



Ordinary Council

Monday 9 September 2024

6.30pm

Agenda



Council Meeting

Council will be holding Council (i.e. Ordinary and Extraordinary) meetings with the Mayor, Councillors and staff participating in person.

Members of the public are invited to attend the Council meeting in person on watch and/or listen live (via Council's website). Public participation online or by phone will be managed in accordance with meeting procedures.

Members of the public may also submit late correspondence. Instructions on how to do this are provided below:

- **To watch and/or listen to the meeting live (from 6.30pm)**
Details on how to watch and listen to the meeting live will be available at Council Agendas, Audio Recordings and Minutes.
<https://www.youtube.com/@woollahracouncil5355/streams>
- **To request to address the Council (pre-register by 10.00am on the day of the meeting)**
Pre-register to address the Committee by 10.00am on the day of the meeting by using the relevant registration form on Council's website - www.woollahra.nsw.gov.au
- **To submit late written correspondence (submit by 10.00am on the day of the meeting)**
Members of the public may submit late written correspondence on an agenda item being considered at the Council meeting. If you wish to make a written submission on an item on the agenda, please email your submission to records@woollahra.nsw.gov.au by 10.00am on the day of the meeting.

The audio recording and late correspondence considered at the meeting will be uploaded to Council's website by 5.00pm on the next business day.

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By addressing a Council meeting, members of the public consent to their voice and personal information (including name and address) being recorded and publicly available on Council's website.

Accordingly, please ensure your address to Council is respectful and that you use appropriate language and refrain from making any defamatory statements or discriminatory comments.

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Ordinary and Extraordinary Council Meeting Membership: 15 Councillors (including the Mayor)

Quorum: The quorum for Council meeting is 8 Councillors

Woollahra Municipal Council

Notice of Meeting

5 September 2024

To: His Worship the Mayor, Councillor Richard Shields ex-officio
Councillors Sarah Swan (Deputy Mayor)
Sean Carmichael
Peter Cavanagh
Luise Elsing
Nicola Grieve
Mary-Lou Jarvis
Harriet Price
Lucinda Regan
Matthew Robertson
Isabelle Shapiro
Mark Silcocks
Merrill Witt
Susan Wynne
Toni Zeltzer

Dear Councillors,

Ordinary Council – 9 September 2024

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council's **Ordinary Council** meeting to be held in the **Mansfield Room, 536 New South Head Road, Double Bay - held via teleconference, on Monday 9 September 2024 at 6.30pm.**

Members of the Public may:

- Register to address the meeting (via Zoom) by completing the relevant form available on Council's website: <https://www.woollahra.nsw.gov.au/files/assets/public/v/1/forms/code-of-meeting-practice-comp-public-forum-registration-form-items-not-on-the-agenda-2023-2024.pdf> and email the completed form to records@woollahra.nsw.gov.au **by 10.00am on the day of the meeting.**
- Submit late correspondence for consideration by Councillors by emailing records@woollahra.nsw.gov.au **by 10.00am on the day of the meeting.**

Watch and listen to the meeting live via Council's website:

https://www.woollahra.nsw.gov.au/council/meetings_and_committees/council_meetings/council_agendas_and_minutes.

An audio recording of the meeting will be uploaded to Council's website following the meeting by 5.00pm on the next business day.

If you have any difficulties accessing the meeting please contact (02) 9391 7001.

Regards,

Craig Swift-McNair
General Manager

Ordinary Council Meeting

Agenda

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6. Confirmation of Minutes

Item No:	6.1
Subject:	CONFIRMATION OF COUNCIL MEETING MINUTES - 26 AUGUST 2024
Author:	Sue O'Connor, Governance Officer
File No:	24/141624
Purpose of the Report:	The Minutes of the Council of 26 August 2024 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.
Alignment to Delivery Program:	Strategy 11.3: Ensure effective and efficient governance and risk management.

Recommendation:

THAT the Minutes of the Council Meeting of 26 August 2024 be taken as read and confirmed.

Executive Summary:

This report presents the Council Minutes of 26 August 2024 for confirmation.

Discussion:

The Council Meeting Minutes are presented as a procedural matter. Any matter arising from the Minutes can be discussed.

A copy of the Minutes are provided as **Attachment 1**.

Options:

Submission of Minutes to the [insert meeting] is a procedural matter for the adoption of the Minutes.

Community Engagement and / or Internal Consultation:

No internal or external consultation has taken place in the preparation of this report.

Policy Implications:

There are no direct policy implications as a result of this report.

Financial Implications:

There are no direct financial implications as a result of this report.

Resourcing Implications:

There are no direct resourcing implications as a result of this report.

Conclusion:

The Minutes are presented for confirmation by the Council Meeting.

Attachments

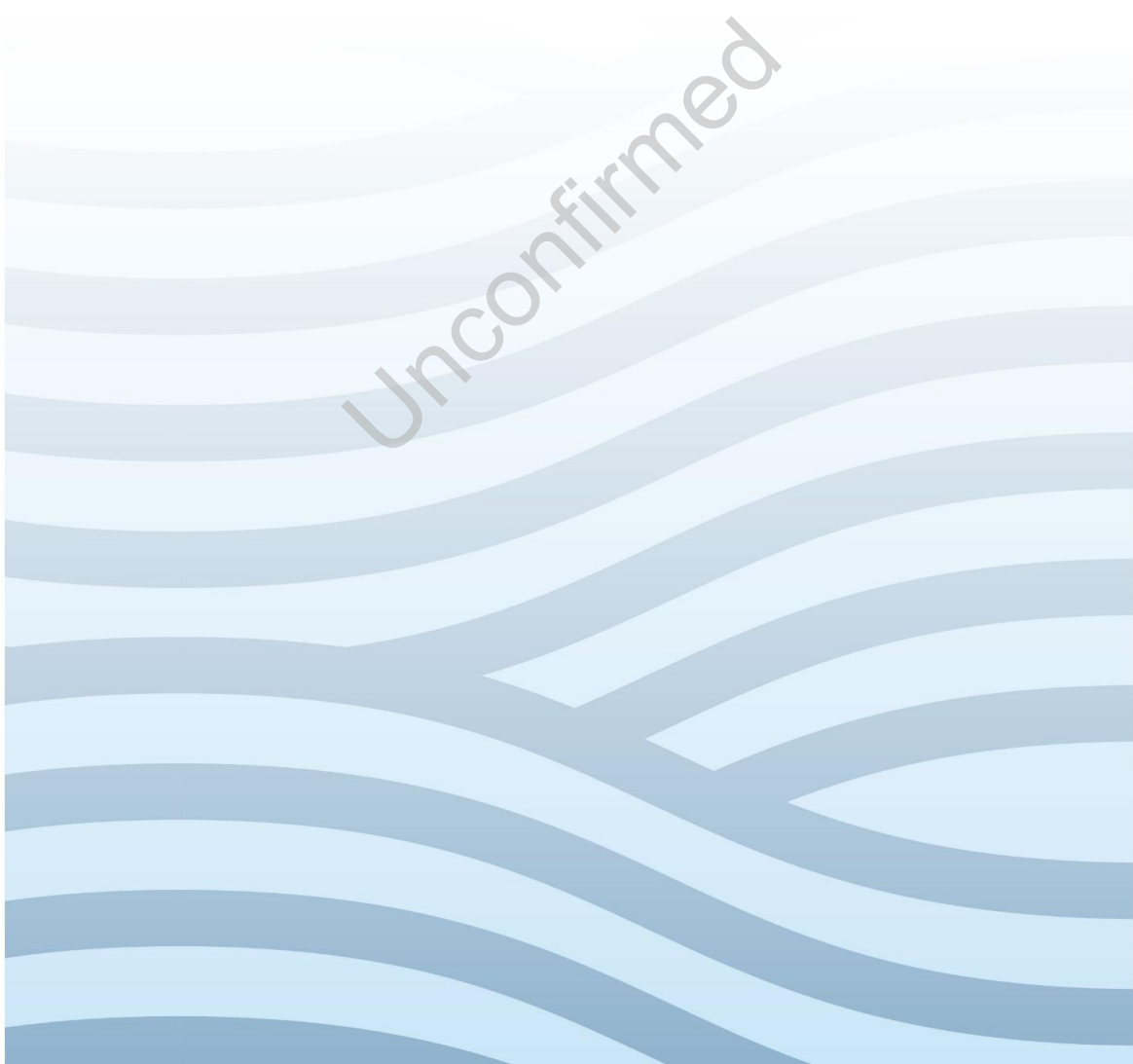
1. Unconfirmed Council Minutes - 26 August 2024 [↓](#) 



Ordinary Council

Monday 26 August 2024
5.30pm

Minutes



Ordinary Council Meeting Monday 26 August 2024

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Unconfirmed

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 August 2024

Ordinary Council Meeting

Minutes of the Meeting of Ordinary Council held at the Council Chambers, 536 New South Head Road, Double Bay, on 26 August 2024 at 5.30pm

Present: His Worship the Mayor, Councillor Richard Shields ex-officio
Councillors Sarah Swan (Deputy Mayor)
Sean Carmichael
Peter Cavanagh (joined at 5.47pm during Item 15)
Luise Elsing
Nicola Grieve
Mary-Lou Jarvis (via Zoom) (in person at 6.03pm for Items 1 to 15 only)
Harriet Price
Lucinda Regan
Matthew Robertson
Isabelle Shapiro (left the meeting at 6.39pm during Item 15)
Mark Silcocks (joined at 5.35pm during Item 6.1)
Merrill Witt
Susan Wynne

Staff: Jennifer Chenhall (Manager – Governance & Risk)
Rhys Johnson (Governance Coordinator)
Sue Meekin (Director – Corporate Performance)
Carolyn Nurmi (Governance Officer)
Patricia Occelli (Director – Community & Customer Experience)
Sue O'Connor (Governance Officer)
Tom O'Hanlon (Director – Infrastructure & Sustainability)
Scott Pedder (Director – Planning & Place)
Craig Swift-McNair (General Manager)

Also in Attendance: Nil

10. Mayoral Minute

Item No:	10.1
Subject:	RECOGNITION OF SERVICE - MR MARK RAMSAY
Author:	Richard Shields, Mayor
File No:	24/158436
Purpose of the Report:	To acknowledge the long service and outstanding contribution of Mr Mark Ramsay to Woollahra Municipal Council and our community.

Recommendation:

THAT Woollahra Municipal Council formally acknowledges the exemplary service of Mr Mark Ramsay during his 36 years of employment and thanks him for his contribution to our community.

Background:

On 27 September 2024, Mark Ramsay, Council's Manager Civil Operations, will retire from Council after 36 years of service. Mark's contribution to the Council organisation and the Woollahra community cannot be overstated.

Mark commenced with Council in 1988 as a mechanic. In the ensuing years he progressed his career in the roles of Plant Foreman, Supervisor and Plant and Fleet Coordinator. In 2005, Mark commenced his first management role, then titled Manager of Depot and Waste Services.

In 2011, Mark's role was expanded to include a broader range of civil maintenance tasks, with a new title of Manager Civil Operations. In this role, Mark has been primarily responsible for many of Council's most critical functions including waste collection and processing; public domain cleaning; footpath and road maintenance and after hours/emergency response.

Throughout his time at Council, Mark has been highly regarded by his colleagues and the elected Council. He is known for his sharp intelligence, wisdom, calmness and humour. He has been a coach and mentor to a generation of operational staff and has provided an enormous contribution to the management and executive levels of Council.

