



## **OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING**

A meeting of the OPERATIONS AND COMMUNITY SERVICES COMMITTEE will be held by video conference/at Waverley Council Chambers, Cnr Paul Street and Bondi Road, Bondi Junction at:

**7.00 PM, TUESDAY 13 APRIL 2021**

A handwritten signature in black ink, appearing to read 'Emily Scott', is positioned above the printed name.

Emily Scott  
**Acting General Manager**

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## Delegations of the Waverley Operations and Community Services Committee

On 10 October 2017, Waverley Council delegated to the Waverley Operations and Community Services Committee the authority to determine any matter **other than**:

1. Those activities designated under s 377(1) of the *Local Government Act* which are as follows:
  - (a) The appointment of a general manager.
  - (b) The making of a rate.
  - (c) A determination under section 549 as to the levying of a rate.
  - (d) The making of a charge.
  - (e) The fixing of a fee
  - (f) The borrowing of money.
  - (g) The voting of money for expenditure on its works, services or operations.
  - (h) The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).
  - (i) The acceptance of tenders to provide services currently provided by members of staff of the council.
  - (j) The adoption of an operational plan under section 405.
  - (k) The adoption of a financial statement included in an annual financial report.
  - (l) A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6.
  - (m) The fixing of an amount or rate for the carrying out by the council of work on private land.
  - (n) The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work.
  - (o) The review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*.
  - (p) The power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194.
  - (q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons,
  - (r) A decision under section 234 to grant leave of absence to the holder of a civic office.
  - (s) The making of an application, or the giving of a notice, to the Governor or Minister.
  - (t) This power of delegation.
  - (u) Any function under this or any other Act that is expressly required to be exercised by resolution of the council.
2. The adoption of a Community Strategic Plan, Resourcing Strategy and Delivery Program as defined under sections 402, 403, and 404 of the *Local Government Act*.

## Live Streaming of Meetings

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

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

## AGENDA

### PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Chair will read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

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

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

#### 1. Apologies/Leaves of Absence

#### 2. Declarations of Pecuniary and Non-Pecuniary Interests

#### 3. Addresses by Members of the Public

#### 4. Confirmation of Minutes

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#### 5. Reports

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OC/5.2/21.04	Access and Inclusion Advisory Panel - Councillor Membership.....	23
OC/5.3/21.04	Local Hero Awards 2021 .....	37

#### 6. Urgent Business

#### 7. Closed Session ..... 43

The following matters are proposed to be dealt with in Closed Session and have been distributed to Councillors separately with the Agenda:

OC/7.1/21.04	CONFIDENTIAL REPORT - Tea Gardens Hotel, 4A Bronte Road, Bondi Junction - Airspace Lease	
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#### 8. Resuming Open Session ..... 45

#### 9. Meeting Closure

## CONFIRMATION OF MINUTES

### OC/4.1/21.04



**Subject:** Confirmation of Minutes - Operations and Community Services Committee Meeting - 2 March 2021

**TRIM No:** SF21/280

**Author:** Natalie Kirkup, Governance Officer

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#### RECOMMENDATION:

That the minutes of the Operations and Community Services Committee meeting held on 2 March 2021 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

#### Introduction/Background

The minutes of the Operations and Community Services Committee meeting must be submitted to Operations and Community Services Committee for confirmation, in accordance with clause 20.23 of the Waverley Code of Meeting Practice.

#### Attachments

1. Operations and Community Services Committee Meeting Minutes - 2 March 2021



**MINUTES OF THE OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING  
HELD BY VIDEO CONFERENCE/AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD,  
BONDI JUNCTION ON TUESDAY, 2 MARCH 2021**

**Present:**

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

**Staff in attendance:**

Emily Scott	Acting General Manager
John Clark	Director, Customer Service and Organisation Improvement
Tony Pavlovic	Director, Planning, Environment and Regulatory
Shane Smith	Acting Director, Community, Assets and Operations
Karen Mobbs	General Counsel
Darren Smith	Chief Financial Officer
Evan Hutchings	Executive Manager, Governance and Projects

*At the commencement of proceedings at 7.00 pm, those present were as listed above.*

**PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE**

The Chair read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

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

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

**1. Apologies/Leaves of Absence**

Apologies were received and accepted from Crs Betts, Keenan and O'Neill.

**2. Declarations of Pecuniary and Non-Pecuniary Interests**

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

- 2.1 Crs Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, Nemesh, Wakefield and Wy Kanak declared a less than significant non-pecuniary interest in item OC/5.1/21.03 – Multicultural Advisory Committee – Membership and informed the meeting that they know some of the people recommended for appointment to the Committee.

**3. Addresses by Members of the Public**

There were no addresses by members of the public.

**4. Confirmation of Minutes**

**OC/4.1/21.03 Confirmation of Minutes - Operations and Community Services Committee Meeting - 3 November 2020 (SF20/43)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Copeland  
Seconder: Cr Masselos

That the minutes of the Operations and Community Services Committee Meeting held on 3 November 2020 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

## 5. Reports

### OC/5.1/21.03 Multicultural Advisory Committee - Membership (A15/0509)

*Crs Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, Nemesh, Wakefield and Wy Kanak declared a less than significant non-pecuniary interest in this item and informed the meeting that they know some of the people recommended for appointment to the Committee.*

#### MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Lewis

That Council appoints the following individuals to the Multicultural Advisory Committee for a term of two years, from March 2021 to March 2023:

1. Community representatives/residents:
  - (a) Robert Farotto.
  - (b) Ludovico Fabiano.
  - (c) Tito Scohel.
  - (d) Rozy Dorias.
  - (e) Emily Bogue.
  - (f) Raphael Crowe.
  - (g) Valentina Bau.
  - (e) Rachel Tanny.
2. Subject matter experts/service representatives:
  - (a) Patricia Jenkins.
  - (b) Lana Kofman.
  - (c) Margaret Teed.
  - (d) Linda Deutsch.

### OC/5.2/21.03 Public Art Committee Meetings - Minutes (A20/0106)

#### MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Burrill

That Council:

1. Receives and notes the minutes for the Public Art Committee meetings held on 31 August 2020, 12 October 2020 and 30 November 2020.

2. Notes the minutes will be made available to the public via Council's website.

**OC/5.3/21.03                      Rodney Reserve Coastal Fence - Geotechnical Review (A20/0475)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Based on the recommendations from a geotechnical assessment and advice provided in 2019 and peer review of geotechnical reports completed in 2020, aligns the fence parallel to the sports field at Rodney Reserve, at the top of the embankment set back a minimum of two metres landward from the slopes crest to ensure the fence minimises its impact on the stability of the embankment.
2. Installs a 1.6-metre-high fence as specified in Council's Public Domain Technical Manual, with post and concrete footings designed by Council's structural engineers.
3. Notes that the proposed height of 1.6 meters is a compliant height at this location.
4. Notes that the new fence will conform to Council's preferred coastal fence design.
5. Uses stainless steel 2205 in the fence replacement at Rodney Reserve as an alternative to the current coastal fencing prototype as a trial of this material.

