra
Building Construction	Southern Suburbs Youth Facility	<p>On the matter of Council Report (CS18/22), Council resolved on 26 April 2022, to reallocate \$17,433,556 from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>Southern Suburbs Youth Facility Project</i> is the 11th of 15 projects. Its remaining budget of \$240,000 as at 30 April 2022 is funded from OCOF Internally Restricted Reserve</p> <p>Therefore,</p> <ul style="list-style-type: none"> <li>\$.240,000 to be transferred back into OCOF Internal Restricted Reserves;</li> </ul>	(240,000)	Contra
Building Construction	Blenheim House - Cultural Centre	<p>On the matter of Council Report (CS18/22), Council resolved on 26 April 2022, to reallocate \$17,433,556 from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>Blenheim House - Cultural Centre Project</i> is the 12th of 15 projects. Its remaining budget of \$2,118,139 as at 30 April 2022 is funded from the following:</p> <ul style="list-style-type: none"> <li>- Our Community Our Future (OCOF) Internal Restricted Reserves (\$1,944,197); and</li> <li>- Infrastructure Internal Restricted Reserves (173,942).</li> </ul> <p>Therefore,</p> <ul style="list-style-type: none"> <li>\$.1,944,197 be transferred back into OCOF Internal Restricted Reserves; and</li> <li>\$.173,942 be transferred back into Infrastructure Internal Restricted Reserves;</li> </ul>	(2,118,139)	Contra

Responsibility Centre	Account/Project	Comment	Amount (\$)	Narration (Favourable /Unfavourable /Budget contras)
Building Construction	Cunningham Reserve Amenities	<p>On the matter of Council Report (CS18/22), Council resolved on 26 April 2022, to reallocate \$17,433,556 from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>Cunningham Reserve Amenities Project</i> is the 13th of 15 projects. Its remaining budget of \$497,793 as at 30 April 2022 is funded from the following:</p> <ul style="list-style-type: none"> <li>- Our Community Our Future (OCOF) Internal Restricted Reserves (\$197,793); and</li> <li>- General Revenue (\$300,000).</li> </ul> <p>Therefore,</p> <ul style="list-style-type: none"> <li>\$.197,793 to be transferred back into Our Community Our Future Restricted Reserves; and</li> <li>\$.300,000 to be transferred back into Infrastructure Restricted Reserves;</li> </ul>	(497,793)	Contra
Parks Construction	Snape Park Amenities Upgrade	<p>On the matter of Council Report (CS18/22), Council resolved on 26 April 2022, to reallocate \$17,433,556 from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>Snape Park Amenities Upgrade Project</i> is the 14th of 15 projects. There is no \$400,000 remaining in the budget for this project as at 30 April 2022, but \$88,739. This amount (\$88,739) is funded from Infrastructure Internal Restricted Reserves</p> <p>Therefore,</p> <ul style="list-style-type: none"> <li>\$.88,739 to be transferred back into Infrastructure Reserves.</li> </ul>	(88,739)	Contra
Building Construction	Malabar Pool Amenities	<p>from 2021-22 Operational Plan and Capital Works Budget, to Reserves, for 15 nominated projects.</p> <p><i>Malabar Pool Amenities Project</i> is the 15th of 15 projects. Its remaining budget of \$387,250 as at 30 April 2022 is funded from Our Community Our Future (OCOF) Internal Restricted Reserves</p> <p>Therefore,</p> <ul style="list-style-type: none"> <li>\$.387,250 to be transferred back into OCOF Internal Restricted Reserves;</li> </ul>	(387,250)	Contra

Responsibility Centre	Account/Project	Comment	Amount (\$)	Narration (Favourable /Unfavourable /Budget contras)
<b>Reserves</b>			<b>33,586,821</b>	
Building Construction	Internal Restricted Reserves - The Heffron Centre	Transfer unspent budget from The Heffron Centre project into The Heffron Centre Reserve (Internal Restricted Reserves)	9,822,756	Contra
Building Construction	Internal Restricted Reserves - Incomplete Works	Admin building remaining work scope, be returned to Restricted Reserves (for 2022-23 revote purposes)	6,182,488	Contra
Building Construction	Internal Restricted Reserves - Our Community Our Future	Admin building partially completed component, be returned to internal borrowing source	1,817,512	Contra
Drainage Construction	External Restricted Reserves - Special Purpose Unexpended Grants	Transfer to Coogee Beach Stormwater Diversion for Planning Phase	(350,000)	Contra
Parks Construction	External Restricted Reserves - Special Purpose Unexpended Grants	Transfer unspent budget from Waratah Street Plaza Project into Special Purpose Unexpended Grants Externally Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	984,852	Contra
Parks Construction	External Restricted Reserves - Special Purpose Unexpended Grants	Transfer unspent budget from Clovelly Road and Carrington Road Public Plaza Project into Special Purpose Unexpended Grants Externally Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	1,109,922	Contra
Building Construction	External Restricted Reserves - S94 reserve-Place for People	Transfer unspent budget from La Perouse Toilets Project into S94 reserve-Place for People Externally Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	500,000	Contra
Parks Construction	External Restricted Reserves - S94 reserve-Place for People	Transfer unspent budget from City Plaza Project into S94 reserve-Place for People Externally Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	477,220	Contra
Building Construction	Internal Reserve - Infrastructure Reserve	Transfer unspent budget from Lionel Bowen Library Project into Infrastructure Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	532,980	Contra
Parks Construction	Internal Reserve - Infrastructure Reserve	Transfer unspent budget from Snape Park into Infrastructure Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	88,739	Contra
Building Construction	Internal Reserve - Infrastructure Reserve	Transfer unspent budget from Maroubra Surf Club Project into Infrastructure Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	550,065	Contra
Building Construction	Internal Reserve - Infrastructure Reserve	Transfer unspent budget from Blenheim House - Cultural Centre project into Infrastructure Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	173,942	Contra
Parks Construction	Internal Reserve - Infrastructure Reserve	Transfer unspent budget from City Plaza Project into Infrastructure Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	1,020,000	Contra
Building Construction	Internal Reserve - Infrastructure Reserve	Transfer unspent budget from Dunningham Reserve Amenities Project into Infrastructure Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	300,000	Contra