As Council's first responder and key liaison with emergency services, Mark has responded to countless late night, early morning and weekend calls. He has been instrumental in developing and managing a very strong working relationship with Waverley Woollahra SES, which provides support to our local community during extreme weather and emergency situations.

As well as being a first rate operational manager, Mark has been an innovator and contributor to broader industry improvement, particularly in the area of waste management. It is noted that under Mark's management, Woollahra Council introduced a 'Kitchen to Compost' service in 2008. This type of service, now commonly known as 'FOGO', is only now becoming mainstream across local government and has been mandated by the NSW Government for introduction across the industry by 2030.

I would also like to specifically acknowledge the central role that Mark played in Council's response to the Covid 19 Pandemic. As a key liaison with other emergency responders and as the manager responsible for the most critically threatened operations, Mark's experience, agility, calmness and practical approach were pivotal in keeping our staff and community safe during that very difficult time.

Councillors, I believe that the dedication and loyalty Mark Ramsay has demonstrated during his 36 years of service to our organisation and the community is worthy of recognition and admiration. Please join me in thanking him for his exemplary service and wishing him well in his retirement and future endeavours.



Cr Richard Shields
Mayor of Woollahra

Attachments

Nil

Item No: 10.2
Subject: **EASTS RUGBY SHUTE SHIELD - CONGRATULATIONS**
Author: Richard Shields, Mayor
File No: 24/159948
Purpose of the Report: Acknowledge the Easts Rugby win of the Shute Shield - 2024

Recommendation:

THAT Council acknowledge and resolve that the Mayor write to congratulate the Eastern Suburbs District Rugby Union Football Club on their historic win of the 2024 Shute Shield.

Discussion:

Eastern Suburbs District Rugby Union Football Club (ESDRUFC) has a long and storied history in the Woollahra LGA, with the club's home having been Woollahra Oval (also known as Andrew Petrie Oval) in Rose Bay since 1949.

So it is with a great deal of pride that I and many members of the Woollahra community celebrated Easts' victory in the Shute Shield, the premier club rugby union competition in New South Wales, on Saturday 31 August – its first win in 55 years.

The club became first grade premiers for the first time since 1969 with a nail-biting one point victory over Norths, 36-35, at Leichhardt Oval. In addition to this historic win, the club also won premierships in 1st Colts, 3rd Colts and 4th Grade, wrapping up a fantastic year in which they also won the Club Championship. In the last three years, the club has won all of the eight competitions in which it competes, with a strong cohort of local juniors also now coming through.

Dominic Remond, CEO of ESDRUFC, said: *“This is a wonderful result for all the effort and hard work put in by our players, coaches, managers, volunteers and sponsors. To see the elation on faces at Leichhardt Oval and back at the clubhouse, was testament to the deep connections with our local community” “This has been somewhat a monkey on our back for over five decades and a great relief to have our names back on the Shute Shield.”*

I know many of our Councillors have actively supported Easts Rugby and I am delighted that Woollahra Council's upgrade of Woollahra Oval to a sustainable synthetic turf playing surface, delivered in 2018, meant the facility could be used for 60 hours a week, year round, as opposed to its previous 20-hour limit. Both Easts and other local sporting clubs have benefited greatly from increased playing and training options in the years since.



Now the drought has been broken, we look forward to celebrating many more successes for the club into the future. Council will continue to work with Easts to look for ways to improve the amenities at Woollahra Oval and as per a recent resolution of Council, we are currently looking at how we can assist to deliver much-needed female change rooms as part of our commitment to supporting women and girls in local sport.



Cr Richard Shields
Mayor of Woollahra

Attachments

Nil

12. General Manager and Officer's Report

Item No:	12.1
Subject:	FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024
Authors:	Henrietta McGilvray, Senior Corporate Accountant Esther Hii, Acting Senior Corporate Accountant Paul Ryan, Chief Financial Officer
Approvers:	Sue Meekin, Director Corporate Performance Craig Swift-McNair, General Manager
File No:	24/149418
Purpose of the Report:	To present the Financial Statements for the year ended 30 June 2024, provide commentary on the budget result for 2023-24 and recommend to Council the adoption of Council's Statement in relation to the Financial Statements.
Alignment to Delivery Program:	Strategy 11.2: Secure Council's financial position.

Recommendation:

THAT Council:

- A. Note Council's financial position at 30 June 2024 including:
 - i Net operating surplus for the year from continuing operations of \$13.757m
 - ii Net operating deficit for the year before grants and contributions provided for capital purposes of (\$2.455m)
 - iii A working funds balance of \$5.186m
- B. Note that Council exceeded six out of six of the Office of Local Government (OLG) Performance Ratio benchmarks for 2023-2024, being the:
 - i. Operating Performance Ratio
 - ii. Own Source Operating Revenue Ratio
 - iii. Unrestricted Current Ratio
 - iv. Debt Service Cover Ratio
 - v. Rates and Annual Charges Outstanding Percentage Ratio
 - vi. Cash Expense Cover Ratio
- C. Having noted the statement of confirmation provided in the report by the General Manager and the Chief Financial Officer (Responsible Accounting Officer) and the review by the Audit, Risk & Improvement Committee, adopt the following statement in relation to its Financial Statements for the year ended 30 June 2024:

That, in relation to the General Purpose Financial Statements for the year ended 30 June 2024, Council is of the opinion that:

The General Purpose Financial Statements have been prepared in accordance with:

- i. the Local Government Act 1993 (NSW) (as amended) and Regulations made thereunder;*
- ii. the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board;*
- iii. the Local Government Code of Accounting Practice and Financial Reporting*

And to the best of our knowledge and belief, these Financial Statements present fairly Council's operating result and financial position for the year; and accord with Council's accounting and other records; and further, the signatories to the Statement, to the best of our knowledge and belief, are not aware of any matter that would render the Statements false or misleading in any way.

- D. Formally refer the General Purpose Financial Statements for the year ended 30 June 2024 for audit; and
- E. In anticipation of receiving the Auditor's Reports, sets the Council meeting to be held on Monday 28 October 2024 as the meeting at which the Financial Statements will be presented to the public.

Executive Summary:

Council's financial results for the financial year ended 30 June 2024 remain strong. Council has seen additional rates income from the special rates variation, significant additional income from advertising, a substantial uplift in interest income from higher interest rates; and sound budgetary control.

Council returned an operating surplus for the year of \$13.757m (LY: \$21.506m). Excluding capital grants and contributions the result was a deficit of (\$2.455m) (LY: surplus of \$12.901m).

Total income of \$136.37m was 4.3% higher than last year's \$130.806m. Income was higher across all line items with the exception of grants and contributions provided for operating purposes and the fair value increment / decrement on investment properties.

Total expenses of \$122.613m were higher than last year's \$109.3m by 12.2% with cost increases across all line items with the exception of borrowing costs. Section 4 of this report details the reasons for the expenditure increases compared to the prior year.

Council's working funds balance at 30 June 2024 was \$5.186m (LY: \$7.483m). This is higher than Council's benchmark level of \$2.887m (LY: \$3.274m) noting that we maintain a level of working funds to allow us to respond to issues not foreseen in the budget.

Council met six out of six of the Office of Local Government (OLG) performance ratio benchmarks. Importantly the Operating Performance Ratio (OPR) was positive at 5.44% versus last year's 3.64% and the prior year's -4.58% which was significantly impacted by the COVID-19 pandemic.

The draft Financial Statements will be presented to the Audit, Risk & Improvement Committee (ARIC) at their meeting on Friday 6 September 2024. The ARIC feedback, if any, on the Financial Statements will be provided as late correspondence before this Council meeting.

It is recommended that in anticipation of receiving the Auditor's Reports, Council set the Council meeting to be held on Monday 28 October 2024 as the meeting at which the 2023-24 Financial Statements will be presented to the public.

Discussion:

Each year, all Councils in NSW are required to prepare a set of financial statements. The form and content of the statements is set down in the Local Government Code of Accounting Practice and Financial Reporting (the Code) updated and re-issued by the Office of Local Government (OLG) each year. The financial statements must comply with the Code, the Local Government Act and its Regulations and the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board.

The financial statements set out the income and expenditure, financial position and cash flows of Council at each financial year ending 30 June, supported by detailed notes to the financial statements. The statements must be certified by senior staff as 'presenting fairly' the Council's financial results for the year and are required to be adopted by Council.

The five (5) primary financial statements are:

1. *Income Statement*

The Income Statement, at page 4 of Attachment 1, presents a summary of Council's financial performance for the 12 months ending 30 June 2024, showing all income and operational expenses. The statement also includes both the Council's original adopted budget for the year, and prior year figures. This enables comparisons between what was forecast and what actually happened and also how things have changed from the previous year.

It is important to note that only operational expenditure is included in the Income Statement and consequently recorded in the Net Operating Result for the year. Capital expenditure, that is expenditure incurred for the acquisition and construction of assets, or other purposes such as transfers to reserves, are not included in the Income Statement. Capital expenditure is recorded as movements in the value of assets in the Statement of Financial Position (balance sheet). Details of the value of reserves and assets are provided in Notes C1-3, C1-7 and C1-8 to the Financial Statements respectively.

References to the detailed notes to the financial statements are also provided.

2. *Statement of Comprehensive Income*

The Statement of Comprehensive Income, at page 5 of Attachment 1, presents a broader view of Council's total income through the inclusion of sources of income that are not included in the Income Statement, such as movements in equity resulting from the revaluation of assets. Details of these changes are provided in the notes to the statements.

3. *Statement of Financial Position (Balance Sheet)*

The Statement of Financial Position (balance sheet), at page 6 of Attachment 1, provides a snapshot of Council's financial position at the end of 30 June each year, listing its assets and liabilities. Again references are provided to the detailed notes.

4. *Statement of Changes in Equity*

The Statement of Changes in Equity, at page 7 of Attachment 1, records the movement in total equity for the year ended 30 June 2024, across contributing components, including the net operating result for the year and any movements to/from asset revaluation reserves.

5. *Statement of Cash Flows*

The Statement of Cash Flows, at page 8 of Attachment 1, records where Council's cash receipts came from and how it was spent. Similar to the Income Statement, this statement also includes both the Council's originally adopted budget and prior year figures to provide comparisons between what was forecast and what actually happened and also how things have changed from the previous year. Supporting details and a reconciliation of cash and cash flows is provided in the notes to the statement of cash flows at Notes C1-1, C1-2 and G1-1.

The financial statements are required to be audited by external auditors. All councils in NSW are audited by the Auditor-General for NSW. The Auditor-General has again contracted Prosperity Advisers Group to conduct the 2023-24 audit. The Auditor-General provides two audit reports:

1. An opinion on whether the financial statements 'present fairly' Council's financial position and performance; and

2. Their observations on the conduct of the audit including Council's financial position and performance.

Following receipt of the Auditor's Reports, Council is required to send its audited financial statements to the NSW Office of Local Government no later than 31 October each year.

Like many other Council documents, the financial statements are publicly exhibited each year and submissions from the public invited. Under section 418 of the Local Government Act 1993, as soon as practicable after the Auditor's Reports are received, Council must fix a meeting at which it proposes to present its Financial Reports, together with the Auditor's Reports to the Public and must give the public notice of this meeting date.

In anticipation of receiving the Auditor's Reports, it is recommended that the Council meeting to be held on Monday 28 October 2024 be set as the meeting at which the Financial Statements will be presented to the public.

Any submissions received will be reported to Council with responses from staff. The submissions received are also sent to Council's auditor.