**OC/5.4/21.03                      Bondi Pavilion Restoration and Conservation Project - Quarterly Update (A15/0272)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council receives and notes the report on the Bondi Pavilion Restoration and Conservation Project.

**6. Urgent Business**

There were no items of urgent business.

**7. Meeting Closure**

**THE MEETING CLOSED AT 7.18 PM.**

.....  
**SIGNED AND CONFIRMED**  
**CHAIR**  
**13 APRIL 2021**

## REPORT

### OC/5.1/21.04



**Subject:** Public Art Policy - Adoption

**TRIM No:** A20/0106

**Author:** Elizabeth Reidy, Co-ordinator, Curator and Visual Arts

**Director:** John Clark, Director, Customer Service and Organisation Improvement

### RECOMMENDATION:

That Council adopts the Public Art Policy attached to the report.

#### 1. Executive Summary

Council's Public Art Policy has been reviewed; the draft version has been subject to a 42-day period of exhibition for community consultation. It is recommended that the version of the policy attached to this report is adopted by Council.

The policy review has been undertaken through input from the Public Art Committee and the community, and includes amendments that reflect changes to Council's Development Control Plan (DCP) regarding triggers and controls for public art in private developments.

#### 2. Introduction/Background

Council adopted a new Public Art Policy in March 2014 that established the framework for a suite of related documents. Public Art in the Private Domain Guidelines, Art Collection Acquisition and Deaccession Guidelines, and the Public Art Master Plan, all outline the conditions and framework for the commissioning of new public art within the Waverley local government area (LGA). The policy had a review timeframe of four years.

Officers from the Visual Arts, Strategic Planning and Development Assessment teams, under the guidance of the Public Art Committee, commenced a review of the Public Art Policy in 2018. In December 2020 a draft review of the policy was approved by Council for public exhibition for 42 days.

#### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 8 December 2020	CM/7.5/20.12	That Council publicly exhibits the draft Public Art Policy attached to this report for 42 days
Council 18 March 2014	CRD.10/14	That Council: <ol style="list-style-type: none"> <li>Note the community feedback provided on the draft public art policy and thank people for their feedback.</li> <li>Approve the revised Public Art Policy as tabled at the meeting.</li> </ol>

#### **4. Discussion**

Council officers in Visual Arts, Strategic Planning and Development Assessment teams, under the guidance of the Public Art Committee 2018–2019, commenced a review of the Public Art Policy in 2018.

The Public Art Committee reviewed and evaluated the Objective Principles for Public Art in Waverley. The committee applied its expert knowledge to refinements to the wording of the policy's Objective Principles to ensure these objectives are in keeping with current industry language and expectations. The Public Art Committee also reviewed and made amendments to the projected outcomes for growth of public art, and public art in private developments.

The policy was on exhibition for 42 days from 15 January 2021 and minimal feedback was received. No changes to the draft policy have been recommended.

#### **5. Financial impact statement/Time frame/Consultation**

##### **Financial impact**

Council's Capital Works Program budget provides for \$100,000 biannually for the commissioning of new site-specific public art in the Waverley LGA.

The sites and order of these commissions are outlined in the Public Art Master Plan, which operates as a compendium to the current Public Art Policy. If adopted, the revised policy will form the framework for the continued delivery of the Public Art Masterplan and the Masterplan document will be updated to reflect the framework outlined in the adopted policy.

Public Art in the Private Domain Guidelines will also be revised to reflect the adopted policy framework, and further will outline procedural requirements for private developers who trigger Public Art Conditions in pre-DA and DA agreements.

##### **Time frame**

The Public Art Policy is reviewed every four years by Council officers and relevant advisory group, the Public Art Committee, to evaluate its continuing effectiveness. This time frame of the review leading to this current, updated policy is outlined in the discussion above.

##### **Consultation**

On 8 December 2020, Council resolved to place the draft Public Art Policy on public exhibition for 42 days. This allowed extensive time for community consultation and feedback. An exhibition campaign of the draft Public Art Policy ran on 'Have Your Say Waverley' between 15 January–14 February 2021, including an online survey, and long form submission forms for the community to provide feedback on the Principle Framework and Outcomes sections of the draft policy.

The consultation was promoted via a series of social media posts on Facebook and Instagram, via print in advertisement in the *Wentworth Courier* on 27 January 2021. The consultation was further promoted in Council's *Waverley Weekly* newsletter on 21 and 28 January, and 4 and 11 February 2021, Engagement e-news on 29 January 2021, and Arts and Culture monthly e-news on 1 February 2021. An online Q&A information session was scheduled and publicly advertised for 4 February 2021; however, it was cancelled due to the lack of community registrations.

The survey webpage was visited 73 times, with documents downloaded 29 times. Two survey responses were received, resulting in minimal feedback that did not impact or alter the items on which feedback was specifically sought, namely the Principle Framework or Outcomes of the draft policy.

**6. Conclusion**

The Public Art Policy attached to this report is recommended for adoption by Council. Should this occur, alterations to the Public Art Masterplan and Public Art in the Private Domain Guidelines will follow, to reflect the Principle Framework and Outcomes outlined in the revised policy.

**7. Attachments**

1. Public Art Policy [↓](#)



WAVERLEY  
COUNCIL

# Public Art Policy

## Public Art Policy

Policy owner	Arts and Culture
Approved by	Waverley Council
Date approved	TBC (March 2021)
Commencement date	March 2021
TRIM Reference	
Next revision date	April 2025
Relevant legislation/codes	
Related policies/procedures/guidelines	<a href="#">Waverley Community Strategic Plan 2018-2029</a> <a href="#">Waverley Council Development Control Plan 2012</a> <a href="#">Waverley Council Local Environmental Plan 2012</a> <a href="#">Waverley Public Art Masterplan</a> <a href="#">Waverley Public Art in the Private Domain Guidelines</a> <a href="#">Waverley Art Collection: Acquisition and Deaccessioning Guidelines 2018</a> <a href="#">Waverley Council Reconciliation Action Plan 2020</a>
Related forms	Bondi Beach Sea Wall Permit

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## 1. Background

Waverley Council has an appointed Public Art Committee that serves as a community advisory panel on all Public Art proposals in the area. The Waverley Public Art Committee makes recommendations to Waverley Council on the commissioning of permanent new Public Art works in the area by Waverley Council based on a set of criteria outlined in response to a brief. The sites identified for each newly commissioned Public Art work are outlined in the Waverley Council Public Art Master Plan. The Public Art Policy:

- a) Aligns with relevant legislation on Public Art outlined in the Waverley Council Development Control Plan, Local Environment Plan, Cultural Plan and Community Strategic Plan and follows Best Workplace Practice for the Commissioning of Public Art as stipulated by the National Association of the Visual Art
- b) Is implemented and monitored by Waverley Council staff and the Waverley Public Art Committee
- c) Is reviewed to evaluate its continuing effectiveness every four years.