Responsibility Centre	Account/Project	Comment	Amount (\$)	Narration (Favourable /Unfavourable /Budget contras)
Parks Construction	Internal Reserve - Infrastructure Reserve	Transfer unspent budget from DRLC Splash Park Project into Infrastructure Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	1,499,381	Contra
Building Construction	Internal Reserve - Infrastructure Reserve	Transfer unspent budget from Matraville Youth & Cultural Hall Project into Infrastructure Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	4,000,000	Contra
Building Construction	Internal Reserve - Our Community Our Future	Transfer unspent budget from Southern Suburbs Youth Facility Project into OCOF Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	240,000	Contra
Roads Construction	Internal Reserve - Our Community Our Future	Transfer unspent budget from The Spot Streetscape Upgrade Project(Undergrounding Powerlines ) into OCOF Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	859,048	Contra
Building Construction	Internal Reserve - Our Community Our Future	Transfer unspent budget from Blenheim House - Cultural Centre Project into OCOF Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	1,944,197	Contra
Building Construction	Internal Reserve - Our Community Our Future	Transfer unspent budget from Dunningham Reserve Amenities Project into OCOF Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	197,793	Contra
Building Construction	Internal Reserve - Our Community Our Future	Transfer unspent budget from Malabar Pool Amenities Project into OCOF Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	387,250	Contra
Building Construction	Internal Reserve - Our Community Our Future	Transfer unspent budget from Matraville Youth & Cultural Hall Project into OCOF Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	33,595	Contra
Building Construction	Internal Reserve - Incomplete Works	Transfer unspent budget from La Perouse Toilets Project into Incomplete Works Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	125,418	Contra
Roads Construction	Internal Reserve - Incomplete Works	Transfer unspent budget from The Spot Streetscape Upgrade Project(Undergrounding Powerlines )into Incomplete Works Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	889,663	Contra
Building Construction	Internal Reserve - Incomplete Works	Transfer unspent budget from Malabar Memorial Hall Project into Incomplete Works Internal Restricted Reserves; Refer to Council's Report (CS18/22) of 26 April 2022.	200,000	Contra
<b>Balance Sheet</b>			<b>4,323,879</b>	
Balance Sheet	Payment received in advance	Contribution received in advance from Rabbitoh for Heffron Centre project is behind original budget schedule, total \$18.9M budget to be received during current FY, actual received is only \$6.6M, align budget with actual advanced payment received	12,323,879	Contra
Balance Sheet	Loans proceed received	\$8M from External Loan received be allocated to Admin building project	(8,000,000)	Contra
<b>Net Deficit/(Surplus)</b>			<b>(217,760)</b>	
Add Current 2021-22 Budget Deficit/(Surplus)			(613,989)	
<b>Total Revised 2021-22 Budget Deficit/(Surplus)</b>			<b>(831,749)</b>	



## Budget Review for the quarter ended 31 Mar 2022 Income and Expenses

	Approved Changes				Current Budget (\$'000s)	Proposed Mar Review (\$'000)	Total Revised Budget (\$'000s)	YTD Mar Actuals (\$'000s)	Comment
	Original Budget (\$'000s)	Carry Over 2020-21 (\$'000s)	Sept Review (\$'000s)	Dec Review (\$'000s)					
<b>REVENUE FROM CONTINUING OPERATIONS</b>									
Rates And Annual Charges	131,977	-	-	290	132,268		132,268	100,771	
User Charges And Fees	19,575	-	(2,522)	207	17,260	(47)	17,214	11,869	.The budget variation is mainly due to: - Increased income from Aquatic Centre Entry Fee (40K); - Reduced Aquatic Centre School Program fee (-24K); - Reduced DRLC membership fee (-88K);
Interest	842	-	(27)	-	816		816	199	
Other Revenues	5,627	-	(754)	55	4,928	70	4,998	3,506	.The budget variation is mainly due to: - Additional revenue from DA legal cost recovery
Other Income	3,338	-	(703)	(220)	2,415		2,415	1,956	
Operating Grants and Contributions	7,215	-	360	95	7,670	297	7,967	4,644	.The budget variation is due to: - Traffic Facilities Block Grant via Transport of NSW (132K); - Faster Regionally Significant Development Applications Pilot Program Grants via Department of Planning (150K); - Summer Night Grants via Department of Planning, Industries and Environment (\$15K)
Capital Grants and Contributions	12,344	2,003	1,292	2,805	18,444	275	18,720	10,580	.The budget variation is mainly due to: - Capital contribution via department of Regional NSW, earmark for playground update (87K); - Everyone Can Play Grants via Department of Planning, earmark for playground updates (80K); - Contribution from Marcellin College Randwick, earmark for clubhouse refurbishment (82K)
Gain on Disposal of Fleet Assets	-	-	-	-	-		-	461	
<b>Total Revenue from Continuing Operations</b>	<b>180,919</b>	<b>2,003</b>	<b>(2,353)</b>	<b>3,233</b>	<b>183,801</b>	<b>596</b>	<b>184,397</b>	<b>133,986</b>	
<b>EXPENSES FROM CONTINUING OPERATIONS</b>									
Employee Costs	73,925	-	(1)	(135)	73,789	40	73,829	52,025	.The budget variation is mainly due to: - Increased over time under Public Place Waste Management(40k)
Borrowing Costs	565	-	-	-	565		565		
Materials & Contracts	57,830	2,003	(2,278)	386	57,940	63	58,003	38,378	.The budget variation is mainly due to: - Re-allocate Garbage Disposal saving to permanent salary over time (-40K); - Increased DA legal cost (220K); - DRLC savings under Electricity, Water and Kiosk Purchase (-72K); - Saving under Election expense (-85K)
Depreciation & Amortisation	28,406	-	-	-	28,406		28,406	24,083	
Other Operating Expenses	4,214	-	304	(10)	4,508		4,508	3,159	
Losses from Disposal of Assets	-	-	-	-	-		-	151	
<b>Total Expenses from Continuing Operations</b>	<b>164,939</b>	<b>2,003</b>	<b>(1,974)</b>	<b>241</b>	<b>165,208</b>	<b>103</b>	<b>165,312</b>	<b>117,797</b>	
<b>Net Operating Result -Surplus/(Deficit)</b>	<b>15,980</b>	<b>()</b>	<b>(379)</b>	<b>2,992</b>	<b>18,593</b>	<b>493</b>	<b>19,086</b>	<b>16,189</b>	
<b>Net Operating Result Before Capital Items</b>	<b>3,636</b>	<b>(2,003)</b>	<b>(1,672)</b>	<b>187</b>	<b>148</b>	<b>218</b>	<b>366</b>	<b>5,609</b>	

**Notes:**

ORIGINAL Budget +/- approved budget changes in previous quarters = Current Budget