Supplementing the financial statements are a number of Special Schedules which include additional information on Council's condition of public works (building and infrastructure assets) and Rates compliance. The Special Schedules will be reported to the Council when the financial statements are presented to the public on Monday 28 October 2024.

This report presents the financial statements for the year ended 30 June 2024 to the Council and seeks a recommendation to Council to adopt the required statement in relation to them. Out of necessity this is a quite lengthy and complex report, however it provides an overview of the following areas (shown in no particular order):

- An Executive Summary presenting a high level summary of Council's financial position and performance;
- A certification from senior staff in relation to the financial statements;
- A detailed review of the budget result for the year using key indicators reported on over the course of the year in quarterly budget reviews (refer Attachment 2);
- A detailed review of the changes from the previous financial year;
- Details of Council's restricted cash reserves;
- An overview of the performance of Council's investment portfolio;
- An overview of 'Other Entities' disclosed in the financial statements and
- Commentary on asset revaluations.

1. Statement by Council in respect of the Financial Statements:

The general purpose financial statements must be prepared in accordance with the Local Government Act 1993 (NSW) (as amended) and Regulations made thereunder, Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board and the Local Government Code of Accounting Practice and Financial Reporting.

Before the financial statements can be formally referred for audit, Council is required to adopt a statement on its financial statements. The statement must indicate:

- (a) whether or not the financial statements have been prepared in accordance with:
 - 1) the Local Government Act 1993 (NSW) (as amended) and Regulations made thereunder;
 - 2) the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board; and
 - 3) the Local Government Code of Accounting Practice and Financial Reporting

- (b) whether or not the statements present fairly Council's operating result and financial position for the year;
- (c) whether or not the statements accord with Council's accounting and other records; and
- (d) whether or not the signatories know of anything that would render the statements false or misleading in any way.

The statement must be signed by the Mayor, at least one Councillor (generally the Chair of the Finance, Community & Services Committee), the General Manager and the Responsible Accounting Officer. Council's Chief Financial Officer is the Responsible Accounting Officer.

To assist Councillors with their decision in respect of the recommendations to this report, the following statement by the General Manager and Chief Financial Officer is provided:

We acknowledge our responsibility for the preparation of the general purpose financial statements and we confirm, to the best of our knowledge and belief, the following:

- The financial statements have been prepared in accordance with the Local Government Act 1993 (NSW) (as amended) and Regulations made thereunder, Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board and the Local Government Code of Accounting Practice and Financial Reporting so as to present fairly Council's operating result and financial position for the year.
- There have been no irregularities involving management or employees who have a significant role in the accounting and internal control systems or that could have a material effect on the financial statements.
- We have made available to the auditors all books of account and supporting documents and all minutes of meetings of Council and the Audit, Risk & Improvement Committee.
- The financial statements are free of material misstatements, including omissions.
- The Council has complied with all aspects of contractual arrangements that could have a material effect on the financial statements in the event of non-compliance. There has been no non-compliance with requirements of regulatory authorities that could have a material effect on the financial statements in the event of non-compliance.
- We have recorded or disclosed, as appropriate, all liabilities, both actual and contingent, and have disclosed all guarantees that we have given to third parties.
- There are no formal or informal set-off arrangements with any of our cash and investment accounts. Except as disclosed in the financial statements, we have no overdraft arrangements.

Accordingly, we believe that it is in order for Council to adopt its statement of certification in relation to the financial statements which is presented in Recommendation 'C' to this report.

2. Review by the Audit, Risk & Improvement Committee (ARIC):

The draft Financial Statements will be presented to the Audit, Risk & Improvement Committee (ARIC) at their meeting on Friday 6 September 2024. The ARIC feedback on the Financial Statements will be provided as late correspondence before this Council meeting.

3. Overall Financial Position:

At the end of the 2023-24 financial year Council's financial position remains strong. The introduction of the Special Rate Variation of 13.7% and advertising revenue in 2023-24 further strengthened Council's long term financial sustainability. A major risk to financial sustainability continues to be cost shifting by the state and federal governments along with the risk of a global economic recession, higher energy costs, and an IPART rate peg setting methodology in need of major overhaul.

A copy of the General Purpose Financial Statements for the year ended 30 June 2024 is provided at Attachment 1 and are referenced where appropriate.

Working Funds

Working funds are accumulated funds that have not been set aside for a specific purpose and provide Council with some capacity to respond to unforeseen circumstances. Council's working funds decreased from \$7.483m in the prior year to \$5.186m as at 30 June 2024, a decrease of \$2.297m. During the year, Council restricted \$3.0m of funds for the Urban Forest Strategy. At \$5.186m, the workings funds balance is above Council's benchmark level of working funds Council has calculated for 30 June 2024, being \$2.887m. Council has traditionally calculated the benchmark level of working funds as the balance of arrears of rates plus the value of inventory at 30 June each year, with inventory defined as stores and materials held for daily works and services.

Performance Measurement Indicators (Note G5-1, Page 63 of Attachment 1)

Indicator	2023-24	2022-23	2021-22	Benchmark
Operating Performance Ratio	5.44%	3.64%	(4.58)%	> 0.0%
<p>The 2023-24 operating performance ratio at 5.44% exceeds the OLG benchmark of >0% and has improved since prior year. This improvement is due to financial sustainability repairs including a special rate variation, additional income from advertising, efficiency reviews and the higher interest rate environment generating higher interest income on investment balances.</p> <p>2021-22 was impacted by significant decreases in income due to the COVID-19 pandemic and one-off redundancy costs from the organisation restructure. Excluding the impact of COVID-19 and the one-off redundancy costs, the ratio for 2021-22 would have been 2.44%, which is above the benchmark.</p>				
Own Source Operating Revenue	84.70%	86.68%	87.25%	> 60%
<p>The ratio remains well in excess of the 60% benchmark.</p>				
Unrestricted Current Ratio	4.42x	3.55x	3.49x	> 1.5x
<p>Council's liquidity remains strong and well above the 1.5% benchmark.</p>				
Debt Service Cover Ratio	4.18x	3.63x	2.10x	> 2.0x
<p>The debt service cover ratio remains strong and well above the benchmark of 2.0x.</p>				
Rates Outstanding Percentage	4.16%	5.18%	4.54%	< 5.0%
<p>The ratio is within the benchmark of less than 5%. The favourable movement in this percentage is due to an extensive debt recovery process being undertaken in conjunction with third-party debt collectors and other state agencies.</p>				
Cash Expense Cover Ratio	11.13	12.84	11.05	> 3 months
<p>The ratio remains well in excess of the 3 month benchmark.</p>				

Operating Result – Comparison between 2023-24 and the prior year 2022-23

The **Income Statement** (Page 4 of Attachment 1) discloses Council's income and operating expenses for the year along with a comparison to the original budget adopted by Council and to the prior year. It is set out in the table below, along with the revised budget forecasts from the March quarterly budget review.

Original Budget 2023-24 \$'000	Revised Budget 2023-24 \$'000		Actual 2023-24 \$'000	Actual 2022-23 \$'000
		Income from Continuing Operations:		
66,124	66,180	Rates & Annual Charges	66,136	59,700
13,201	14,562	User Charges & Fees	15,565	14,343
11,471	16,681	Other Revenue	16,230	10,864
4,796	6,099	Operating Grants & Contributions	5,676	7,561
10,552	11,687	Capital Grants & Contributions	16,212	8,605
1,929	4,954	Interest & Investment Revenue	5,626	3,247
17,370	17,210	Other Income	17,608	17,110
1,150	(6,670)	Fair value increment /(decrement) on investment properties	(6,683)	9,376
126,593	130,702	Total Income	136,370	130,806
		Expenses from Continuing Operations:		
49,252	49,520	Employee Benefits & On-Costs	47,706	45,055
43,823	49,193	Materials & Services	50,408	42,891
1,809	1,806	Borrowing Costs	1,806	1,933
14,834	15,919	Depreciation & Amortisation	15,348	14,752
4,792	4,797	Other Expenses	4,807	3,747
451	79	Net loss from disposal of assets	2,538	922
114,961	121,314	Total Expenses	122,613	109,300
11,632	9,388	Net Operating Result	13,757	21,506
1,080	(2,299)	Net Operating Result before Capital Grants & Contributions	(2,455)	12,901

The Net Operating Result for the year was a surplus of \$13.757m compared to 2022-23: \$21.506m and 2021-22: \$14.962m.

Items of note in the income statement impacting the result in 2023-24 are:

1. Extra income from the Special Rate Variation of +\$4.373m.
2. A fair value decrement on Council's investment properties of -\$6.683m. This is a non-cash item. The valuation in 2023-24 is discussed in detail on page 11 of this report.
3. Extra income from advertising of +\$5.091m.
4. Higher interest income +\$2.379m due to the increased interest rate environment.
5. Higher Materials and Services expense -\$7.517m primarily due to \$3.084m of capital project expenditure that is unable to be capitalised to the fixed asset register and \$1.568m of expenditure for projects funded from the special rate variation.

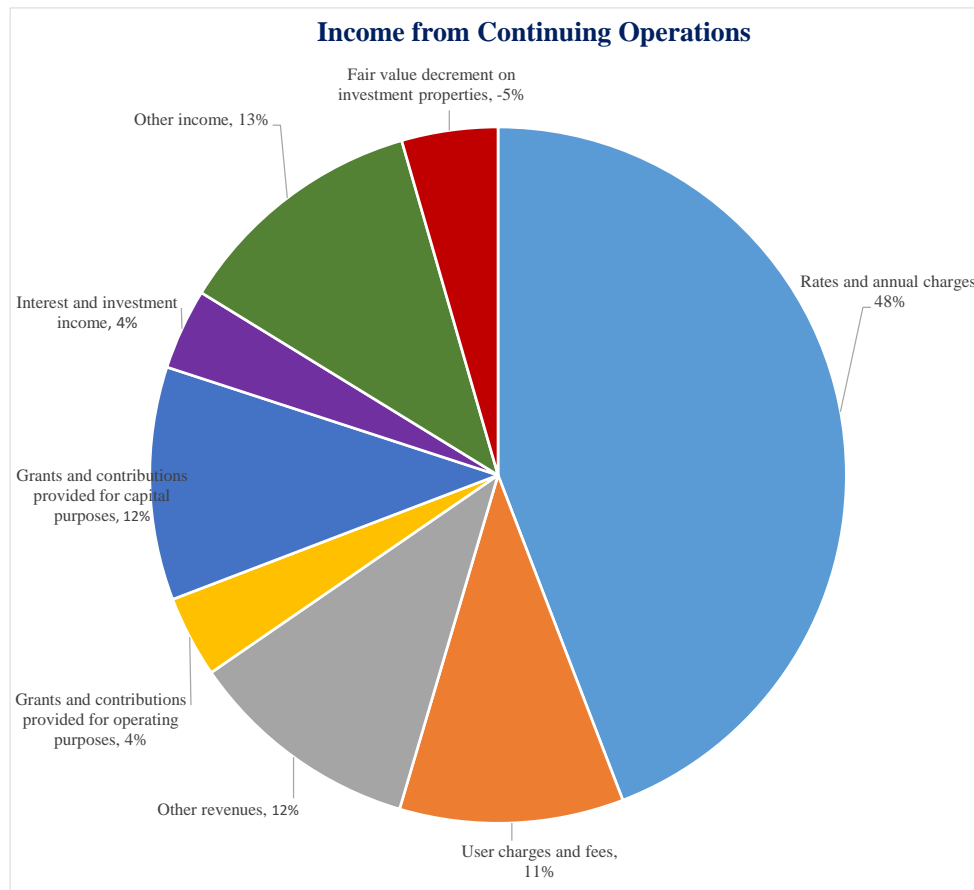
The net operating deficit before capital grants and contributions for 2023-24 was (\$2.455m) versus the Q3 forecast of (\$2.299m) and compared to a surplus of \$12.901m in 2022-23 and a surplus of \$6.812m in 2021-22.