## 2. Purpose

The purpose of the Public Art Policy is to ensure that the development of high quality Public Art in public places and Public Art in private developments delivers these benefits:

- a) Enhances local engagement and community
- b) Creates attractive places that are welcoming, engaging and interesting
- c) Enriches the experience of the place for residents and visitors
- d) Adds value to the public domain
- e) Creates opportunities for artists and economic growth for the creative industries.

## 3. Scope

This policy applies to all new Public Art commissioned in the Waverley Area including that commissioned by Waverley Council, Public Art required as part of new developments and building upgrades delivered by private developers and Waverley Council, and Public Art commissioned by Waverley Council in the delivery of the Waverley Public Art Masterplan.

## 4. Policy Content

Below are the Key Objectives and Principle Framework for the evaluation and assessment criteria for all new Public Art works to be considered for or commissioned in the Waverley LGA.

### 4.1 Key Objectives

The key objectives outlined below have been extracted from the Waverley Community Strategic Plan 2018 – 2029.

Public Art in Waverley should:

#### 1.1.1 *Facilitate opportunities that recognise Waverley's unique place in the Australian contemporary landscape*

##### 1.1.3 *Provide a program of recreational and entertainment events that balances community and visitor experiences*

**1.2 Preserve and interpret the unique cultural heritage of Waverley**

**1.2.1** *Maintain the unique cultural value and heritage significance of key landmarks*

**1.2.2** *Plan and deliver a range of cultural heritage activities that inspire creativity, build participation and create learning opportunities*

**5.1 Facilitate and deliver well-designed, accessible and sustainable buildings and public places that improve the liveability of existing neighbourhoods**

**5.1.2** *Ensure new development maintains or improves the liveability and amenity of existing neighbourhoods*

**5.3 Encourage new developments to achieve design excellence**

**5.3.1** *Ensure development and construction in the public and private domain achieves excellence in design*

**5.3.2** *Encourage creativity and innovation in the building, planning, design and delivery of new buildings and public place upgrades*

**7.1 Undertake long-term maintenance and renewal of Council assets that meet community expectations and statutory obligations**

**7.1.1** *Implement a sustainable asset management policy and strategy*

**7.2 Construct and upgrade new buildings and infrastructure that meet current and future community needs**

**7.2.1** *Work with the community to deliver long-term building and infrastructure plans*

These key objectives for Public Art in Waverley exemplify Waverley's commitment to robust and vital Public Art projects that enhance its reputation as a vibrant cosmopolitan area with world famous beaches, extraordinary natural beauty, the Bondi Junction commercial hub, and a culturally diverse community.

**4.2 Principle Framework for Public Art**

Permanent Public Art in Waverley must respond to all sub-headings outlined in the Principle Framework.

**Place making (Making spaces into places)**

Public Art will stimulate the imagination with creative expression, innovation and invigoration of space. It will ensure the integration of art into the everyday experience of the area for locals and visitors alike.

The relationship between the artwork and the built and open environment, its audience, and other contextual factors all contribute to its impact. Public Art will invigorate the areas of new developments that are visible and open to the public to actively enhance the character of the area, increasing connectivity and pride of place within the local community, adding cultural value.

**Artistic Merit and Integrated Design**

Public Art in Waverley aspires to quality, innovation, creative integrity, and the enrichment of public life. Public Art will be of artistic merit both in content and execution, displaying technical skill, craftsmanship, conceptual rigour and ingenuity, while meeting all deadlines and budgetary

requirements. The measures for artistic merit can be ascertained from an Artist's CV, including professional training, exhibition history, critical review, awards, previous commissions and overall artistic profile.

Proposed Public Art projects in new and private domain developments must be integrated into the overall design and architectural plans submitted with a DA, and evidence a collaborative design process that directly engages an artist in the development of the Public Art work within the proposed built form.

### **Local Culture and Heritage**

Waverley encourages Public Art that reflects and celebrates the area's diverse cultures and communities. Public Art should respond to local stories, history and conversations, creating opportunities for social engagement and pride in the area. It may also engage with the national and international profile of Waverley places.

Waverley Council recognises the area's Indigenous history and welcomes Public Art acknowledging the stories, traditions and customs of the original custodians of the area.

All appropriate cultural protocols and required consultation must be implemented at the onset of the process in development of new Public Art works and be evidenced in DA submissions.

### **Sustainability and Materiality**

Public Art in Waverley should give due consideration to materials, design and construction, durability and longevity in its environment. Sustainability must be considered in terms of the ability of the work to endure physically and in terms of social relevance, environmental sustainability and artistic integrity. Permanent Public Art works must provide detailed material and engineering certifications evidencing a minimum lifespan of ten years.

## **4.3 Outcomes / Actions**

- 4.3.1 Waverley Council has adopted a Masterplan that identifies locations for the commissioning and delivery of site specific of Public Art in Waverley. The Masterplan is funded biannually in the Waverley Council Capital Works program.
- 4.3.2 All major Waverley Council driven new developments will incorporate site specific and appropriate Public Art into the overall budget and planning processes.
- 4.3.3 Waverley Council will identify major Private Domain developments in B1, B3 and B4 zones that trigger the conditions for integrated Public Art and will oversee this as part of the DA conditions for new developments.
- 4.3.4 Waverley Council will develop and maintain networks and partnerships with businesses, artists, curators, arts organisations, neighbouring Councils and other relevant stakeholders in the delivery of an exceptional program of Public Art in Waverley.
- 4.3.5 Waverley Council will ensure that all permanent works of Public Art in Council controlled land are subject to community consultation before approval if commissioned outside of an overall DA process.
- 4.3.6 Waverley Council will develop a maintenance plan and allocate appropriate funds through the Strategic Asset Management Plan for all Public Art works in the area.

#### 4.4 Feedback and Consultation

The following process is outlined for the purpose of feedback and consultation:

- 4.4.1 All permanent Public Artworks commissioned by Waverley Council from the Waverley Public Art Masterplan must go out for community consultation during the detailed design stage and the final commission approved by Waverley Council, in line with the framework and actions stipulated in Council's Community Engagement Policy and Strategy
- 4.4.2 Determinations for Public Art in the Private Domain approvals will be authorised in the DA process once procedures outlined in the Public Art in the Private Domain Guidelines have been followed.
- 4.4.3 Temporary Public Artworks can be approved at staff delegation, though there may be circumstances where the advice of the Public Art Committee is sought for consultation. In the instance of a temporary public artwork in particularly high profile zones, heritage zones or of a significantly high dollar value, a report may be made to Council for information.
- 4.4.4 All Agendas and Minutes of meetings of Waverley Council, Waverley Public Art Committee, Waverley Design Excellence Panel, Traffic Committee, Multi-Cultural Committee, and any specific or specifically appointed cultural reference or steering group will be made available, as relevant, to the artist, practitioner or developer to ensure advice and feedback is transparent.
- 4.4.5 Waverley Council staff must maintain all records relevant to administering this policy and procedure in a recognised Council record keeping system.