Current Budget +/- recommended changes this quarter = Total Revised Budget

Carry over Capital Grants and Contributions (\$2,002,736) consist grant fund for Waratah Street Plaza Projects (\$712,500), School Zone Projects (\$490,236) and Maroubra Junction Central Oasis Projects (\$800,000)

Carry over Materials &amp; Contracts (\$2,002,828) consist expenses funded by grant received Domestic Waste projects (FOGO) (\$1,516,750), Community Drug Action Projects (\$8,173), Crown Land Plans (\$45,093), Environmental levy funded projects (\$240,399) and carry over fund (\$192,413)



## Budget Review for the quarter ended 31 Mar 2022 Capital Budget

	Approved Changes				Current Budget (\$'000s)	Proposed Mar Review (\$'000)	Total Revised Budget (\$'000s)	YTD Mar Actuals (\$'000s)
	Original Budget (\$'000s)	Carry Over 2020-21 (\$'000s)	Sept Review (\$'000s)	Dec Review (\$'000s)				
<b>CAPITAL EXPENDITURE</b>								
Parks Construction Projects	8,109	6,275		2,375	16,759	(4,787)	11,972	2,929
Roads Construction Projects	11,208	644	991	430	13,273	(1,949)	11,324	4,187
Drainage Construction Projects	1,524	729			2,252	350	2,602	460
Building Construction Projects	58,224	2,480	151		60,855	(31,250)	29,606	15,784
Library Resources	532	318			850		850	421
Plant & Equipment Purchases	4,034				4,034		4,034	1,968
ICT Equipment	1,490	242			1,732		1,732	1,033
Corporate Change Management	631	290			921		921	398
<b>Total Capital Expenditure</b>	<b>85,751</b>	<b>10,977</b>	<b>1,143</b>	<b>2,805</b>	<b>100,677</b>	<b>(37,635)</b>	<b>63,041</b>	<b>27,180</b>

**Notes:**

ORIGINAL Budget +/- approved budget changes in previous quarters = REVISED Budget

REVISED Budget +/- recommended changes this quarter = PROJECTED year end result

	Approved Changes				Current Budget (\$'000s)	Proposed Mar Review (\$'000)	Total Revised Budget (\$'000s)	YTD Mar Actuals (\$'000s)
	Original Budget (\$'000s)	Carry Over 2020-21 (\$,000s)	Sept Review (\$'000s)	Dec Review (\$'000s)				
<b>CAPITAL FUNDING</b>								
Rates and Other Untied Funding	14,784				14,784	(2,971)	11,812	3,091
Capital Grants and Contributions	3,264	2,003	868	2,805	8,940	(1,819)	7,121	4,795
Loan Borrowings	19,000				19,000	(9,823)	9,177	2,365
Payment Received in advance	18,884				18,884	(12,324)	6,560	5,089
<b>External Restrictions</b>								
Domestic Waste		1,493			1,493		1,493	
Specific Purpose Unexpended Grants		466			466	350	816	156
Section 94	4,236	1,080			5,316	(977)	4,339	586
Stormwater Management	913	111			1,023		1,023	16
Environmental Levy	876	896			1,772		1,772	777
<b>Internal Restrictions</b>								
Plant Replacement	2,769				2,769		2,769	1,189
Works Incomplete/Future Works Reser	1,865	3,280			5,146	(1,215)	3,931	1,580
Our Community Our Future	7,899	1,241			9,140	(3,662)	5,478	1,585
Building Levy		171			171		171	
The Heffron Centre	4,856				4,856		4,856	4,856
Infrastructure Reserve	5,141	235	274		5,650	(5,194)	456	272
Income from Sale of Plant	1,266				1,266		1,266	822
<b>Total Capital Funding</b>	<b>85,751</b>	<b>10,977</b>	<b>1,143</b>	<b>2,805</b>	<b>100,677</b>	<b>(37,635)</b>	<b>63,041</b>	<b>27,180</b>

		<b>Budget Review</b> for the quarter ended 31 Mar 2022 <b>Cash and Investments</b>						ORIGINAL Budget +/- approved budget changes in previous quarters = CURRENT Budget  CURRENT Budget +/- recommended changes this quarter = REVISED Budget		
		<b>Approved Changes</b>								
	Opening Balance as at 1 July 2021	Original Budget (\$'000s)	Carry Over 2020-21 (\$'000s)	Sep Review (\$'000s)	Dec Review (\$'000s)	Current Budget (\$'000s)	Proposed Mar Review (\$'000s)	Total Revised Budget (\$'000s)	Projected Closing Balance 30 June 2021	YTD Mar Actuals (\$'000s)
<b>Externally Restricted</b>										
Domestic Waste	10,829	704	(1,493)			(789)		(789)	10,040	11,267
Specific Purpose Unexpended Grants	3,323		(2,036)	1,570	(81)	(547)	1,745	1,197	4,520	(237)
Section 94	6,087	(340)	(1,080)			(1,420)	977	(443)	5,644	2,521
s93D Reserve	5,353	16		120		136		136	5,489	50
Stormwater Management	1,322		(111)			(111)		(111)	1,211	643
Environment Levy	2,881	658	(1,137)	240		(239)		(239)	2,643	1,169
S7.12 Reserve - Affordable Housing - K2K		5,000				5,000		5,000	5,000	
<b>Total Externally Restricted</b>	<b>29,794</b>	<b>6,038</b>	<b>(5,857)</b>	<b>1,930</b>	<b>(81)</b>	<b>2,030</b>	<b>2,722</b>	<b>4,752</b>	<b>34,546</b>	<b>15,412</b>
<b>Internally Restricted</b>										
Des Renford Leisure Centre	285					-		-	285	
Election of Councillors	665	(655)				(655)		(655)	10	(491)
Employee Leave Entitlements	7,792	500				500		500	8,292	375
Information & Communication Technology	580					-		-	580	
Infrastructure Reserves	13,823	(5,141)	(235)	(274)		(5,650)	8,165	2,515	16,338	(272)
Insurance Claims /Risk	172					-		-	172	
Plant Replacement	7,613	260				260		260	7,874	(327)
Property Development Reserves	1,404					-		-	1,404	
Refundable Bonds & Deposits	3,266					-		-	3,266	
Works Incomplete/Future Works Reserve	8,255	(1,865)	(3,473)	192		(5,146)	7,398	2,252	10,507	(1,580)
Our Community Our Future	4,192	(3,169)	(1,241)			(4,410)	5,479	1,069	5,261	(1,585)
Light Rail Support Plan	89					-		-	89	
Prince Henry Centre	62					-		-	62	
Randwick Environmental Park	1,186	(145)				(145)		(145)	1,041	(85)
Heffron Centre	6,154	(4,856)				(4,856)	9,823	4,967	11,121	(4,856)
Affordable Housing Rental Scheme	1,069					-		-	1,069	
Economic Development	210					-		-	210	
Randwick Literary Institute	35					-		-	35	
Building Levy	3,008		(171)			(171)		(171)	2,837	
Lionel Bowen Library	111					-		-	111	
La Perouse Museum	774					-		-	774	
Community Connect	22					-		-	22	
Community Creative	96				(10)	(10)		(10)	86	(10)
<b>Total Internally Restricted</b>	<b>60,862</b>	<b>(15,071)</b>	<b>(5,120)</b>	<b>(82)</b>	<b>(10)</b>	<b>(20,283)</b>	<b>30,865</b>	<b>10,582</b>	<b>71,444</b>	<b>(8,831)</b>
<b>Total Restricted</b>	<b>90,656</b>	<b>(9,033)</b>	<b>(10,977)</b>	<b>1,848</b>	<b>(91)</b>	<b>(18,253)</b>	<b>33,587</b>	<b>15,334</b>	<b>105,990</b>	<b>97,236</b>
<b>Total Cash and Investments</b>	<b>95,706</b>	<b>(5,327)</b>	<b>(10,977)</b>	<b>(1,522)</b>	<b>187</b>	<b>(17,639)</b>	<b>33,805</b>	<b>16,166</b>	<b>111,872</b>	<b>149,093</b>
<b>Available Cash</b>	<b>5,050</b>	<b>3,706</b>		<b>(3,370)</b>	<b>278</b>	<b>614</b>	<b>218</b>	<b>832</b>	<b>5,882</b>	<b>51,856</b>