An analysis of the 2023-24 actuals compared to the original budget appears in Note B5-1 to the financial statements (page 25-26 of Attachment 1) while an analysis compared to the revised budget is detailed in Attachment 2. Commentary on variations between 2023-24 and 2022-23 is in the next section of the report.

4. Financial Statements Comparison – year ended 30 June 2024 to 30 June 2023:

Income (Page 4 of Attachment 1)

Percentage composition of 2023-24 Income from Continuing Operations:



**1 July 2023 - 30
 June 2024**

Income Items	Actual
	\$'000s
Rates and annual charges	66,136
User charges and fees	15,565
Other revenues	16,230
Grants and contributions provided for operating purposes	5,676
Grants and contributions provided for capital purposes	16,212
Interest and investment income	5,626
Other income	17,608
Fair value decrement on investment properties	(6,683)
Total income from continuing operations	136,370

Income Items	Year Ended	Year Ended	Increase /	
	30 June 2024	30 June 2023	(Decrease)	
	\$'000s	\$'000s	\$'000s	%
Rates and annual charges	66,136	59,700	6,436	10.8%

(Note B2-1, page 15 of Attachment 1)

Ordinary Rates income increased by +\$5.249m (13.8%) from \$38.169m to \$43.418m. The special rate variation approved by the Independent Pricing and Regulatory Tribunal (IPART) was 13.7%, with the remaining increase resulting from an increase in properties to levy (number of assessments).

Council's Environmental & Infrastructure Renewal levy increased by \$620k (13.8%) from \$4.485m to \$5.105m. The special rate variation approved by IPART was 13.7% with the remainder of the increase resulting from an increase in properties to levy (number of assessments).

The Domestic Waste Management charge (annual charge) increased from \$590.20 to \$609.20 for 2023-24 or +3.2%, which in turn generated an increase in income of +\$568k (3.4%) from \$16.542m to \$17.110m.

Income Items	Year Ended	Year Ended	Increase /	
	30 June 2024	30 June 2023	(Decrease)	
	\$'000s	\$'000s	\$'000s	%
User charges and fees	15,565	14,343	1,222	8.5%

(Note B2-2, page 16 of Attachment 1)

Increases in income included the following items of note: construction zone charges +\$664k (+40.7%), parking meter income +\$357k (+16.1%), restoration charges +\$224k (+25.8%), rezoning requests +\$255k (+6375%). These were offset by a large decrease in hoarding fees -\$611k (46.3%).

Income Items	Year Ended	Year Ended	Increase /	
	30 June 2024	30 June 2023	(Decrease)	
	\$'000s	\$'000s	\$'000s	%
Other revenues	16,230	10,864	5,366	49.4%

(Note B2-3, page 17 of Attachment 1)

Increases of note in Other Revenues include:

- \$5.091m income from advertising
- \$735k (12%) increased parking fines

This was offset by a decrease of \$727k (60%) in other revenue. In the prior year there were some one off income items received relating to Lehman Brother Australia final winding- up distribution payout (\$347k), Easement compensation revenue (\$284k) and positive covenant revenue (\$188k)

Income Items	Year Ended 30 June 2024	Year Ended 30 June 2023	Increase / (Decrease)	
	\$'000s	\$'000s	\$'000s	%
Grants and contributions provided for operating purposes	5,676	7,561	(1,885)	-24.9%

(Note B2-4, page 18 of Attachment 1)

Material decreases in operating grants and contributions include:

- \$775k decrease in the Financial Assistance Grant which was 85% prepaid this year compared to 100% prepaid last year.
- \$480k decrease in the Roads to Recovery grant. This grant is on a 5 year cycle with 2023-24 being the last year of the cycle. All the funds relating to this grant have been spent in prior years.
- \$431k decrease in the Emergency Services Levy towards higher Fire & Rescue contributions
- \$75k decrease in the Faster Local Assessment grant

Income Items	Year Ended 30 June 2024	Year Ended 30 June 2023	Increase / (Decrease)	
	\$'000s	\$'000s	\$'000s	%
Grants and contributions provided for capital purposes	16,212	8,605	7,607	88.4%

(Note B2-4, pages 18-19 of Attachment 1)

Revenue from capital grants can vary significantly from year to year depending on the nature of projects being undertaken and the timing of related expenditure.

The material increases of note in grants and contributions provided for capital purposes include:

- \$3.574m non cash contribution for the Vaucluse Bowling Club building
- \$1.661m increase in community facilities grant for the Vaucluse Bowling Club refurbishment
- \$2.833m increase in streetscapes grant for Bay Street pedestrianisation
- \$826k increase in the grant for Lyne Park playground, open space program

These increases were offset by the following decreases of note:

- \$690k decrease in grants for Cooper Park Community Hall refurbishment
- \$374k decrease for grants for the Trumper Park pathways project
- \$276k decrease in the Federal Stimulus Road Safety Program funding for pedestrian lighting upgrades

Income Items	Year Ended	Year Ended	Increase /	
	30 June 2024	30 June 2023	(Decrease)	
	\$'000s	\$'000s	\$'000s	%
Interest and investment income	5,626	3,247	2,379	73.3%

(Note B2-5, page 20 of Attachment 1)

Actual interest earned on cash and investments increased +\$2.271m or +73.4% due to higher interest rates. In the prior year the monthly average rate of return ranged from 1.10% to 4.10% in June 2023. In 2023-24 the monthly average rate of return ranged from a low of 4.10% to 4.35% in June 2024.

Interest on overdue rates & annual charges increased by +\$108k (72%) in 2023-24 compared to the prior year.

Income Items	Year Ended	Year Ended	Increase /	
	30 June 2024	30 June 2023	(Decrease)	
	\$'000s	\$'000s	\$'000s	%
Other income	17,608	17,110	498	2.9%

(Note B2-6, page 21 of Attachment 1)

Lease income from investment properties which includes Kiaora Place increased +\$384k (+3.4%).

Other lease income which includes income from Cross St carpark increased by +\$182k (+3.3%).

Income Items	Year Ended	Year Ended	Increase /	
	30 June 2024	30 June 2023	(Decrease)	
	\$'000s	\$'000s	\$'000s	%
Fair value increment / (decrement) on investment properties	(6,683)	9,376	(16,059)	-171.3%

(Note C1-8, page 35 of Attachment 1)

Council's Investment Properties, comprising Kiaora Place, Grafton Street carpark and the Cosmopolitan Centre carpark are revalued annually by an independent valuer. The 2023-24 revaluation was a decrement of (\$6.683m) compared to an increment of +\$9.376m in 2022-23.

Kiaora Place decreased in value by (\$6.673m) or (3.6%) during the year (LY: +\$8.643m). The Kiaora Place decrease in valuation is primarily due to a change in the capitalisation rate from 5% to 5.25% from a softening of the selling market for shopping centres. In determining the capitalisation rate to use, the valuer assesses the gross passing or market rental per square metre of lettable area based on comparable sales evidence - sales of retail centres and comparable properties taking into consideration the nature of the property, the location, tenancy mix, level, lease terms, and weighted average lease expiry.

The table below shows the revaluation movements of the Kiaora Place investment property over 3 years. As can be seen in the table, the last two years have shown large favourable movements in the valuation of this property.

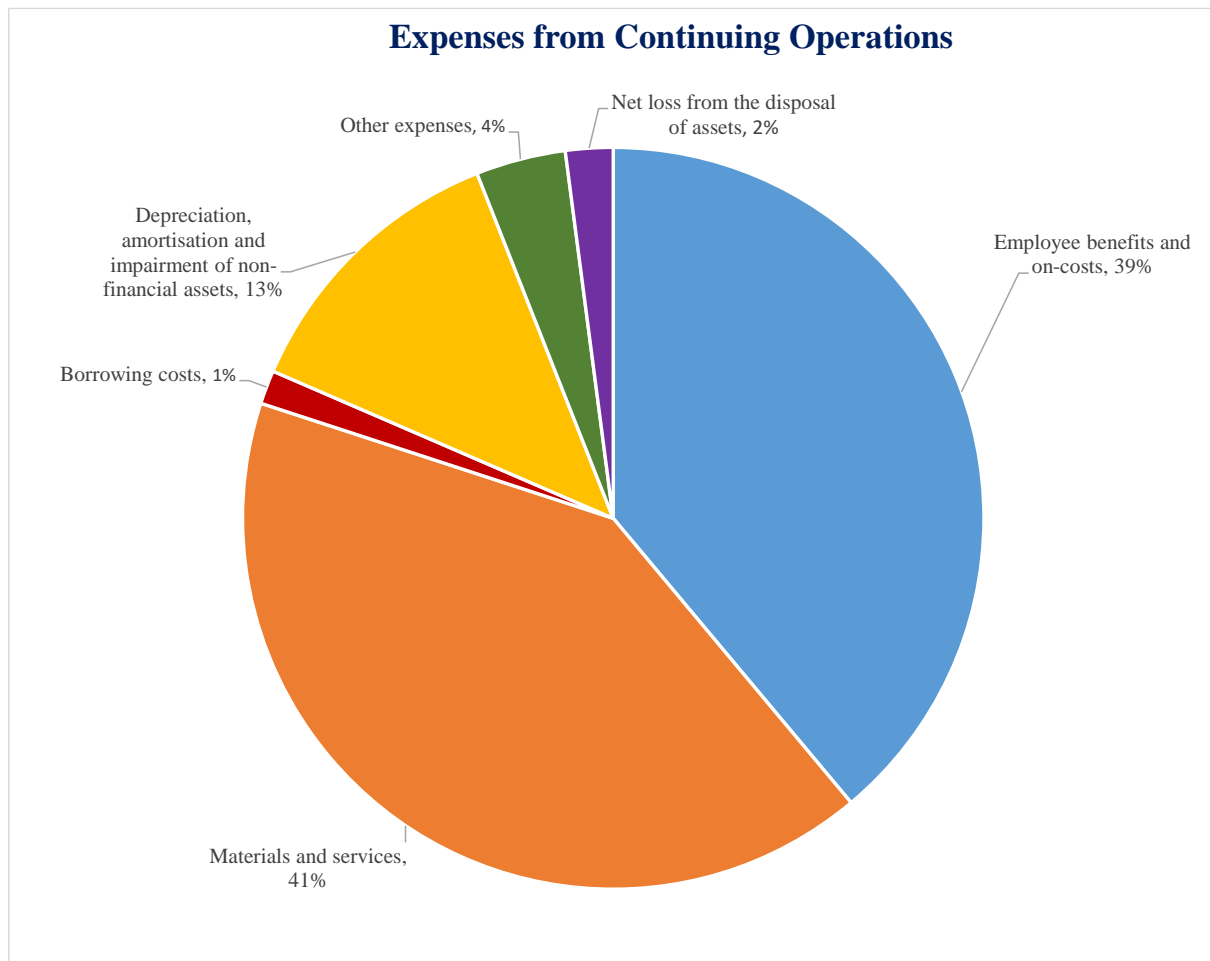
Year	Kiaora Place Revaluation Movement Favourable/ (Unfavourable)	Capitalisation Rate
2021-22 Actual	\$12.07m	5%
2022-23 Actual	\$8.64m	5%
2023-24 Actual	(\$6.673m)	5.25%

The independent valuation of the two car parks decreased by (\$10k) or (0.15%) (LY: +\$745k). The valuation is based on an income approach method, which takes into consideration the income that a property might be expected to generate if leased at a stabilised occupancy level and applying to that income a capitalisation rate reflecting the market standards and the investors' interest in property of this kind. The capitalisation rate stayed the same at 5.5% based on an analysis by the independent valuer of comparable car park property sales.