#### 4.5 Funding

Waverley Council has financial funding of \$100,000 in the Capital Works program every other year for the commissioning of a new Public Artwork in the Waverley LGA.

Waverley Council's **Development Control Plan 2012 (Amendment 8)** stipulates:

*A public artwork is required for all development in B1, B3 and B4 zones, with a proposed construction greater than \$10 million. The artwork is to be valued at 1% of the overall construction cost of the development as noted in the Waverley Development Application Guide. Development must comply with the provisions of Part B11 Public Art and B12 Design Excellence of the Waverley Development Control Plan.*

Developers who have triggered Public Art requirements in pre-DA conditions should refer to Waverley Council's **Public Art in the Private Domain Guidelines and Procedures** for clarity on processes to ensure approvals are obtained expediently through the overall DA process. It is advised that developers meet with staff from the Visual Arts team to discuss the Public Art component of their development as soon as they are notified of the requirement by the Duty Planner.

## **5. Review of Policy**

The Waverley Public Art Policy, Public Art in the Private Domain Guidelines, and Process and Procedure Manual will be reviewed every four years by Waverley Council staff including Duty

Planners, Strategic Planners, DA Assessment officers, Arts and Culture officers, and all relevant advisory groups including the Design Excellence Panel and Waverley Public Art Committee.

## 6. Definitions

Term	Definition
<b>Public Art</b>	<p>Public Art can take many forms in many different materials. It can be free-standing work or integrated into the fabric of buildings or outdoor spaces. It can be a sculpture, installation or even a performance work. Practitioners may work individually or with other practitioners and manufacturers to produce their works.</p> <p>Public Art can be permanent, lasting many years, or temporary, lasting a few hours, days or months. It can be site-specific, drawing its meaning from and adding to the meaning of a particular site of place, or non-site specific, located in a public place primarily for display purposes.<sup>i</sup></p>
<b>Public Art in the Private Domain</b>	<p>Artworks commissioned specifically as conditions of private developments. Public Art in the Private domain must be commissioned in spaces that are directly viewable and accessible to the public for the public to experience and contribute to the identity of the overall development for the community within and external to the building.</p>
<b>Placemaking</b>	<p>Placemaking facilitates creative patterns of use in public space drawing on a community's localised social and cultural identity. Placemaking aims to strengthen the connection between people and the places they share putting community based participation as the core principle.<sup>ii</sup></p>
<b>Integrated</b>	<p>Collaboration between architects, landscape architects, planners and practitioners that works to cross disciplines, transcend hierarchies and develop highly innovative and relevant integrated design solutions for public places.<sup>iii</sup></p>
<b>Site Specific</b>	<p>Designed specifically for, and responsive to, a particular site through scale, material, form and concept.<sup>iv</sup></p>
<b>Practitioner</b>	<p>A practitioner is engaged to develop a concept in response to a brief at the start of the commissioning process. Often a practitioner will subcontract to others to help fabricate and install a commissioned artwork.<sup>v</sup></p>
<b>Professional Artist</b>	<p>A professional artist is someone who has an established track record as an artist creating and exhibiting original artworks. Professional artists may be categorised as emerging, mid-career, or established in their career. At times it may be appropriate for a commissioner to seek out artists in any one of these specific categories to carry out the work, or to seek out people outside the definition of a professional.<sup>vi</sup></p>
<b>Collaborative practice</b>	<p>The project is realised by a design or artistic team of practitioners rather than the creative vision of a single practitioner. The team may involve</p>

other professionals such as architects, landscape architects, graphic designers or a team of practitioners working in collaboration. In this case the practitioner is engaged as an artist consultant to contribute to an overall collaborative design process, which may or may not result in a distinct work being produced by the practitioner later in the process. All members of the collaborative team need to be brought together at an early stage of the project in order to ensure that the overall design is created through a process of collaboration.<sup>vii</sup>

**Community Consultative practice**

The project either requires or allows for consultation with relevant community members that informs and influences the project to some degree. Projects can be structured to allow for community input at any or all stages, from the development of the artist brief to design and selection, manufacture and installation. The commissioner will provide the artist with a description of the stakeholders, the consultation process, and the intended role of the artist in any consultation. The artist may independently recommend or undertake consultation as part of the artistic process<sup>viii</sup>

**Community Participatory practice**

The practice in which members of a community actively participate in the design and fabrication of an artwork. These projects generally fall within the field of community art and should be facilitated by an experienced community artist or arts worker. Practitioners undertaking community arts projects need to be aware that copyright and moral issues may not be as straight-forward as those relating to the creation of artworks by one individual. An approach to authorship should be determined before the start of the project<sup>ix</sup>

**Cultural Protocol**

Projects that engage with specific or identified cultural knowledge, customs, stories, traditions, language, rituals or expressions require a process of seeking and gaining approval to ensure the upmost respect is shown to cultural protocol. Cultural protocol is showing respect to the specific group, owner or custodian of a cultural practice. Best practice suggests clear discussion at the outset regarding project scope and how cultural heritage is proposed to be used. This includes consent obtained or required to be obtained to use cultural heritage, ongoing consultation requirements and processes.<sup>x</sup>

**Permanent**

The status given to a Public Artwork with a minimum life expectancy of ten years

**Temporary**

The status given to a Public Artwork with a maximum life expectancy of five years

**Relocation**

Circumstances sometimes arise where redevelopment of a site, upgrades, sustainability and environment issues changes to WHS regulations or impending construction render a Public Artwork inappropriate to its context and require it to be relocated to a new context suitable to its character, materiality and form<sup>xi</sup>

<b>Maintenance</b>	The process and procedures for preserving the condition, situation and quality of an object
<b>Acquisition</b>	The formal process of obtaining legal possession by purchase, donation or through bequest of an item for the 'Art Collection'. Information about the object including its name, a short description of it, the date on which it was acquired, the provenance of the object, legal documents outlining transfer of title and from where it was sourced are recorded in a register. <sup>xii</sup>
<b>Deaccessioning</b>	The formal process of removal of an object from the 'Art Collection' register, catalogue or database. <sup>xiii</sup>
<b>Loan</b>	An artwork borrowed for a short or long-term exhibition from a private collection, individual collector or as an inter-gallery/museum loan and is not available for sale <sup>xiv</sup>
<b>Commissioning</b>	The term 'commissioning' is often used in a variety of contexts to refer to the mode of enabling the production of a new artistic work by a client <sup>xv</sup>
<b>Recommissioning</b>	The term 'recommissioning' refers to the mode of enabling the reproduction of an already existing artistic work by its original creator using the original plans, design or blueprint for the work. Recommissioning typically happens when an artwork is broken or damaged beyond repair <sup>xvi</sup>