Note: Although there is a YTD Balance of \$51.8M as at 31 March 2022, these funds have already been committed through Council's capital works program and/or normal operations. The balance of available cash will decrease as the financial year progresses and capital works projects are completed. The projected closing balance of available cash remains \$5.8M.

Budget Review  
for the quarter ended 31 Mar 2022  
Consultancy and Legal Expenses

Expense	Expenditure YTD \$	Budgeted (Y/N)
Consultancies	1,354,608	Y
Legal Fees	844,946	Y

**Definition of consultant:**

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision-making management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

CO20/22

## Randwick City Council

### Quarterly Budget Review Statements

for the period ending 31 March 2022

### Statement by Responsible Accounting Officer

made pursuant to Clause 203(2) of the Local Government (General) Regulations 2005

It is my opinion that the Quarterly Budget Review Statement for Randwick City Council for the quarter ended 31 March 2022 indicates that Council's projected financial position at year end will be satisfactory, having regard to the projected estimates.

The restricted funds of Council have been invested in accordance with Council's current Investment Policy (adopted November 2019).

Council's bank account in the general ledger and the cashbook has been reconciled with bank statements as at 31/03/2022.



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RESPONSIBLE ACCOUNTING OFFICER

Randwick City Council  
30 Frances Street  
Randwick NSW 2031

Hours of operation:  
8:30am - 5:00pm, Monday to Friday

Call centre: 1300 722 542

[www.randwick.nsw.gov.au](http://www.randwick.nsw.gov.au)



## Director Corporate Services Report No. CO21/22

**Subject: Monthly Financial Report as at 30 April 2022**

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### Executive Summary

- Monthly Financial Reports are produced as a means of monitoring the financial performance of the Council and ensuring that all appropriate financial controls are being adhered to.
- Council's liquidity remains sound as at 30 April 2022, with capacity to meet short term obligations as they fall due.
- Council's Chief Financial Officer, as the Responsible Accounting Officer, advises that the projected financial position is satisfactory.

### Recommendation

That the Monthly Financial Report as at 30 April 2022 be received and noted.

### Attachment/s:

1.   Monthly Financial Statements -Income Statement- April 2022
2.   Monthly Financial Statements -Balance Sheet- April 2022
3.   Monthly Financial Statements-Cash Flow Statement -April 2022

**Purpose**

Section 202 of Local Government (General) Regulation 2005 requires that the responsible accounting officer of a council must:

- a) establish and maintain a system of budgetary control that will enable the Council’s actual income and expenditure to be monitored each month and to be compared with the estimate of the council’s income and expenditure, and
- b) if any instance arises where the actual income or expenditure of the Council is materially different from its estimated income or expenditure, report the instance to the next meeting of the council.

**Discussion**

This report provides the financial results of the Council as at 30 April 2022.

- **Income Statement** (Attachment 1):

The Income Statement summarizes the Council’s financial performance year to date (YTD). The income statement presents the financial results for a stated period of time. The statement quantifies the amount of revenue generated and the expenses incurred by the Council as well as any resulting net surplus or deficit.

**2021-22 Financial Performance Summary**

	Original 2021-22 Budget (\$'000)	2021-22 April YTD(\$'000)
Income from continuing operations	\$180,919	\$150,974
Expenses from continuing operations	\$164,939	\$127,844
Net operating result for 2021-22	\$15,980	\$23,130
Net operating result before Capital Grants and Contribution for 2021-22	\$3,636	\$12,196

Council’s net operating result before Capital Grants and Contribution at end of April is \$8.5M ahead of the original budget. The favorable balance is largely attributable to the following

- The Federal Budget released on 29<sup>th</sup> March 2022, provided for an advance payment for the estimated 2022-23 financial assistance grant to the Council. The advance payment represented approximately 75% of the amount the Council is entitled to (in previous years the advance payment has been 50%). The advance payment has favorably increased the councils operating result by ~\$1.2M. While this is a welcomed outcome in 2022-23, it may cause challenges if a similar advance payment is not received in the next financial year causing revenue variations and impacting financial sustainability ratios.
- Timing differences, where there are several large contracts relating to garbage and recycling contracts remaining to be invoiced and paid during the remainder of the financial year. These have been factored into the budget, however, yet to be recognized in the April YTD results.
- **Balance Sheet Statement** (Attachment 2):

A Balance Sheet is a statement of the financial position of the Council that lists the assets, liabilities, and equity at a particular point in time. In other words, the balance sheet illustrates a Council’s net worth. The balance sheet provides a snapshot of the finances (what it owns and owes) as of a specific date.

Total Payables & Prepayments is \$48.7M as at 30 April 2022, which include total \$33.5M loan Council secured in November 2021 from TCorp.