Expenses from Continuing Operations

(Page 4 of Attachment 1)

Percentage composition of 2023-24 Expenses from Continuing Operations:



	1 July 2023 - 30 June 2024
Expense Items	Actual
Employee benefits and on-costs	47,706
Materials and services	50,408
Borrowing costs	1,806
Depreciation, amortisation and impairment of non-financial assets	15,348
Other expenses	4,807
Net loss from the disposal of assets	2,538
Total expenses from continuing operations	122,613

Expense Items	Year Ended 30 June 2024	Year Ended 30 June 2023	Increase / (Decrease)	
	\$'000s	\$'000s	\$'000s	%
Employee benefits and on-costs	47,706	45,055	2,651	5.9%

(Note B3-1, page 21 of Attachment 1)

Employee benefits and on-costs increased year on year by \$2.651m or 5.9%. The annual award increase was 4.5% and the superannuation guarantee increased by 0.5%.

In the pie graph above, which shows employee benefits and on costs as 39% of total expenses, compared to 41% in prior year.

Expense Items	Year Ended 30 June 2024	Year Ended 30 June 2023	Increase / (Decrease)	
	\$'000s	\$'000s	\$'000s	%
Materials and services	50,408	42,891	7,517	17.5%

(Note B3-2, page 22 of Attachment 1)

Consultancy Costs (increased by \$470k or 26.5%)

Consultancy Costs at \$2.243m increased by \$470k or 26.5% due to increased usage of consultants. In particular, the use of independent valuers for the asset condition surveys and valuation of infrastructure assets which occurs once every 5 years and also consultant costs related to advertising income.

Raw materials and consumables (increased by \$4.309m or 59.1%)

Raw materials and consumables increased by \$4.309m or 59.1% primarily due to:

- \$3.084m of capital project expenditure that is unable to be capitalised to the fixed asset register as the expense was determined as operational in nature.
- \$563k increase in Information & Digital Transformation including Microsoft 365, increased Microsoft licensing costs, and FinanceOne annual maintenance fees.
- Projects funded from the special rate variation including Fig Tree Maintenance and progressing the heritage gap analysis

Insurance deductibles and claims payments (decreased by \$663k or 78.8%)

The decrease in insurance deductibles and claims payments was driven by lower self-funded losses for public liability, professional indemnity, and motor vehicle insurance claims. This expenditure can fluctuate year to year depending on the number and type of claims that occur.

Maintenance and security contracts (increased by \$1.016m or 19.3%)

The increase in maintenance and security costs is primarily driven by increased recurrent contract costs at Kiaora Place of \$640k (29.1%) including cleaning, security, management fees and carpark fees. In addition cleaning costs across Council buildings and venues has also risen \$127k (22%).

Service Contractor (increased by \$754k or 11.4%)

Service contractor costs increased by \$754k or 11.4% and was driven primarily by higher footpath maintenance (\$425k) and road pavement maintenance costs (\$369k) in Civil Operations. This was due to increased funding from the Regional and Local Road Repair grant program and increased maintenance work undertaken, some of which was funded from the special rate variation.

Waste Disposal costs (increased by \$483k or 9.1%)

The increase in waste disposal costs is driven by increased tipping charges, primarily in domestic waste management and garden refuse, the costs of which are recovered through the domestic waste management charge.

Legal Expenses (increased by \$788k or 36.2%)

Legal expenses relating to Planning & Development increased by \$525k or 33.2% due to the increased number of appeals.

'Other' legal expenses across the rest of Council also increased by \$263k or 44.1% primarily within the Building & Compliance area.

Expense Items	Year Ended	Year Ended	Increase /	
	30 June 2024	30 June 2023	(Decrease)	%
	\$'000s	\$'000s	\$'000s	%
Borrowing costs	1,806	1,933	(127)	-6.6%

(Note B3-3, page 22 of Attachment 1)

The 2023-24 repayment of interest on loans fell by \$127k in line with loan repayment schedules.

Expense Items	Year Ended	Year Ended	Increase /	
	30 June 2024	30 June 2023	(Decrease)	%
	\$'000s	\$'000s	\$'000s	%
Depreciation, amortisation and impairment of non-financial assets	15,348	14,752	596	4.0%

(Note B3-4, page 23 of Attachment 1)

Total depreciation and amortisation increased \$596k or 4.0%.

The increase was predominantly in Roads, which is the largest infrastructure category and has the most asset additions each year.

Expense Items	Year Ended	Year Ended	Increase /	
	30 June 2024	30 June 2023	(Decrease)	%
	\$'000s	\$'000s	\$'000s	%
Other expenses	4,807	3,747	1,060	28.3%

(Note B3-5, page 24 of Attachment 1)

An increase of \$1.060m (28.3%) in other expenses was due to:

- An increase of \$376k in impairment of receivables due to the prior year being impacted by a one off reversal of provision
- An increase of \$622k in the NSW Fire Brigades Levy and Emergency Services Levy.

Expense Items	Year Ended	Year Ended	Increase /	
	30 June 2024	30 June 2023	(Decrease)	%
	\$'000s	\$'000s	\$'000s	%
Net loss from the disposal of assets	2,538	922	1,616	175.3%

(Note B4-1, page 24 of Attachment 1)

The increase in net losses on disposal of assets of \$1.616m arises from:

- An increase in the loss on disposal of Plant & Equipment of \$284k
- An increase in the loss on disposal of Infrastructure Assets of \$1.321m.

Balance Sheet - Assets and Liabilities

(Page 6 of Attachment 1)

	30 June 2024	30 June 2023	Increase / (Decrease)	
	\$'000s	\$'000s	\$'000s	%
ASSETS				
Current assets				
Cash and cash equivalents	19,695	14,943	4,752	31.8%
Investments	90,755	92,727	(1,972)	-2.1%
Receivables	7,996	7,235	761	10.5%
Inventories	307	337	(30)	-8.9%
Contract assets and contract cost assets	843	1,795	(952)	-53.0%
Other	624	511	113	22.1%
Total current assets	120,220	117,548	2,672	2.3%
Non-current assets				
Receivables	136	152	(16)	-10.5%
Infrastructure, property, plant and equipment (IPPE)	1,085,274	1,056,285	28,989	2.7%
Investment property	184,750	191,420	(6,670)	-3.5%
Right of use assets	59	175	(116)	-66.3%
Other	175	279	(104)	-37.3%
Total non-current assets	1,270,394	1,248,311	22,083	1.8%
Total assets	1,390,614	1,365,859	24,755	1.8%
LIABILITIES				
Current liabilities				
Payables	60,326	56,075	4,251	7.6%
Contract liabilities	2,198	10,877	(8,679)	-79.8%
Lease liabilities	19	132	(113)	-85.6%
Borrowings	3,476	3,794	(318)	-8.4%
Employee benefit provisions	12,408	12,385	23	0.2%
Provisions	-	1,459	(1,459)	-100.0%
Total current liabilities	78,427	84,722	(6,295)	-7.4%
Non-current liabilities				
Contract liabilities	-	-	0 [†]	#DIV/0!
Lease liabilities	-	19	(19)	-100.0%
Borrowings	53,044	56,521	(3,477)	-6.2%
Employee benefit provisions	497	583	(86)	-14.8%
Total non-current liabilities	53,541	57,123	(3,582)	-6.3%
Total liabilities	131,968	141,845	(9,877)	-7.0%
Net assets	1,258,646	1,224,014	34,632	2.8%

Cash and cash equivalents and investments increased \$2.780m or 2.6% from \$107.670m to \$110.450m.

(Note C1-1, C1-2, page 28 and G1-1, page 60 of Attachment 1)

The Statement of Cash Flows on page 8 of Attachment 1 details the cash inflows and outflows during the year from operating activities, investing activities and financing activities. The increase in cash position is predominantly due to a decrease in the cash outflow from investing activities of (\$11.333m) offset by a decrease in cash from operating activities of (\$7.345m).

Refer to section 5 of this report for the analysis of restricted and allocated cash, cash equivalents and investments.

Current Receivables increased \$761k or 10.5% from \$7.235m to \$7.996m.
(Note C1-4, page 31 of Attachment 1)

Increases came from increases in receivables of:

- \$935k in Interest Receivable on Investments due to higher interest rates on investment balances. This represents the accrual of interest earned on term deposits for the year ended 30 June 2024 not yet paid at year-end until maturity. These funds are received as the term deposits mature.
- \$679k in other debtors due to the new advertising income stream

These were offset by decreases in receivables of:

- \$493k in user charges and fees due to the timing of raising invoices and receiving payment
- \$326k in rates and annual charges due to an extensive debt recovery process being undertaken in conjunction with third-party debt collectors and other state agencies. Interest is charged on all overdue accounts.
- \$301k in the Net GST receivable as a result of lower payments processed at year-end and received in July.

Contract Assets decreased by \$952k or (53.0%) from \$1.795m to \$843k
(Note C1-6, page 32 of Attachment 1)

This balance represents grant income that Council has not yet received but has accrued for in line with project expenditure and the grant agreement. The decrease is due to the receipt of grant money for large capital projects that are now complete, namely, the Federal Stimulus for Road Safety Schools Program and Pedestrian lighting upgrades.

Infrastructure, property, plant & equipment (IPPE) increased \$28.989m or 2.7% from \$1.056b to \$1.085b

(Note C1-7, pp 33-34, and E2-1, pp 46-54 of Attachment 1)

Movements reflected

- +\$14.043m in asset renewals
- +\$15.971m in addition of new assets
- -\$4.152m of disposal of assets
- -\$15.232m of depreciation expense
- -\$2.516m of adjustments and transfers
- +\$20.875m of revaluation increments

The formal revaluation of Operational Land, Infrastructure assets (roads, bridges, footpaths, stormwater drainage, harbourside structures, seawalls, retaining walls) and Other Open Space Assets and the interim management's assessments of other assets resulted in an uplift of fair values of those infrastructure asset classes (the adjustment is processed through the asset revaluation reserve directly and not through the income statement) of \$20.875m. Refer to section 8 of this report for more information.

Investment Property decreased by \$6.670m or (3.5%) from \$191.42m to \$184.75m
(Note C1-8, p. 35 of Attachment 1)

Council's Investment Properties, comprising Kiaora Place, Grafton Street carpark and the Cosmopolitan Centre carpark are revalued annually by an independent valuer. This movement is recognised as income in the income statement. Refer to page 11 of this report for a detailed explanation of this decrease.

Payables increased by \$4.251m or 7.6% from \$56.075m to \$60.326m
(Note C3-1 p.38 of Attachment 1)

Increases of note include:

- Deposits, bonds and retentions which increased by \$4.786m to \$50.522m. It is noted this additional cash is transferred to Reserve to fund Council's liability to refund the deposits in the future. Council's Bonds, Deposits and Retentions Reserve totalled \$46.346m at 30 June 2024, which represents 92% of the amount held.
- \$940k increase in other payables due to a payment to be made to the Department of Communities & Justice Affordable Housing

This was offset by the following decreases:

- Goods and services – operating expenditure decrease of \$1.474m due to the timing of invoice payments at year end

Contract Liabilities decreased \$8.679m or (79.8%) from \$10.877m to \$2.198m
(Note C3-2 p.39 of Attachment 1)

Contract Liabilities represents grants and contributions received in advance and payments received in advance.