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- <sup>i</sup> NAVA Code of Practice: 3.2 Types of Public Art
  - <sup>ii</sup> Project for Public Spaces: adapted from definition outlined in: What if We Built Our Communities Around Places?
  - <sup>iii</sup> NAVA Code of Practice: 3.2 Types of Public Art
  - <sup>iv</sup> Public Art: Making it happen: Government of South Australia p.4 Descriptors
  - <sup>v</sup> NAVA Code of Practice: 3.2 Types of Public Art
  - <sup>vi</sup> NAVA Best Practice for Commissioning Art in Public Space p.9 The Artist/Practitioner
  - <sup>vii</sup> NAVA Code of Practice: 3.2 Types of Public Art
  - <sup>viii</sup> NAVA Best Practice for Commissioning Art in Public Space p.6 Community Consultative Model
  - <sup>ix</sup> NAVA Best Practice for Commissioning Art in Public Space p.7 Community Participatory Model
  - <sup>x</sup> NAVA Best Practice for Commissioning Art in Public Space p.6 Community Consultative Model
  - <sup>xi</sup> Waverley Art Collection: Acquisition and Deaccessioning Guidelines 2018
  - <sup>xii</sup> MGNSW Collection Management: Acquisition Facts Sheet
  - <sup>xiii</sup> MGNSW Collection Management: Deaccessioning and Disposal
  - <sup>xiv</sup> NAVA Code of Practice: 7.4.3 Artist Loan Fees
  - <sup>xv</sup> NAVA Code of Practice: 7.4.2 Commissioned Artist Fees
  - <sup>xvi</sup> NAVA Code of Conduct: 7.4.2 Commissioned Artist Fees

## REPORT

### OC/5.2/21.04



**Subject:** Access and Inclusion Advisory Panel - Councillor Membership

**TRIM No:** A21/0096

**Author:** Carly McLennan, Community Development Officer, Inclusion Access

**Director:** Shane Smith, Acting Director, Community, Assets and Operations

#### RECOMMENDATION:

That Council appoints the Mayor or Mayor's delegate and three Councillors to the Access and Inclusion Advisory Panel.

#### 1. Executive Summary

This report seeks the appointment of the Mayor (or Mayor's delegate) and three Councillors to the Access and Inclusion Advisory Panel (the Panel) to enable Council to proceed with the appointment of the eight community members as per the endorsed Terms of Reference.

#### 2. Introduction/Background

At the meeting of Council on 16 March 2021, the Terms of Reference (ToR) for the Access and Inclusion Advisory Panel were adopted (Attachment 1). The ToR stipulate that the Panel membership will comprise:

- The Mayor or Mayor's delegate and three Councillors.
- Up to eight community members who have a direct experience of disability either personally, professionally, academically or through a care/support role.

Community members will be invited to submit expressions of interest to join the Panel. Applications will be assessed by a selection panel comprising the Mayor (or Mayor's delegate), the three Councillor members and the Director Community Assets and Operations or officer assigned by the General Manager. The Community membership will then be appointed by resolution of Council.

The Councillor membership must be in place to recruit community members to the Panel.

#### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 16 March 2021	CM/7.3/21.03	That Council:  1. Thanks the following members of the Access Advisory Committee 2014–2021 for their contribution:  (a) Nicola Sellman.  (b) Mary Doyle.

		<p>(c) Rachel Lazarov.</p> <p>(d) Ben Alexander.</p> <p>(e) Meredith Coote.</p> <p>(f) Ben Whitehorn.</p> <p>2. Adopts the Terms of Reference for the Access and Inclusion Advisory Panel (formerly Access Advisory Committee) attached to the report.</p> <p>3. Notes that the development of the 2022–2026 Disability Inclusion Action Plan will be integrated into engagement activities of the new Community Strategic Plan.</p> <p>4. Sets a fee of \$200 per meeting to be paid to community members and community organisations/groups for attendance.</p> <p>5. Notes that funding of up to \$6,250 for the payment of the fees referred to in clause 3 above has been included in the draft 2021–22 Operational budget.</p>
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#### 4. Discussion

The aim of the Panel is to promote an inclusive community and enhance the inclusion and participation of people of all abilities in community life.

The role of the Panel is to:

- Provide input into policy development and review and planning/
- Provide input to enhance the inclusion and accessibility of Council infrastructure, facilities, services, events, programs, systems, and information.
- Provide advice to Council on how to identify barriers to people's full participation in community life
- Provide input into helping Council keep the broader community informed and engaged in initiatives that promote inclusion.
- Assist in the development, implementation and review of the Disability and Inclusion Access Plan, and related actions within the Waverley Community Strategic Plan.

Recruitment of Panel members will be undertaken from 8 April to 6 May. It is anticipated the selection panel will review applications and put forward the recommended community members to Council for endorsement on 25 May 2021.

It is proposed that the Panel meets in June 2021 to coincide with planning for the review of the Disability Inclusion Action Plan.

## 5. Financial impact statement/Time frame/Consultation

### Financial

The budget to facilitate and support Panel meetings has been included in the draft 2021-22 Operational Budget.

### Time frame

- 16 March ToR adopted by Council.
- 13 April Councillor Membership appointed.
- 8 April–6 May Community membership expression of interest (EOI) period.
- 7 May–13 May Selection panel to assesses community member applications.
- 25 May Report to Council with recommended Community membership for endorsement.
- Late June First meeting of the Panel.

### Consultation

The community EOI period will run from 8 April to 6 May 2021. Community members will be invited to submit expressions of interest across the following communication channels:

- Advertisement in the Wentworth Courier.
- Waverley Have Your Say website.
- Council's Social media platforms.
- Weekly mention in the Waverley Weekly e-news.
- Have Your Say e-news mention in April edition.
- Email to Precincts.
- A stall in the Library.
- Global table – flyers on Council info stall.
- Promotion through Community Programs service networks and interagencies.

## 6. Conclusion

This report seeks the appointment of Councillor members to the Access and Inclusion Advisory Panel.

## 7. Attachments

1. Access and Inclusion Advisory Panel - Terms of Reference [↓](#)



WAVERLEY  
COUNCIL

# **Access and Inclusion Advisory Panel**

## **Terms of Reference**

## Access and Inclusion Advisory Panel Terms of Reference

Policy owner	Executive Manager, Community Programs
Approved by	Council
Date approved	16 March 2021
Commencement date	16 March 2021
TRIM Reference	A21/0096
Next revision date	2023
Relevant legislation/codes	Waverley Code of Conduct for Council Committee Members and Other Council Officials  Waverley Code of Meeting Practice
Related policies/procedures/guidelines	Randwick and Waverley Regional Disability Inclusion Framework 2017-2021  Waverley Council Disability Inclusion Action Plan 2017-2021
Related forms	Waverley Access and Inclusion Panel Expression of Interest Form

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## Acknowledgement

The Panel acknowledges the Bidjigal and Gadigal people who traditionally occupied the Sydney Coast, and Aboriginal Elders both past and present.