- **Cash Flow Statement** (Attachment 3):

The cash flow statement is a financial statement that shows how cash moves in and out of a Council's accounts via three main channels: operating, investing, and financing activities. The sum of these three segments is called net cash flow. The cash flow statement measures how well the Council manages its cash position, meaning how well the council generates cash to pay its debt obligations and fund its operating expenses.

The current ratio is a liquidity ratio that measures Council's ability to pay short-term obligations or those due within one year. The current ratio as at 30<sup>th</sup> April 2022 is 2.29 compared to 2.49 as at 30<sup>th</sup> June 2021. The Council's target is a ratio equal to or greater than 1.5 based on the Long-Term Financial Plan. Our current ratio exceeds this target and indicates Council's liquidity remains sound at the end of April 2022. Together with a positive net operating result before Capital Grants and Contribution of \$12.2M, the financial position of the Council remains satisfactory.

**Heffron Centre Project**

As at 30 April 2022, the Heffron Centre Project is showing \$15.7M actual expense from an approved budget for the financial year 2021-22 of \$47.5M. To date the project is on budget with circa \$2.9M contingency remaining.

**Strategic alignment**

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability

**Resourcing Strategy implications**

The adopted December 2021 Quarterly Budget Review indicates the 2021-22 projected budget has improved to a total surplus of \$614k through careful financial management, prioritisation of expenditure and strong financial governance.

**Policy and legislative requirements**

Section 202 of Local Government (General) Regulation 2005.

**Conclusion**

The Council's Chief Financial Officer, as the Responsible Accounting Officer, advises that the projected financial position is satisfactory.

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**Responsible officer:** Stephen Wong, Chief Financial Officer

**File Reference:** F2021/00364

CO21/22

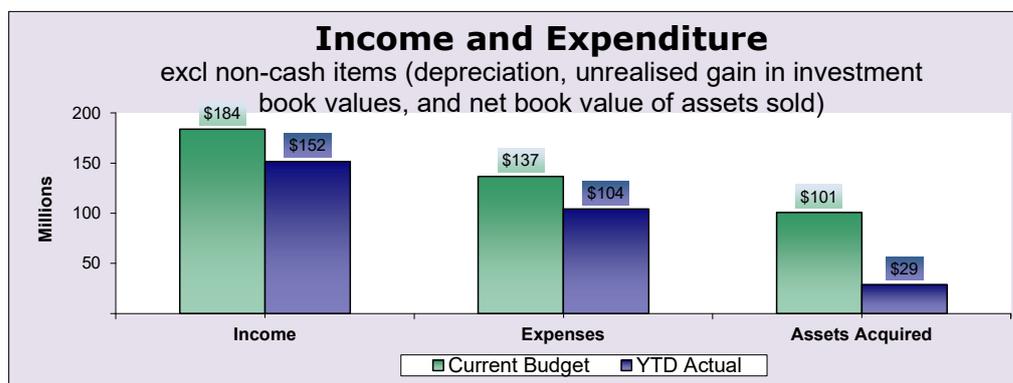


# INCOME STATEMENT

as at 30 April 2022

 % OF YEAR EXPIRED  
 AT 30 Apr 2022 **83%**

	Original Budget (\$'000s)	Current Budget (\$'000s)	YTD Actuals (\$'000s)	% Spent or Earned
<b>EXPENSES FROM CONTINUING OPERATIONS</b>				
Employee Costs	73,925	73,789	57,259	77.6%
Borrowing Costs	565	565	-	0.0%
Materials and Contracts	57,195	57,306	42,544	74.2%
Depreciation and Amortisation	28,406	28,406	23,672	83.3%
Other Operating Expenses	4,848	5,143	3,584	69.7%
Loss on Disposal of Infrastructure Assets	-	-	785	0.0%
<b>Total Expenses from Continuing Operations</b>	<b>164,939</b>	<b>165,208</b>	<b>127,844</b>	<b>77.4%</b>
<b>INCOME FROM CONTINUING OPERATIONS</b>				
Rates and Annual Charges	131,977	132,268	111,361	84.2%
User Charges and Fees	19,575	17,260	13,332	77.2%
Interest	842	816	414	50.7%
Other Revenues	5,627	4,928	4,032	81.8%
Other Income	3,338	2,415	2,239	92.7%
Operating Grants and Contributions	7,215	7,670	8,207	107.0%
Capital Grants and Contributions	12,344	18,444	10,935	59.3%
Gain on Disposal of Plant & Fleet Assets	-	-	455	0.0%
<b>Total Income from Continuing Operations</b>	<b>180,919</b>	<b>183,801</b>	<b>150,974</b>	<b>82.1%</b>
<b>Net Operating Result - Surplus/(Deficit)</b>	<b>15,980</b>	<b>18,593</b>	<b>23,130</b>	
<b>FUNDING STATEMENT</b>				
<b>SOURCE OF FUNDS</b>				
Surplus/(Deficit) from Operations - Accrual	15,980	18,593	23,130	124.4%
<b>Add Back Non-Funded Transactions included in Operations above</b>				
- Depreciation	28,406	28,406	23,672	83.3%
- Sales of Assets (Book Value)	1,266	1,266	803	63.4%
- Transfer from Internal Reserves	23,844	29,056	27,115	93.3%
- Transfer from External Reserves	10,149	16,088	1,295	8.1%
- Unrealised Gain/(Loss) on Market Value of Invest	-	-	552	0.0%
- Special Contribution	18,884	18,884	6,560	34.7%
- Loan Borrowings	19,000	19,000	33,500	176.3%
<b>Net Funds Available</b>	<b>117,529</b>	<b>131,292</b>	<b>116,628</b>	<b>88.8%</b>
<b>APPLICATION OF FUNDS</b>				
Assets Acquired	85,751	100,677	28,830	28.6%
Loan Principal Repayment	3,111	3,111	-	0.0%
Transfer to Internal Reserves	8,773	8,773	22,037	251.2%
Transfer to External Reserves	16,188	18,118	7,185	39.7%
<b>Total Funds Applied</b>	<b>113,823</b>	<b>130,678</b>	<b>58,052</b>	<b>44.4%</b>
<b>Total Funds Surplus/(Deficit)</b>	<b>3,706</b>	<b>614</b>	<b>58,576</b>	