The decrease in this balance is due to the following capital and operating grant projects being completed during the year:

- \$3.5m for the Bay St Double Bay Pedestrianisation Project
- \$2.5m for the refurbishment of the Vaucluse Bowling Club
- \$938k for Regional and Local Road Repair grant for road repairs
- \$320k under the Local Roads & Community Infrastructure Program Phase 3 to construct a number of capital projects including Hampden St Flood Mitigation Road Project and Swimming net in Parsley Bay Reserve
- \$189k for Lyne Park playground project

There was also a decrease in payments received in advance of \$954k.

Borrowings decreased \$3.795m or (6.3%) from \$60.315m to \$56.520m
(Note C3-3 p.39 of Attachment 1)

The decrease in borrowings represents principal repayments made throughout the year in line with the loan repayment schedules.

Employee Benefit Provisions decreased \$63k or (0.5%) from \$12.968m to \$12.905m
(Note C3-4 p.40 of Attachment 1)

Council's provision for Employee Benefits includes untaken annual leave, long service leave and sick leave. These balances are affected by the discounted cash flow analysis undertaken at year end to value the provisions and change year to year based on discount rates. There has been no material movement in the employee benefit provision balances since prior year.

5. Restricted and allocated cash, cash equivalents and investments:

The table below details Council's transfers to and from restricted cash reserves over the course of 2023-24.

Purpose	Opening Balance July 2023 \$	Transfers To \$	Transfers From \$	Closing Balance June 2024 \$
Externally Restricted Reserves				
Section 7.11 Contributions	1,513,777	60,756	371,345	1,203,189
Section 7.12 Contributions	7,125,145	4,821,114	4,722,047	7,224,212
Unexpended Grants	16,749		16,749	0
Stormwater Mgt Charge	464,065	493,861	730,698	227,228
Domestic Waste – General	4,038,944	1,006,103	930,668	4,114,378
Domestic Waste - ELE	1,033,900	(43,077)	-	990,822
	14,192,581	6,338,756	6,771,507	13,759,830
Internally Restricted Reserves				
Enviro & Infrastructure Levy	4,085,401	5,226,467	5,181,319	4,130,549
Employee Leave Entitlements	2,277,725	4,891,933	-	7,169,659
Plant & Vehicle Replacement	128	423,659	423,659	128
Insurance	444,648	292,808	54,793	682,663
Insurance Workers Compensation	116,556	319,338	-	435,894
Information Technology	381,227	-	(4,237)	385,464
Library IT	646,778	75,000	59,146	662,632
Election	157,436	164,100	-	321,536
Deposits	41,560,762	4,785,405	-	46,346,167
Preschool – General	438,079	35,645	31,670	442,054
Preschool - ELE	163,561	10,180	-	173,741
Property	10,806,327	566,963	1,778,566	9,594,723
Open Space & Community Facilities	655,442	-	292,803	362,638
Kiaora Place	4,479,890	697,480	385,164	4,792,207
Carry Over Works	3,943,167	3,100,572	2,243,937	4,799,802
Open Space Projects	313,820	-	25,223	288,597
Property Development Projects	23,359	-	1,675	21,684
Special Rate Variation	-	3,924,300	1,262,437	2,661,863
Urban Forest Strategy	-	3,000,000	-	3,000,000
Oxford Street Placemaking	205,529	-	-	205,529
Public Art Gallery	252,261	73,859	-	326,120
FAG Prepayment	1,972,866	1,633,013	1,972,866	1,633,013
Old Section 94	92,140	-	65,365	26,775
General	41,482	2,000	27,799	15,683
	73,058,584	29,222,721	13,802,184	88,479,121
Total Restricted Reserves	87,251,165	35,561,477	20,573,691	102,238,951

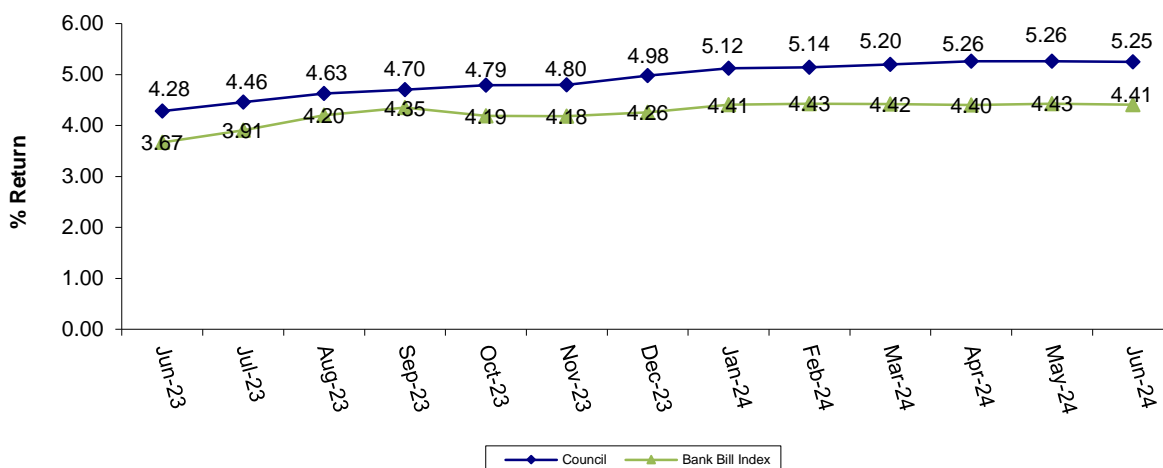
The table below shows how Council's total Reserves are disclosed in the Financial Statements

Externally Restricted Reserves:	
	\$'000
Externally Restricted Cash (Note C1-3, p.29 of Attachment 1)	14,474
<i>PLUS:</i>	
Externally Restricted Receivables (not disclosed due to minimum disclosure)	723
<i>LESS:</i>	
Externally Restricted Liabilities (not disclosed due to minimum disclosure)	(1,437)
	13,760
Internally Restricted Reserves:	
Internally Restricted Cash (Note C1-3, p.30 of Attachment 1)	88,569
<i>PLUS:</i>	
Internally Restricted Receivables (not disclosed due to minimum disclosure)	201
<i>LESS:</i>	
Internally Restricted Liabilities (not disclosed due to minimum disclosure)	(291)
	88,479
Total Restricted Reserves	102,239

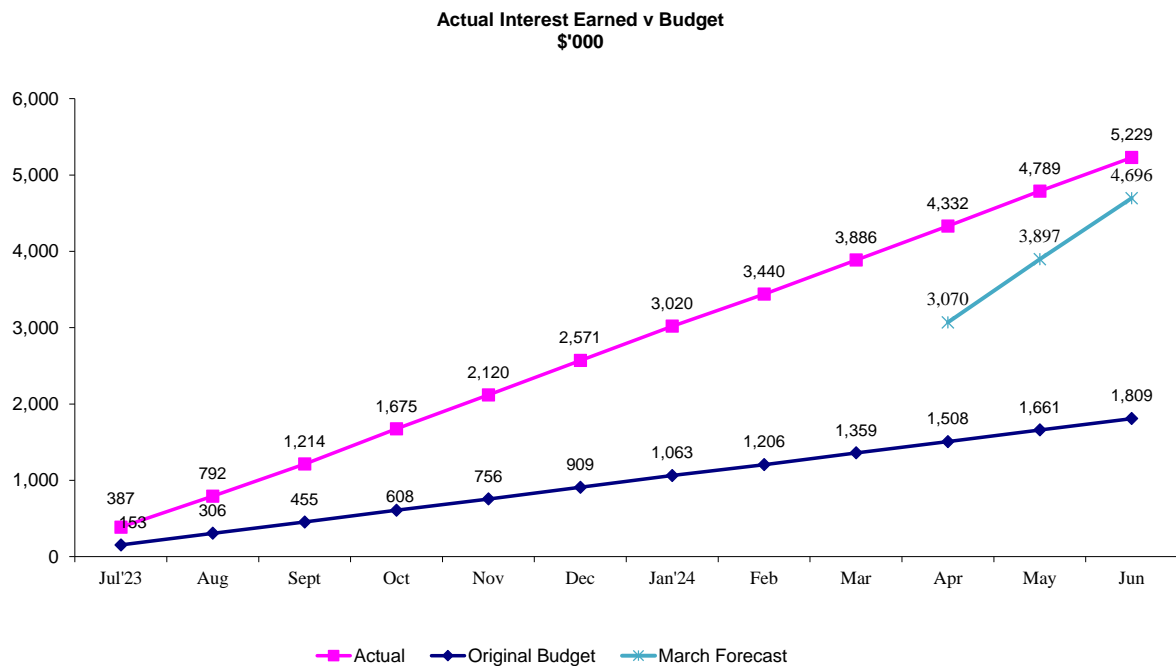
6. Investment Portfolio Performance and Valuation:

Council's weighted average return on its term deposit investments consistently outperformed the 90 day AusBond Bank Bill Index throughout the year. Council's weighted average return increased 97bps throughout the year to 5.25% at June 2024.

Weighted Average Return v Bank Bill Index



Total interest earned on investments for the year was \$5.229m, which is above the March forecast of \$4.696m, although it is a significant increase of +\$2.271m (73.3%) on \$3.096m in 2022-23, due to higher interest rates. This actual result vs March forecast is shown in the chart below.



7. Other Entities:

Consistent with last financial year, Council has continued to make additional disclosures related to interests in other entities on Note D1 to the Financial Statements. This disclosure is the joint operation between Waverley and Woollahra Councils in the running of our shared Bourke Road Depot.

8. Revaluation of Infrastructure, property, plant and equipment assets
 (Note C1-7, pp. 33-34 and Note E2-1 pp. 46-54 of Attachment 1)

Council’s infrastructure, property and art collection assets are subject to a formal revaluation process, undertaken by an independent Valuer, on a rolling basis where each class of assets is revalued within every either 3 or 5 years.

In 2023-24 Council’s Operational Land was formally revalued by Scott Fullarton Valuations Pty Ltd. Council’s Infrastructure assets (roads, bridges, footpaths, stormwater drainage, harbourside structures, seawalls, retaining walls) were formally revalued by APV Valuers & Asset Management. Council’s Other Open Space Assets were revalued by XYST Australia Pty Ltd. Council is required to make an interim management assessment of the fair value carrying amount of the other infrastructure assets that were not subject to a formal revaluation.

As part of the management interim assessment of the fair value carrying amount of those asset classes not subject to formal independent revaluation in 2023-24, management assesses the impact of changes to replacement cost on the fair values since the last independent formal revaluation. In 2023-24 this applied to Buildings (specialised and non-specialised). The fair value interim management assessment was undertaken using data from the NSW Valuer General, Australian Bureau of Statistics Heavy and Civil Engineering Construction Prices Indices and Rawlinson’s Cost Index as recommended by the NSW Audit Office. This interim management assessment of fair value was subsequently discussed, reviewed and agreed with the external auditors.

The formal revaluation of operational land, infrastructure assets (roads, bridges, footpaths, stormwater drainage, harbourside structures, seawalls, retaining walls), Other Open Space Assets and the interim managements assessments of other assets, resulted in an uplift of fair values of those infrastructure asset classes (the adjustment is processed through the asset revaluation reserve directly and not through the income statement). The total change in fair value from formal revaluations and interim management fair value assessments was \$20.875m.