### 1. Objective

The aim of the Panel is to promote an inclusive community and enhance the inclusion and participation of people of all abilities in community life.

### 2. Purpose Statement

The role of the Panel is to:

- Provide input into policy development and review and planning
- Provide input to enhance the inclusion and accessibility of Council infrastructure, facilities, services, events, programs, systems, and information
- Provide advice to Council on how to identify barriers to people's full participation in community life
- Provide input into helping Council keep the broader community informed and engaged in initiatives that promote inclusion
- Assist in the development, implementation and review of the Disability and Inclusion Access Plan, and related actions within the Waverley Community Strategic Plan.

### 3. Authority

The Panel is an advisory body to Council that assists the Council to fulfil its functions. It does not have any delegated authority to act on behalf of Council. The advisory status of the Panel means that it may provide input to Council officers and make recommendations to Council or its Standing Committees.

The Panel is not authorised to:

- Make decisions on behalf of Council
- Expend money on behalf of Council
- Commit the Council to any actions or arrangements
- Direct Council officers in the performance of their duties, or
- Represent the Council in any communication with the public or media.

### 4. Membership

Panel membership will comprise:

- The Mayor and three Councillors.
- Up to eight community members who have a direct experience of disability either personally, professionally, academically or through a care/support role.

Should the Mayor decline membership of the Panel, a Councillor nominated by the Mayor shall be appointed to the Panel for the councillor term.

A community member is to be appointed as an individual member of the community and not as a representative of an organisation, business, advocacy body, or stakeholder group.

#### **4.1 Appointment of Councillor members**

The Mayor, or the Mayor's nominee, and the three councillor members must be appointed by resolution of the Council.

Council may resolve to appoint an alternate Councillor member to attend Panel meetings in the absence of one of the Councillor members. The alternate Councillor member will have the same voting rights as the Councillor member being replaced.

#### **4.2 Appointment of community members**

The community members may only be appointed to the Panel by resolution of the Council.

The eight community members shall be sought by way of public advertisement inviting expressions of interest for assessment by a selection panel comprising the Mayor (or the Mayor's delegate), the three councillor members and the Director Community, Assets and Operations or officer assigned by the General Manager.

Applicants may request assistance to submit their expression of interest to become a Panel member. Council's Community Development Officer Access and Inclusion will be available to provide support to interested community members.

An Easy Read version of the Expression of Interest form will be made available.

The selection panel will evaluate the candidates against the following criteria:

- Live, work or have a connection to Waverley of the surrounding area
- Have a direct experience of disability, either personally, professionally, academically or through a care or support role
- Have capacity to contribute views and perspectives that represent, as far as is possible, a diverse range of disability
- Have interest in and the capacity to provide advice on one or more of the following:
  - The built environment and urban planning
  - Social inclusion and civic participation
  - Economic participation
  - Promotion of inclusive attitudes and behaviours
  - The development, implementation and review of Council's strategies, policies and practices.
- Be available to attend meetings out of business hours.

The selection panel will recommend the community membership to Council for its determination.

#### **4.3 Chair of the Panel**

The Mayor (or the Mayor's nominee) is the Chair of the Panel.

The Chair is to have precedence over the control and management of the meetings. In relation to any procedural matter, the ruling of the Chair shall be final.

The Chair may call any member to order whenever in the opinion of the Chair it is necessary to do so.

Should the Chair be unable to chair a meeting or part of a meeting, prior to the meeting the Chair will nominate a councillor member of the Panel to chair the meeting. In the case that the nominated Chair does not attend, Council's most senior Officer in attendance will chair the meeting, or that part of the meeting as the case may be.

#### **4.4 Non-voting Invitees**

The Panel will issue a standing invitation to the following people to attend meetings of the Panel as non-voting invitees:

- All non-member Councillors
- The General Manager
- All Directors
- The Chief Financial Officer
- The General Counsel

Other Council staff may be invited by the Chair of the Panel to attend meetings as observers, advisors or to provide information and presentations as required.

The Panel may also invite other external parties to provide expert advice, information or presentations as the Panel deems necessary.

Councillors who are not Panel members may attend meetings of the Panel. However, they are not entitled to:

- Give notice of business for inclusion on the agenda of the meeting;
- Move a motion at the meeting; or
- Vote at the meeting.

#### **4.5 Vacancies**

A vacancy for a community member of the Panel will occur upon the resignation of the member, expiry of a term of appointment as outlined in Section 5 of this Terms of Reference, failure to attend without cause for two consecutive meetings, or removal of the member by resolution of the Council.

Following an expression of interest process for community membership of the Panel, Council may establish a pool of suitable candidates to fill vacancies on the Panel. A candidate may be a member of the pool for a maximum period of 12-months.

Where no pool of suitable candidates is established, vacant community member positions on the Panel must be filled by way of public advertisement inviting expressions of interest for assessment by the selection panel, who will recommend a new member to Council. This will occur as soon as practical within the period of two Panel meetings.

## **5. Term of Office**

Councillor members of the Panel shall hold office for a 12-month term, as determined by Council in September each year.

Community members shall hold office for a two-year term (or such other period of appointment) or when reviewed by Council. Where possible the term is to coincide with the Council term.

Community members may reapply for a second two-year term through the expression of interest process outlined in section 4.2 of this Terms of Reference, provided the total time served on the Panel does not exceed four years.

An individual member will cease to be a member of the Panel if the member has been absent from two consecutive meetings without having given reasons acceptable to the Chair for their absence.

## **6. Member Responsibilities**

It is the responsibility of Panel members to:

- Participate in and contribute to meetings.
- Understand the relevant legislation and regulatory requirements appropriate to the Panel.
- Contribute the time needed to study and understand the papers/information provided.
- Apply good analytical skills, objectivity and good judgment.
- Keep up to date and informed of the work of the Panel.
- Perform tasks agreed by the Panel that may need to occur outside of meetings.
- Perform any other duties that may reasonably be determined from time to time and agreed by the Panel e.g. site visits.

### **6.1 Code of Conduct**

Members of the Panel must comply with Council's *Code of Conduct for Council Committee Members and Other Council Officials* in carrying out their functions as Panel members.

It is the personal responsibility of each Panel member to comply with the standards in the code of conduct and regularly review their personal circumstances with this in mind.

## **6.2 Conflict of Interests**

Panel members must declare any conflict of interests at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be recorded in the minutes.

Where Panel members attending meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Panel deliberations on the issue where the conflict of interest may exist.

For the avoidance of doubt, non-councillor members of the Panel are not 'designated persons'.