# BALANCE SHEET

at 30 April 2022

	Actual as at 30 April 2022 (\$'000s)	Actual as at 30 June 2021
<b>CURRENT ASSETS</b>		
Cash, Cash Equivalents & Investments	148,290	95,706
Receivables	11,217	10,491
Inventories	659	644
Other	49	825
<b>TOTAL CURRENT ASSETS</b>	<b>160,215</b>	<b>107,666</b>
<b>NON-CURRENT ASSETS</b>		
Investments	8	8
Receivables	592	592
Infrastructure, Property, Plant & Equipment	1,873,209	1,869,269
Right of Use Asset	235	235
<b>TOTAL NON-CURRENT ASSETS</b>	<b>1,874,043</b>	<b>1,870,104</b>
<b>TOTAL ASSETS</b>	<b>2,034,258</b>	<b>1,977,769</b>
<b>CURRENT LIABILITIES</b>		
Payables & Prepayments	48,669	21,427
Provisions	21,373	21,756
<b>TOTAL CURRENT LIABILITIES</b>	<b>70,042</b>	<b>43,184</b>
<b>NON-CURRENT LIABILITIES</b>		
Income Received in advance	7,393	893
Lease Liabilities	242	242
Provisions	722	722
<b>TOTAL NON-CURRENT LIABILITIES</b>	<b>8,357</b>	<b>1,857</b>
<b>TOTAL LIABILITIES</b>	<b>78,399</b>	<b>45,041</b>
<b>NET ASSETS</b>	<b>1,955,859</b>	<b>1,932,729</b>
<b>EQUITY</b>		
Retained Earnings	871,402	848,272
Revaluation Reserves	1,084,457	1,084,457
<b>TOTAL EQUITY</b>	<b>1,955,859</b>	<b>1,932,729</b>

CO21/22



# STATEMENT OF CASH FLOW

at 30 April 2022

	Actual as at 30 April 2022 (\$'000)	Actual as at 30 June 2021 (\$'000)
<b>Cash Flows from Operating Activities</b>		
<b>Receipts:</b>		
Rates & Annual Charges	108,214	130,088
User Charges & Fees	13,195	20,939
Investment & Interest Revenue Received	694	919
Grants & Contributions	26,787	19,117
Bonds, Deposits & Retention amounts received	1,423	1,627
Other	6,533	17,209
<b>Payments:</b>		
Employee Benefits & On-Costs	(59,377)	(65,953)
Materials & Contracts	(44,865)	(62,970)
Borrowing Costs		(6)
Bonds, Deposits & Retention amounts refunded	(1,048)	(1,525)
Other	(3,971)	(10,403)
<b>Net Cash provided (or used in) Operating Activities</b>	<b>47,585</b>	<b>49,042</b>
<b>Cash Flows from Investing Activities</b>		
<b>Receipts:</b>		
Sale of Investment Securities	68,145	70,848
Sale of Infrastructure, Property, Plant & Equipment	881	1,340
<b>Payments:</b>		
Purchase of Investment Securities	(123,339)	(67,200)
Acquisition of term deposits		(7,900)
Purchase of Infrastructure, Property, Plant & Equipment	(28,830)	(39,411)
<b>Net Cash provided (or used in) Investing Activities</b>	<b>(83,143)</b>	<b>(42,323)</b>
<b>Cash Flows from Financing Activities</b>		
<b>Receipts:</b>		
Proceeds from Borrowings	33,500	-
<b>Payments:</b>		
Repayment of Borrowings		-
<b>Net Cash Flow provided (used in) Financing Activities</b>	<b>33,500</b>	<b>0</b>
<b>Net Increase/(Decrease) in Cash &amp; Cash Equivalents</b>	<b>(2,058)</b>	<b>6,719</b>
<b>plus: Cash &amp; Cash Equivalents - beginning of year</b>	<b>18,331</b>	<b>11,612</b>
<b>Cash &amp; Cash Equivalents - end of the period/year</b>	<b>16,273</b>	<b>18,331</b>
plus: <b>Investments on hand</b>	<b>132,017</b>	<b>77,375</b>
<b>Total Cash, Cash Equivalents &amp; Investments</b>	<b>148,290</b>	<b>95,706</b>

## Director Corporate Services Report No. CO22/22

**Subject: Voting delegates - LGNSW Board (casual vacancy)**

---

### Executive Summary

- LGNSW has a casual vacancy on its Board for the office of Director (Metropolitan/Urban council) which is required to be filled by secret postal ballot.
- Randwick City Council is entitled to nominate nine (9) voting delegates for this election.
- Council is required to advise LGNSW of the names and postal addresses of its nominated voting delegates for the election by 7 July 2022.

### Recommendation

That Council determine the nine (9) voting delegates for the election to fill a casual vacancy on the LGNSW Board for the office of Director (Metropolitan/Urban council).

### Attachment/s:

Nil

## Purpose

To establish Council's voting delegates for an election to fill a casual vacancy on the LGNSW Board for the office of Director (Metropolitan/Urban council).

## Discussion

LGNSW has a casual vacancy on its Board for the office of Director (Metropolitan/Urban council) which is required to be filled by secret postal ballot.

With respect to the election, the following procedures apply:

1. Metropolitan/Urban members are required to advise LGNSW of the names and postal addresses of their nominated voting delegates for the election by **7 July 2022**. Councils typically determine who their voting delegates are by council resolution.
2. Only Councillors from Metropolitan/Urban member councils are eligible to nominate as a candidate and to vote in the election.

Randwick City Council is entitled to nominate nine (9) voting delegates for this election.

LGNSW has made arrangements with the Australian Electoral Commission (AEC) to conduct the election. The election notice and nomination form for the election will be published on the AEC website on 2 June 2022.

## Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability
Direction	1c. Continuous improvement in service delivery based on accountability, transparency and good governance.

## Resourcing Strategy implications

Randwick City Council is a member of Local Government NSW (LGNSW).

## Policy and legislative requirements

The election will be conducted by the AEC under Section 189 of the Fair Work (Registered Organisations) Act 2009.

## Conclusion

Council is entitled to nominated nine (9) voting delegates for the election to fill a casual vacancy on the LGNSW Board. LGNSW must be advised of Council's voting delegates by 7 July 2022.

**Responsible officer:** Julie Hartshorn, Coordinator Administration

**File Reference:** F2004/06656

## Motion Pursuant to Notice No. NM31/22

**Subject: Notice of Motion from Cr Burst - Investigate safety issues at Bunnerong Road / Franklin St / Perry St Intersection**

---

### Motion:

That Council:

- a) notes that Bunnerong Road is a State Road and under the care and control of TFNSW;
- b) write to TFNSW expressing safety concerns and congestion issues at the Bunnerong Road/Franklin Street/Perry Street intersection and request they consider the feasibility of the following approach to reducing congestion:
  - 1) add road markings for straight/right turn to replace on right hand lane only, on both north & south Bound directions on Bunnerong Road;
  - 2) remove signs right lane must turn right;
  - 3) keep traffic signal sequence unchanged; and
  - 4) consideration be given to a 3-6 month trial.