ASSET CLASS	REVALUATION AMOUNT
Operational Land	+\$26.078m
Buildings – non - specialised	+\$7.756m
Buildings – specialised	+\$1.223m
Roads	(\$26.887m)
Bridges	+\$44k
Footpaths	+\$16.579m
Stormwater Drainage	(\$9.634m)
Harbourside Structures	(\$1.010m)
Other Open Space Assets	(\$786k)
Seawalls	+\$4.395m
Retaining Walls	+\$3.117m
Total	+\$20.875m

9. Revaluation of Investment Properties

(Note C1-8 p.35 of Attachment 1)

Council's Investment Properties, comprising Kiaora Place, Grafton Street carpark and the Cosmopolitan Centre carpark are revalued annually by an external valuer. The 2023-24 revaluation was a decrement of (\$6.683m) compared to an increment of \$9.376m in 2022-23.

Details of this valuation are provided in page 11 of this report.

10. Related Party Disclosures

Council has made the relevant disclosures on Note F1 (page 58 of Attachment 1).

Options:

Council may resolve in line with the recommendation/s as included in this report or Council may choose to resolve in some other manner.

Community Engagement and / or Internal Consultation:

Like many other Council documents, the financial statements are publicly exhibited each year and submissions from the public invited. Under section 418 of the Local Government Act 1993, as soon as practicable after the Auditor's Reports are received, Council must fix a meeting at which it proposes to present its Financial Reports, together with the Auditor's Reports to the Public and must give the public notice of this meeting date.

In anticipation of receiving the Auditor's Reports, it is recommended that the Council meeting to be held on Monday 28 October 2024 be set as the meeting at which the Financial Statements will be presented to the public.

Any submissions received will be reported to Council with responses from staff. The submissions received are also sent to Council's auditor.

Policy Implications:

There are no direct policy implications arising from this report.

Financial Implications:

The financial implications are as outlined in this report and attachments.

Resourcing Implications:

There are no direct policy implications arising from this report.

Conclusion:

Council returned an operating surplus for the year of \$13.757m (LY: \$21.506m). Excluding capital grants and contributions the deficit was (\$2.455m) (LY: surplus of \$12.901m).



The result for the year was a decrease in working funds of \$2.297m to a balance of \$5.186m at 30 June 2024 which is higher than Council's benchmark of \$2.887m (Arrears of Rates plus Inventory). It is important to remember that we maintain a level of working funds to allow us to respond to issues not foreseen in the budget.

At the end of the 2023-24 financial year Council's financial results remain strong. Council has seen additional rates income from the special rates variation, significant additional income from advertising, a substantial uplift in interest income from higher interest rates; and sound budgetary control.

However, as outlined to Council over recent years there are a number of external pressures on Council's budget, which continue to require strong financial management. These include a rate peg set by NSW government that is historically below the inflation rate; unplanned and excessive cost shifting from other levels of government; and higher inflation primarily driven by increased freight and energy costs. Increased Interest earnings from higher interest rates are expected to plateau or even decrease if the RBA cuts interest rates.

It is recommended that, in anticipation of receiving the Auditor's Reports, Council set the Council meeting to be held on Monday 28 October 2024 as the meeting at which the 2023-24 Financial Statements will be presented to the public.

Attachments

1. Annual Financial Statements 30 June 2024 [↓](#) 
2. Analysis of Variances between 2023-24 Actual Result and the March 2024 Forecast result [↓](#) 

Item No: 12.2
Subject: **AUTHORISATION TO THE MAYOR AND DELEGATION TO THE GENERAL MANAGER FROM THE DATE OF THE NSW LOCAL GOVERNMENT ELECTIONS ON 14 SEPTEMBER 2024 TO THE FIRST MEETING OF THE NEW COUNCIL**

Author: Rhys Johnson, Coordinator Governance
Approvers: Jennifer Chenhall, Manager Governance & Risk
Craig Swift-McNair, General Manager

File No: 24/109688
Purpose of the Report: To authorise the Mayor to continue to exercise Civic and Ceremonial functions and to delegate to the General Manager the exercise of functions of Council for the period from the date of the NSW Local Government Elections on 14 September 2024 to the first meeting of the new Council, which is not covered under the General Manager's current Delegation of Authority.

Alignment to Delivery Program: Strategy 11.3: Ensure effective and efficient governance and risk management.

Recommendation:

THAT Council:

- A. Authorise the outgoing Mayor, Councillor Shields to continue to exercise all Civic and Ceremonial functions normally exercised by the Mayor, for the period from the date of the NSW Local Government Elections, being Saturday 14 September 2024 to the first meeting of the new Council.
- B. In accordance with Section 377 of the *NSW Local Government Act 1993*, delegate to the General Manager all of its powers, authorities, duties and functions for the period from the date of the NSW Local Government Elections, being Saturday 14 September 2024 to the first meeting of the new Council, provided that the exercise of such powers, authorities, duties and functions by the General Manager shall not be contrary to Council's policies and decisions previously made by the Council by formal resolution.
- C. Request the General Manager table a report at the first Council Meeting following Saturday 14 September 2024 NSW Local Government Elections outlining:
 - i. The Civic and Ceremonial functions that have been exercised by the outgoing Mayor during the subject period; and
 - ii. The exercise by the General Manager (on behalf of the Council) of any functions that were not covered under the General Manager's general Delegation of Authority for the subject period.

Executive Summary:

Under the *Local Government Act 1993*, all current Councillors and Mayors elected by the Councillors cease to hold their civic office on Election Day, being Saturday 14 September 2024.

This means that Councils will be without a governing body from 14 September 2024 until the declaration of the election, which will be between Monday 30 September 2024 at the earliest, and Wednesday 2 October 2024.

Discussion:

In April 2024, the NSW Office of Local Government (OLG) released a document titled 'Pre-election Guide for Councils' (the guide) – **Attachment 1**

<https://www.olg.nsw.gov.au/wp-content/uploads/2024/06/Pre-election-guide-for-councils.pdf>

The guide provides that:

'Prior to the election, Councils should ensure that appropriate delegations are in place for their General Managers so that they can continue to exercise the functions of the Council as required in the period between Election Day and the first meeting of the Council following the election.'

Councils may wish to consider delegating all delegable functions to the General Manager at the last meeting before the election for the period between Election Day and the first meeting of the Council following the election.

Councils that elect their Mayors will not have a Mayor in the period between Election Day and the first meeting after the election when the Mayoral election is held.

Councils that elect their Mayor will be required to meet within 14 days or 3 weeks of the declaration of the ordinary election to hold a Mayoral election.

There is nothing to prevent Councils from authorising the General Manager to exercise the civic and ceremonial functions normally exercised by the Mayor during this period in the absence of a Mayor.

The OLG is aware that some Councils that elect their Mayors have expressed a preference that the outgoing Mayor should continue to exercise the functions of Mayor in the period between Election Day and the holding of the Mayoral election after the election.

There is nothing to prevent Councils from authorising the outgoing Mayor to continue to exercise the civic and ceremonial functions normally exercised by the Mayor during this period in the absence of a Mayor should they wish to do so (even though the outgoing Mayor will have ceased to hold any civic office in the Council as of the day of the election).'

Options:

Council may resolve in line with the recommendations as included in this report or, Council may choose to resolve in some other manner, noting that the guide recommends that:

'Given the possibility that the outgoing Mayor may not be re-elected at the election and may therefore cease to be accountable to the Council and the community, Councils should refrain from making any delegations to the outgoing Mayor.'

Community Engagement and / or Internal Consultation:

Internal consultation was undertaken with Council's Manager of Governance & Risk and Council's Director of Corporate Performance in the preparation of this report.

There was no community engagement required in the preparation of this report.

Policy Implications:

There are no direct policy implications as a result of this report.

Financial Implications:

There are no direct financial implications as a result of this report, noting that some individual Civic and Ceremonial functions exercised by the Mayor during the subject period may result in future financial impact.

Additionally, some powers, authorities, duties and functions exercised by the General Manager during the subject period may result in future financial impact.

Resourcing Implications:

There are no direct resourcing implications as a result of this report.

Conclusion:

In light of the above information, this report seeks that Council authorise the outgoing Mayor, Councillor Shields to continue to exercise all Civic and Ceremonial functions normally exercised by the Mayor, during the subject period.

This report further seeks that Council delegate to the General Manager all of its powers, authorities, duties and functions during the subject period.

The General Manager's current Delegation of Authority does provide a general delegation of most Council functions, however the recommendation will cover any unforeseen matters during the subject period.

It is further recommended that a report be provided by the General Manager to the first meeting of the new Council outlining any Civic and Ceremonial functions that may have been exercised by the outgoing Mayor and any functions exercised by the General Manager on behalf of Council for the subject period.

Attachments

1. Pre-election Guide for Councils [↓](#) 

Item No: 12.3
Subject: **GENERAL MANAGERS PERFORMANCE REVIEW 2023-2024 & PERFORMANCE AGREEMENT FOR 2024-2025**
Author: Craig Swift-McNair, General Manager
Approver: Craig Swift-McNair, General Manager
File No: 24/158656
Purpose of the Report: As per the guidelines provided by the Office of Local Government, this report details the process of the review undertaken for the General Manager's performance for 2023-2024 and the process relating to the setting of the 2024-2025 General Manager's performance agreement.
Alignment to Delivery Program: Strategy 11.3: Ensure effective and efficient governance and risk management.

Recommendation:

THAT Council, in accordance with Section 10A (2) (a) of the *Local Government Act 1993*, resolve to enter into Closed Session with the press and public excluded to consider the Confidential Report on the General Managers Performance Review 2023-2024 and Performance Agreement for 2024-2025. These matters are to be considered as per Section 10A (2) (a) as they are personnel matters concerning particular individuals (other than Councillors).

Executive Summary:

The purpose of this report is to provide Councillors with the results of the General Managers performance assessment for the 2023-2024 financial year as approved under delegation by the General Managers Performance Review Panel (GMPRP) and to provide Councillors with a copy of the General Managers performance agreement for 2024-2025, as approved under delegation by the GMPRP.

This report would also ordinarily seek the appointment of Councillors to the GMPRP for the next period to 2025-2026, however with the impending local government elections taking place on 14 September 2024, determination of the appointment of members to the GMPRP for this next period will take place post the declaration of the 14 September 2024 election, via a resolution of Council at the appropriate time.

Discussion:

At the 26 September 2023 Council meeting, Council resolved the following in relation to the General Managers Performance and GMPRP:

Resolved:

THAT Council:

- A. *Receive and note the 2022-2023 General Managers Performance assessment as approved under delegation by the General Managers Performance Review Panel, noting the outcome of the review is that the General Managers performance exceeds expectations / is more than satisfactory.*
- B. *Note that the Statutory and Other Offices Remuneration Tribunal (SOORT) determined a nil percent increase in senior executive remuneration for this year and next year.*

- C. *Endorse the General Manager's Performance Review Panel's recommendation of a performance-based increase of 4.5 percent based on the General Manager's performance being assessed as More Than Satisfactory, as provided for under Clause 8.3 (a) of the General Manager's contract of employment states in part that: Council may, on only one occasion during each year of this contract, approve an increase in the total remuneration package where the employee's performance has been assessed in accordance with a performance review as being of a better than satisfactory standard.*
- D. *Receive and note the 2023-2024 General Managers Performance Agreement as approved under delegation by the General Managers Performance Review Panel.*
- E. *Determine the composition of the General Manager's Performance Review Panel for the period 2024-2025 to consist of the Mayor, the Deputy Mayor, two Councillors nominated by Council (being Councillor Robertson & Councillor Wynne) and a Councillor nominated by the General Manager, being Councillor Silcocks.*
- F. *Delegate to the General Manager's Performance Review Panel:*
- i. *The process of performance management, including a performance review of the 2023-2024 period.*
 - ii. *The reporting to Council of findings and recommendations of review for the 2023-2024 period and any actions that should be taken, noting that any such report would be required to be considered in a confidential closed session.*
 - iii. *The determination of any new performance agreement for the period 2024-2025.*
- G. *Approve the General Manager's Performance Review Panel to appoint an external facilitator to assist in the review of the General Managers performance for 2023-2024 and to assist the General Manager's Performance Review Panel in the development of the General Managers performance agreement for 2024-2025, including development of enhanced criteria to assess performance.*
- H. *That the report remain confidential General Managers Performance Agreement & Related Assessment.*

As per the above-mentioned Council resolution (specifically Parts F i), ii) and iii)), the appointed GMPRP undertook a review of the General Managers performance for 2023-2024, against the performance agreement put in place for the 2023-2024 financial year, with this meeting taking place on 28 August 2024. The performance review was facilitated by an independent, external facilitator, Mr Christian Morris from Local Government Management Solutions.

As per page 12 of the latest *Guidelines for the Appointment and Oversight of General Managers* (the Guidelines) released in June 2022 by the Office of Local Government (OLG), a confidential Council report has been prepared for the consideration of Council in closed session in relation to the review of the performance of the General Manager across 2023-2024.

Options:

Noting the recommendation included in this report, in this instance there are no options, as it is a requirement of the OLG that matters such as the General Managers performance review, must take place in a closed session of Council.

Community Engagement and / or Internal Consultation:

There has been no community engagement in relation to this report, nor is it a requirement under the OLG Guidelines.

Policy Implications:

There are no policy implications as a result of this report.

Financial Implications:

There are no financial implications as a result of this report.

Resourcing Implications:

The goals and related actions included in the General Managers 2024-2025 performance agreement will be undertaken during the year by the General Manager and any relevant staff in the normal course of business. There are no additional resourcing requirements as a result of this report.

Conclusion:

This report details information relating to the review of the General Manager's 2023-2024 performance agreement and the development of the General Manager's performance agreement for 2024-2025.

Attachments

Nil

15. Councillor Reports/Councillor Updates (Section 8.4)

Note: Councillor Reports/Councillor Updates are to be confined to condolences, congratulations, presentations and matters ruled by the Chair to be of extreme urgency (in accordance with Section 8.4 of Council's Code of Meeting Practice).

17. Questions With Notice

Recommendation:

THAT the Questions with Notice be received and noted.

Background:

A Councillor may, by way of notice, ask a question for response by the General Manager or their nominee, in accordance with Council's adopted Code of Meeting Practice. Where a response, or an update will be provided at the Council Meeting, a response of 'On Notice' is listed in the Council Agenda.

The following Questions with Notice for the Council Meeting on 9 September 2024 have been received.

QWN: 17.1
From: Councillor Jarvis
Subject: Questions with Notice - Boats trailers and Other Vehicles Overstaying their Welcome on Our Roads

Councillor Jarvis asking:

I refer to my question on notice answered on 15 November 2023 regarding action taken by Council regarding the Council boats and trailers parked on New South Head for weeks, possibly months and were being addressed under the Public Spaces (Unattended Property) Act and regulations.

Can staff please provide Council with updated figures from the last response provided by staff (November 2023) to the present time on the following questions:

1. How many fines by Woollahra Council have been issued since the Public Spaces (Unattended Property) Act and regulations since the date the last advice was given?
2. How many items of property have been impounded in our area since the new Act and regulations came into effect on 1 November 2022 and since the date of the last advice?
3. Of the overall investigations how many boat trailers or other vehicles have been found to be unregistered and what action has been taken since the last advice?
4. What is the total monetary amount of such fines imposed and any amounts recovered where property has been impounded since the last advice?
5. Is it possible to identify the cost of enforcement or at least the number of staff allocated to compliance within the Council area since the last advice?
6. More specifically in Vaucluse around Ray Reserve and Johnston's lookout, in response to the requests I submitted on 15 May 2024, on the Woollahra Council app (request 91173) where on 19 May staff marked 37 vehicles boats and trailers on New South head Road Vaucluse primarily between Ray Ave and Giralang; how many were eventually issued with infringement notices and fines (and the monetary amount) under the new rules, noting that in the last report 5 parking infringements were issued and a further 3 were being investigated as potentially "unattended vehicles".

7. Noting that on 21 June there were 35 such vehicles and by 24 June on New South Head Road the number had increased to 37 vehicles again, mostly boats and trailers but also one large truck and a caravan (12 around Johnston's lookout, 18 around Ray Reserve and 7 around St Michaels / Kincoppal). What action has been taken most recently?
8. More specifically on Wentworth Road on May 15 2024 (request 91175) regarding parked boat trailers, the advice on June 19 was that "*all trailers have been added to a separate IC each. This one will be finalised, the others are remaining open to send letters to registered owner*". What action has been taken since then?

June 24 at Johnston's lookout



June 21 around Ray Reserve



Regulatory Coordinator in response (*In Italics*):

1. How many fines by Woollahra Council have been issued since the Public Spaces (Unattended Property) Act and regulations since the date the last advice was given?

Since the NSW Public Spaces (Unattended Property) Act came into effect on 1 November 2022;

- *64 penalty notices have been issued since 1 November 2022 and*
- *39 penalty notices have been issued since the last advice*

2. How many items of property have been impounded in our area since the new Act and regulations came into effect on 1 November 2022 and since the date of the last advice?

Since the NSW Public Spaces (Unattended Property) Act came into effect on 1 November 2022;

- *90 items and vehicles have been impounded and*
- *26 items and vehicles have been impounded since the last advice*

3. Of the overall investigations how many boat trailers or other vehicles have been found to be unregistered and what action has been taken since the last advice?

Since the NSW Public Spaces (Unattended Property) Act came into effect on 1 November 2022;

- *378 unregistered vehicles were detected and issued a penalty notice*

Since the last advice;

- *233 unregistered vehicles were detected and issued a penalty notice*
- *36 Penalty Notices were issued under the NSW Public Spaces (Unattended Property) Act and*
- *26 items and vehicles impounded and sold*

4. What is the total monetary amount of such fines imposed and any amounts recovered where property has been impounded since the last advice?

\$117,886.00 in penalty notices and \$24,243.00 where items and vehicles have been impounded and sold.

5. Is it possible to identify the cost of enforcement or at least the number of staff allocated to compliance within the Council area since the last advice?

All regulatory staff are involved in attending to or managing these processes including parking officers, rangers and supervisors and is estimated to be equivalent to one full time staff member.

6. More specifically in Vaucluse around Ray Reserve and Johnstons lookout, in response to the requests I submitted on May 15 on the Woollahra Council app (request 91173) where on May 19 staff marked 37 vehicles boats and trailers on New South head Road Vaucluse primarily between Ray Ave and Giralang, how many were eventually issued with infringement notices and fines (and the monetary amount) have been issued under the new rules, noting that at last report 5 parking infringements were issued and a further 3 were being investigated as potentially 'unattended vehicles'.

Refer to the answer to question 7 below.

7. Noting that on 21 June there were 35 such vehicles and by 24 June on New South Head Road the number had increased to 37 vehicles again, mostly boats and trailers but also one large truck and a caravan. (12 around Johnstons lookout, 18 around Ray Reserve and 7 around St Michaels/Kincoppal), what action has been taken most recently?

37 vehicles and boat trailers audited and investigated via Service Request 91173 specifically New South Head Road Vaucluse:

- *21 vehicles moved within the prescribed time frame of 28 days under the NSW Public Spaces Unattended Property Act*
- *16 Section 28 Notices sent directing the owner to remove the vehicle*
- *1 penalty notice issued – Fail to comply with Section 28 Notice to remove the vehicle and vehicle was removed by the owner*
- *1 vehicle is attended owner lives adjacent where the vehicle is parked no further action is proposed*
- *Total amount of penalty notices issued for this service request is \$1,320*

<i>Follow up service requests arising from 91173</i>	
<i>Service Request 95986</i>	<i>Vehicle removed</i>
<i>Service Request 95989</i>	<i>Vehicle removed</i>
<i>Service Request 95990</i>	<i>Vehicle removed</i>
<i>Service Request 88628</i>	<i>Vehicle removed</i>
<i>Service Request 96308</i>	<i>Vehicle removed</i>
<i>Service Request 95391</i>	<i>Vehicle removed</i>
<i>Service Request 96310</i>	<i>Vehicle removed</i>
<i>Service Request 95392</i>	<i>Vehicle removed</i>

- *No vehicles were impounded from service request 91173*
- *11 August 2024 New South Head Road Vaocluse checked and all vehicles had been removed for City to Surf.*

8. More specifically on Wentworth Road on 15 May 2024 (request 91175) regarding parked boat trailers, the advice on 19 June was that “all trailers have been added to a separate IC each. This one will be finalised, the others are remaining open to send letters to registered owner”. What action has been taken since then?

9 vehicles and boat trailers audited and investigated via Service Request 91175 specifically Wentworth Road Vaocluse:

- *2 penalty notices issued ‘stand unregistered registerable Class A vehicle on a road’*
- *3 vehicles moved within the prescribed time frame of 28 days under the NSW Public Spaces Unattended Property Act*
- *6 Section 28 Notices sent directing the owner to remove the vehicle*
- *2 penalty notices issued – Fail to comply with Section 28 Notice and vehicle(s) were removed by the owner*
- *1 vehicle is attended – vehicle is attended owner lives adjacent where the vehicle is parked no further action is proposed*
- *Total amount of penalty notices for this service request is \$3,244*
- *1 vehicle impounded and 1 pending*

<i>Follow up service requests arising from 91175</i>	
<i>Service Request 93893</i>	<i>Vehicle removed</i>
<i>Service Request 93894</i>	<i>Penalty notice issued vehicle impounded awaiting collection or sale</i>
<i>Service Request 94117</i>	<i>Penalty notice issued – impound pending</i>
<i>Service Request 94121</i>	<i>vehicle is attended owner lives adjacent where the vehicle is parked no further action is proposed</i>

QWN: 17.2
From: Councillor Witt
Subject: Questions with Notice - Litigation Protocol Policy

Councillor Witt asking:

1. Could Council seek confirmation from applicants that amended plans approved by the LEC, either through an S34 Conciliation Conference or as a result of a hearing, are substantially complete? Too often LEC approved plans are subject to S.4.56 modification applications that request changes to the most contentious aspects of the LEC approved plans.
2. Could potential litigants be given advice about recent LEC decisions that have upheld the Council's Woollahra Local Environment Plan 2014 (WLEP) and/or the Woollahra Development Control Plan 2015 (WDCP) as a means to deter appeals against WLPP refusals?
3. Could Council engage a property barrister to provide advice on the likelihood of success in the LEC earlier in the process, i.e. before the S34 Conciliation Conference is conducted?

Discussion

On 15 August 2024, the Woollahra Local Planning Panel (WLPP) approved a S4.56 modification request to a LEC approved DA (DA 280/2022/1 294-298 New South Head Road & Nos. 2-10 Bay Street Double Bay). See *2 Bay Street Pty Ltd v Woollahra Municipal Council* [2023] NSWLEC 1222 <https://www.caselaw.nsw.gov.au/decision/187fe6a167070384d55bb2a2>

Manager Legal, Compliance & Enforcement in response:

On Notice.