### Background:

This intersection has had major traffic congestion since the Right Lane Only was added. This has been a community concerns since its inception. Traffic from the northern side backs up beyond Woolworths and on the Southern end beyond Australia St.

When travelling South or North through the intersection at Bunnerong Rd traffic needs to merge left into a single lane to travel straight creating a safety issue for the community.

As the Right Lane only lanes are used infrequently used, this impacts the bottleneck. Several options have been looked at but with no success. Sometimes the solution is a common sense approach, to keep it simple and not to over engineer. Community has suggested a 3-6 month trial.

I have seen this type of traffic markings and alternate combined Straight/ Right Arrows across the greater Sydney region daily (see image below).

NM31/22



**Source of funding:**

Responsibility of TFNSW.

**Attachment/s:**

Nil

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**Submitted by:** Councillor Burst, South Ward

**File Reference:** F2022/02312

## Motion Pursuant to Notice No. NM32/22

**Subject:** Notice of Motion from Cr Burst - Investigate shade sail on the northern side of the Snake Pit at La Perouse

---

### Motion:

That:

- a) Council request a report providing options and costings for a shading installation at the northern side of the snake pit at La Perouse, including but not limited to shade sails or an advanced tree.
- b) the report include advice as to opportunities for grant funding for the shading.

### Background:

The Snakeman educational shows at the Snake Pit in La Perouse have recommenced on Sundays as of 15 May 2022 starting from 1.30pm. As several containers hold snakes & other reptiles, its recommended they are kept in a shaded location. A suggestion of a 3-sided sail positioned on the northern side of the snake pit would provide shade that is needed.

The number of families, especially the kids, that were excited and mesmerised by the snake and reptile show, was great to see. I am proud that RCC support this vital educational show but continue to support into the future.

**Source of funding:** TBC

### Attachment/s:

Nil

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**Submitted by:** Councillor Burst, South Ward

**File Reference:** F2012/00347



## Motion Pursuant to Notice No. NM33/22

**Subject: Notice of Motion from Cr Veitch - Markets and other support for the Kingsford Town Centre**

---

### Motion:

That Council:

- a) notes that there have been significant delays to Light Rail recovery works in Kingsford and acknowledges that local businesses have also been severely impacted by the 2020-21 lockdowns and are in need of urgent support to revitalise the area and attract residents to this major town centre;
- b) liaise with Rotary and investigate re-establishing the Rotary Markets at the Rainbow St carpark in Kingsford in the 2022-23 financial year;
- c) investigate options for trialling night markets and farmers markets at the Rainbow St carpark in Kingsford in 2023;
- d) investigate options to undertake a marketing campaign (including targeted social media ads) to attract more residents from Randwick and neighbouring LGAs to patronise the restaurants, cafes, specialty food shops and other businesses in the Kingsford town centre; and
- e) receive a report no later than the October 2022 Council meeting.

### Attachment/s:

Nil

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**Submitted by:** Councillor Veitch, West Ward

**File Reference:** F2015/00419



## Motion Pursuant to Notice No. NM34/22

**Subject:** Notice of Motion from Cr Burst - Investigate new bus shelter on eastern side of Anzac Pde at Little Bay

---

### Motion:

That Council staff investigate the installation of a Bus Shelter on eastern side of Anzac Parade at Little Bay, just before Mark Moran nursing home after Pine Street and provide Council with a report outlining feasibility including cost and funding options.

### Background:

Although Little Bay bus stop has never had a shelter on eastern side. Little Bay is a terminus for many bus routes in South Ward. With the new 390X bus route that runs regularly. When residents off load from another terminating bus route, this stop is now critical as residents will disembark and may have to wait for a few minutes to link with 390X that runs through to La Perouse. This will provide safe shelter in the short transit.

**Source of funding:** TBC

### Attachment/s:

Nil

---

**Submitted by:** Councillor Burst, South Ward

**File Reference:** F2004/00811



## Motion Pursuant to Notice No. NM35/22

**Subject: Notice of Motion from Cr Pandolfini - Removal of significant weed infestation at Fred Hollows Reserve**

---

### Motion:

That Council receive a report in relation to weed management service levels at Fred Hollows Reserve and that the report include:

- a) a costing to increase service levels to remove infestation of weeds;
- b) the scope of works required to be taken to remove weeds while ensuring habitat loss impacts are minimised;
- c) continued maintenance and native planting with bushcare volunteers and contractors.

### Background:

- The 2-hectare (4.9-acre) Fred Hollows Reserve is situated in a natural area in what was formerly known as Glebe Gully between Alison Road to Clovelly Road, Randwick. In 1993, the reserve was established in honour of Fred Hollows. Fred Hollows AC was an Australian ophthalmologist who became known for his work in restoring eyesight for thousands of people in Australia and many other countries. It is estimated that more than one million people in the world can see today because of initiatives instigated by Hollows Fred Hollows former sandstone heritage home is situated nearby.
- The weeded areas are on steep slopes which makes them unsuitable for work by bushcare volunteers. Professionals are required to carry out the work.
- In the past few years the reserve has been weeded in small areas without replanting, ie. Community members have reported that small areas of bamboo removed and the other thirty square metres of bamboo left intact, resulting in quick regrowth of the bamboo and weeds.
- The gully faces south away from the sun, forming a closed canopy and a relatively fire-free habitat, which contrasts with the nearby urban area and busy traffic. The Reserve includes a pedestrian walkway and a natural spring.
- Flora includes various ferns such as false bracken, maidenhair fern, binung and gristle fern as well as grasses and banksias, coachwood, lilly pilly, magenta cherry, scentless, rosewood, callicoma, muttonwood, five-leaved water vine, bleeding heart and the locally scarce corkwood and Sydney peppermint. Lizards, frogs, and a wide variety of birds are known to live in the gorge. Some of the local inhabitants include glebe gully skinks, rainbow lorikeet, welcome swallow, kookaburra, pied currawong, sulphur-crested cockatoo, butcher birds, magpie and many others.
- Weeding and replanting has been neglected over the last decade due to insufficient funding and priority.
- Approximately one third of the Reserve is now weed infested (see red marked area on map attached). Weeds from the Reserve are now invading neighbouring properties, requiring local property owners to have to pay for weed removal from their properties.
- Ensuring that habitat loss is minimised, concerted effort needs to be given to removing all weeds and the area is subsequently replanted with natives to avoid a waste of resources as is presently happening.
- Recently, large areas experienced landslides due to the weeds unable to hold the ground in place on the steep slopes. The Reserve has been closed since the landslides.

### Attachment/s:

Nil

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**Submitted by:** Councillor Pandolfini, North Ward

**File Reference:** F2004/07551

**NM35/22**

## Motion Pursuant to Notice No. NM36/22

**Subject: Notice of Motion from Cr Pandolfini - Investigate using Randwick Town Hall & Barrett House for arts and culture activities**

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### Motion:

That Council receive a report on the cost and staff resources required to provide access to Randwick Town Hall and Barrett House for arts and cultural activities.

That the report:

- a) provide consideration of the following alterations and additions for Town Hall:
  - Temporary and moveable walls
  - Sufficient lighting to allow for the mounting and exhibition of artwork;
- b) provide consideration for the removal, archiving and future exhibition of the design posters currently held at Barrett House;
- c) provide consideration of discounted hire rates for a period of 6 months from commencement, while Council undertakes the broader review of Council facility usage and hire fees;
- d) be provided in time for consideration of the 2022/23 budget.

### Background:

With respect to part (a) - Pls note Council staff have already gained quotes and discussed their storage for the Randwick Town Hall.

Randwick Council has written into its strategic approach an arts and culture strategy for the next 10 years due to an acknowledgement that there is the need to nurture increased arts and cultural activities in Randwick.

Thriving arts and culture, like all industries, requires an ecology where creatives both emerging and established, community and professional have space and support to practice, produce and share work. Randwick council has numerous new arts and culture spaces for the community in the pipeline, however very few spaces that can be used currently.

Randwick arts and culture needs additional venues and spaces in all of our city centres. Spaces that can be used for grant proposals, spaces that aren't prohibitive to hire.

Randwick Council is currently sitting on an extensive amount of public usage buildings that aren't accessible. There are plans underway to audit the council building usage but this doesn't offer any immediate solutions.

I am proposing that we make minor adjustments so that Randwick Town Hall and Barrett House can be used more readily for arts and culture activities and can be used through the grants programs proposals.

The reason that I am suggesting these spaces initially is that they seem to only need minimal adjustments to be made available for the general public.

Randwick Town Hall is only used at 10% of its capacity and that is based on prior to COVID statistics as provided by council. It sits right in the middle of the community. It has an accessible entrance and sits in the middle of a busy city centre.

	Indicators	Indicator Type	Unit	Baseline (2019 average (hrs/week))	Target (utilisation)	Target (hours)	Trend
Accountable Person							
Manager Customer and Compliance	Utilisation of Burnie Park Community Centre (hours booked)		hours/week (average)	29/71 hours utilised	45% utilisation	31.95	Increase
Manager Customer and Compliance	Utilisation of Clovelly Senior Citizens Centre (hours booked)		hours/week (average)	16/77 hours utilised	25% utilisation	19.25	Increase
Manager Customer and Compliance	Utilisation of Coogee Senior Citizens Centre (hours booked)		hours/week (average)	40/77 hours utilised	55% utilisation	42.35	Increase
Manager Customer and Compliance	Utilisation of Kensington Park Community Centre Hall 1 (hours booked)		hours/week (average)	41/77 hours utilised	60% utilisation	48.2	Increase
Manager Customer and Compliance	Utilisation of Kensington Park Community Centre Hall 2 (hours booked)		hours/week (average)	53/77 hours utilised	70% utilisation	53.9	Increase
Manager Customer and Compliance	Utilisation of Malabar Memorial Hall (hours booked)		hours/week (average)	27/77 hours utilised	40% utilisation	30.8	Increase
Manager Customer and Compliance	Utilisation of Maroubra Senior Citizens Centre (hours booked)		hours/week (average)	39/77 hours utilised	55% utilisation	42.35	Increase
Manager Customer and Compliance	Utilisation of Matraville Youth and Cultural Hall (MYCH) (hours booked)		hours/week (average)	40/77 hours utilised	55% utilisation	42.35	Increase
Manager Customer and Compliance	Utilisation of South Coogee Totem Hall (hours booked)		hours/week (average)	10/77 hours utilised	15% utilisation	11.55	Increase
Manager Customer and Compliance	Utilisation of Randwick Town Hall (hours booked)		hours/week (average)	8/110 hours utilised	10% utilisation	11	Increase
<b>COMBINED MEASURE</b>	<b>Utilisation of Council's community halls (hours booked per week)</b>	<b>Performance</b>		<b>303 hrs</b>		<b>332 hrs</b>	<b>Increase</b>

I was recently in Melbourne and at the Fitzroy Town Hall they had converted the front two under utilised rooms into a fantastic gallery space with temporary wall structures. It activated the space as a temporary measure. On the weekend when I was there it was busy and bustling and inspired community attendance at the small cafes opposite.

Barrett House was the home of pioneer filmmaker [Franklyn Barrett](#), who wrote, edited and produced silent films in his home at 22 Frenchmans Road (now 6 Barrett Place).

As a result, Barrett House is listed as a heritage item under Randwick's Local Environmental Plan 1998. His daughter Harrie Todds Barrett generously bequeathed Barrett House to Randwick Council on the proviso that it be maintained as a community resource, including a permanent dedication to the work of filmmaker Franklyn Barrett to the Australian film industry.

It has been a fantastic site as part of the environmental partnerships with Waverley and Woolhara and as an example of renewable energy in context. However, the technologies in this space are out of date and the partnership no longer requires the usage of the space. It has recently been repainted and has 2 - 3 generous sized rooms, bathroom, an architecturally designed kitchen and garage space and a front courtyard that would be suitable for small arts and cultural activities.

Even if it is opened up for arts and cultural events it could still be used for environment groups meetings where required and also the proposed tool library, while also being maximised and utilised for events that are true to the iconic filmmakers who bequeathed it.

There are really important environmental posters which should be archived at Barrett House.

Although small and situated in a residential space Barrett House also sits on the lively Frenchmans Road shopping strip the types of cultural events that it could be used for include, but aren't limited to, small scale works on paper, film screening, ceramic and small sculpture

exhibitions, video art exhibitions, art / environment collaborations, craft markets, backyard crop swaps and so on.

Opening these spaces up will provide the community with further options to activate under utilised spaces and also can also be considered test cases for further activations of council owned properties in the future,

**Attachment/s:**

Nil

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**Submitted by:** Councillor Pandolfini, North Ward

**File Reference:** F2004/07110