## **6.3 Confidential and Personal Information**

In the course of their work on the Panel, Panel members will be entrusted with sensitive or confidential information about Council's operations.

Panel members must maintain the integrity and security of confidential and personal information in their possession, or for which they are responsible.

Provisions concerning the use and security of confidential and personal information are set out in Part 7 of Council's *Code of Conduct for Council Committee Members and Other Council Officials*.

Should a Panel member become aware of any breach of security, or misuse of Council's confidential or personal information, they should inform the General Manager immediately.

## **6.4 Media Protocol**

Panel members must not make public comment, including to the media and on social media, on any matter related to Waverley Council.

## **6.5 Responsibilities of Non-voting Invitees, Observers and Non-member Councillors**

All non-voting invitees, observers and non-member Councillors must comply with sections 6.1-6.4 of this Terms of Reference.

# **7. Establishment of Working Groups and Workshops**

Working groups and workshops may be established and held at the direction of the Chair to address specific issues or work out the detail of specific initiatives. The Panel may develop briefs for working groups and co-opt people with the necessary knowledge and skills to contribute as needed.

Working groups will report back to the Panel about action taken, progress made, and recommendations to Council where relevant.

## **8. Review of the Terms of Reference**

The Panel will review its Terms of Reference at least once every two years to ensure it remains current, relevant, and accurately reflects the Panel's composition, role, and responsibilities.

The Panel may make recommendations to the Council to change aspects of the Terms of Reference. However, the adoption of the Terms of Reference is the responsibility of the Council.

## **9. Administrative Arrangements**

### **9.1 Administrative Support**

The Panel and its Working Groups will be supported by relevant Officers assigned by the General Manager.

Council's main contact for the Panel will be the Executive Manager Community Programs, who will initiate communication on behalf of Council with regard to Panel recommendations, maintain a record of advice, and prepare an update for each meeting.

### **9.2 Meetings**

The Panel will meet three times per year in March, June, and September.

Meetings may be held outside normal business hours.

Regular meetings may be deferred if the Chair considers them not necessary at that time.

Meetings of the Panel are not open to the public. However, members of the public may be invited to speak at a meeting on the issues being considered by the Panel at the discretion of the Chair.

Meetings may be held in person, by telephone or by video conference.

With the consent of the Chair, a member of the Panel may attend a meeting by electronic means if physically getting to a meeting is difficult.

Meetings of the Panel will take place without strict adherence to the rules of debate and other procedural requirements. Recommendations at meetings will be made by way of consensus. In cases where consensus cannot be reached recommendations will be made by majority vote (see section 9.6 of this Terms of Reference).

Where these Terms of Reference do not address the conduct of a meeting, Council's Code of Meeting Practice will apply.

### **9.3 Agendas and Minutes**

Council officers will provide agenda items and reports for Panel meetings in consultation with the Chair of the Panel.

Members may raise other matters within the parameters of the Terms of Reference for Panel consideration, discussion and comment. Where practicable, members should notify the Director or officer assigned to support the Panel of an item at least 21 days prior to a scheduled meeting to enable its inclusion in the agenda. Agenda items put forward must be aligned with the Waverley Disability Inclusion Action Plan and Waverley Community Strategic Plan.

The assigned support officer will ensure meeting agendas and associated documents will be issued to Panel members, all councillors and non-voting invitees at least seven days before the meeting.

The General Manager, through the assigned support officer, must ensure that full and accurate minutes of the proceedings of Panel meetings are kept. The minutes must record:

- The date and start time of meetings, attendees and any apologies.
- Any conflict of interests declared at the meeting.
- The confirmation of the minutes from previous the meeting.
- The Panel's recommendation on each item.
- The time the meeting closed.

The draft minutes must be approved by the Chair of the Panel. The assigned support officer will then circulate the draft minutes to all Panel members, Councillors and relevant staff within 10 business days of the meeting being held.

Draft minutes are not publicly available.

The draft minutes must be confirmed by the Panel at the next available Panel meeting, and subsequently reported to Council for noting and published on Council's website.

If the Panel wishes to recommend to the elected Council that it takes action on a particular matter, officers must write a report to the Council with details of the background and the issues and include the Panel's recommendation for Council's consideration.

### **9.4 Action Tracking Report**

An Action Tracking Report is to be maintained by Council's Community Programs team. The report will be a standing item on the Panel's agendas. As an item is completed and reported to a Panel meeting, it will be removed from the list of actions in the report.

## **9.5 Quorum**

A quorum for a meeting of the Panel will be a majority of Panel members, at least two of whom must be a Councillor.

## **9.6 Voting**

In cases where consensus cannot be reached recommendations will be made by majority vote.

A motion supported by the majority of Panel members, by means of a vote, at a meeting of the Panel at which a quorum is present is a recommendation of the Panel.

Voting at a Panel meeting is to be by a show of hands or by voices.

A member of the Panel is entitled to one vote only on each matter. In the case of an equality of votes, the Chair of the Panel has a casting vote. Where the Chair decides not to exercise their casting vote, the motion being voted upon is lost.

Whether or not the Chair used their casting vote shall be recorded in the minutes.

## **9.7 Induction**

New members will receive information packs and briefings upon their appointment to assist them to meet their Panel responsibilities.

## **9.8 Remuneration**

Community members of the Panel shall be remunerated for participating on the Panel on a per meeting attended basis at the remuneration level adopted by Council.

## REPORT

### OC/5.3/21.04



**Subject:** Local Hero Awards 2021

**TRIM No:** A21/0122

**Author:** Rebecca Rodwell, Manager, Community Planning and Partnerships

**Director:** Shane Smith, Acting Director, Community, Assets and Operations

#### RECOMMENDATION:

That Council:

1. Endorses the recommendations of the judging panel for the Waverley Local Hero Awards 2021 and Certificate of Commendation as detailed in the document circulated separately to Councillors.
2. Supports the recommendation of the panel to reconvene for a comprehensive program review following the awards event.

#### 1. Executive Summary

This report seeks endorsement of the recommendations of the judging panel for Council's 2021 Local Hero Awards.

In response to feedback and observations, the panel is also recommending to reconvene following the awards for a comprehensive review.

#### 2. Introduction/Background

Council has recognised and awarded its community leaders in various ways over many years. In 2005, the 'Recognising Our Community Leaders' walk was established, and initially delivered as Waverley's first annual Local Hero event. In 2011, the Scroll of Honour was merged with the Local Hero Awards, and Council endorsed the laying of a bronze plaque for the Local Hero Best of the Best Award every four years.

Over the years, the program has been reviewed and adapted to suit the changing needs and interests of the community. Following a review of the program in 2017, Council endorsed recommendations to expand the Local Hero Award categories to recognise a broader range of volunteering contributions across the community.

In 2019, Council agreed to change the frequency of the awards from annually to biennially, and updated the criteria for the Young Local Hero to recognise excellence in areas including but not limited to environment, business, volunteering, fundraising, sports, arts and culture, innovation and leadership.

#### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 17 September 2019	CM/7.8/19.09	That Council:  1. Holds the Local Hero Awards every two years, starting in

		<p>2021.</p> <ol style="list-style-type: none"> <li>2. Officers amend the criteria for the Young Local Hero Award to recognise excellence in areas including, but not limited to, environment, business, volunteering, fundraising, sports, arts and culture, innovation and leadership.</li> <li>3. Notes that the Best of Best award will continue unchanged.</li> </ol>
Council 16 April 2019	CM/7.9/19.04	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Endorses the recommendations of the judging panel for the Waverley Local Hero Awards 2019 and Certificate of Commendation as follows: <ol style="list-style-type: none"> <li>(a) Local Hero Award – Strengthening Community – Peter Quartly.</li> <li>(b) Local Hero Award – Community Volunteer – Linda Deutsch. Certificate of Commendation – Community Volunteer – Irina Gilstein.</li> <li>(c) Local Hero Award – Community Life – Catherine Kara.</li> <li>(d) Local Hero Award – Second Nature Champion – Anne McArthur.</li> </ol> </li> <li>2. Endorses the panel’s recommendation that a Local Hero ‘Best of the Best’ bronze plaque be installed on the ‘Recognising Our Community Leaders’ walk in honour of Audrey and Peter McCallum for their extensive community volunteering.</li> <li>3. Supports the panel’s recommendations that a report be prepared for Council to: <ol style="list-style-type: none"> <li>(a) Review award frequency.</li> <li>(b) Review the Young Local Hero Award criteria.</li> </ol> </li> </ol>
Council 17 April 2018	CM/7.14/18.04	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Receives and notes the report.</li> <li>2. Endorses the recommendations of the Judging Panel for the Waverley Local Hero Awards 2018, Waverley Young Local Hero Award 2018, and Certificate of Commendation as follows: <ol style="list-style-type: none"> <li>(a) Local Hero Award – Strengthening Community: Efim</li> </ol> </li> </ol>

		<p>Solove. Certificate of Commendation: Laya Slavin.</p> <p>(b) Local Hero Award – Community Volunteer: Leila Forde. Certificate of Commendation: Allan Scott.</p> <p>(c) Local Hero Award – Community Life: Sara Hawkins.</p> <p>(d) Local Hero Award – Working Together: Mums for Mums and Friends of Waverley Cemetery.</p> <p>(e) Local Hero Award – Second Nature Champion: Glen Stevens. Certificate of Commendation: Robin Mellon.</p> <p>(f) Young Local Hero Award: Chloe Luu and Belinda Gao (joint award).</p> <p>(g) Mayoral Certificate of Commendation: Plastic Free Bronte.</p> <p>3. Endorses the Panel’s further recommendations as follows:</p> <p>(a) That the Heroes receive a trophy, and that the commendations receive a framed certificate.</p> <p>(b) That all other nominees receive a letter of appreciation from the Mayor.</p> <p>(c) That the winners and commendation recipients be nominated by Council in the NSW Volunteer of the Year awards.</p> <p>4. Officers give consideration to awarding cash prizes to future recipients of these awards.</p>
Council 21 November 2017	CM/7.9/17.11	<p>That Council:</p> <p>1. Endorses the proposed changes to the Local Hero Awards as outlined in this report, specifically that:</p> <p>(a) The awards categories listed in Table A of this report be trialled to recognise a broader cross section of the community.</p> <p>(b) The award ceremony be integrated with Council’s formal volunteer recognition event during Volunteer Week in May to improve appeal and reach.</p> <p>(c) The ‘Best of the Best’ Local Hero award be made more broadly accessible to outstanding candidates (beyond the pool of previously recognised local heroes).</p>

		<ol style="list-style-type: none"> <li>2. Appoints a judging panel for the current Council term, consisting of the Mayor or nominee, Cr Goltsman, Cr O'Neill and Cr Wy Kanak.</li> </ol>
Operations Committee 7 March 2017	OC/5.3/17.03	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Receives and notes the report.</li> <li>2. Endorses the recommendations of the Judging Panel for the Waverley Local Hero Award 2015, Waverley Young Local Hero Award 2016, and Certificate of Commendation as follows: <ol style="list-style-type: none"> <li>(a) Waverley Local Hero Award 2016: Joe Coelho, Volunteer, Waverley Library, Local Studies Collection.</li> <li>(b) Waverley Young Local Hero Award 2016: Niall Hoskins, Volunteer, Waverley Library, Digital Assistance.</li> <li>(c) Certificate of Commendation, Dr Paul Hotton, North Bondi Surf Club.</li> </ol> </li> </ol>
Operations Committee 4 August 2015	OC/5.4/15.08	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Receives and notes the report.</li> <li>2. Endorses the recommendations of the Judging Panel for the Waverley Local Hero Award 2015, Waverley Young Local Hero Award 2015, and three Certificates of Commendation as follows: <ol style="list-style-type: none"> <li>2.1 Waverley Local Hero Award 2015: Rabbi Mendel Kastel, Jewish House.</li> <li>2.2 Waverley Young Local Hero Award 2015: not recommended this year.</li> <li>2.3 Certificate of Commendation: <p>Grant McMahon, North Bondi Surf Club.</p> <p>Sue Underwood, Beaches Outreach Project.</p> <p>Grant Trebilco, OneWave.</p> </li> </ol> </li> <li>3. Endorses the Panel's recommendation that a perspex trophy called 'Waverley Lifetime Service Award' be introduced, and awarded this year to John Wright OAM, in recognition of his dedicated long-term service to the community.</li> </ol>

		4. Endorses the Panels' recommendation that a 'Best of the Best' Local Hero bronze plaque be installed in the 'Recognising Our Community Leaders' walk, in honour of Rabbi Dovid Slavin, Our Big Kitchen.
Operations Committee 5 May 2015	OC/5.5/15.05	That Council amends the Local Hero Awards eligibility selection criteria as follows: in the fifth criterion, insert the word 'full-time', to read:  'Current serving local government councillors and full-time council officers are not eligible.'
CHESPW 2 August 2011	C-1108.1	That the Committee:  1. Receive and note this report.  2. Endorse the consolidation of the Recognising Our Community Leaders program with the annual Scroll of Honour award at the Australia Day Citizenship ceremony from 2012.  3. Endorse the introduction of a new category to recognise contributions by young people.  4. Endorse the installation of one Local Heroes plaque along the Bondi to Bronte coast walk once every four years.

#### 4. Discussion

The nominated judging panel for Council's Local Hero Awards, the Mayor and Councillors Wy Kanak, and Goltsman, met on 17 March to review the 21 nominations across six Local Hero Award categories. Nominations were reviewed against selection criteria that included: contribution and impact of contribution to the community; length and intensity of service; commitment and dedication; leadership and ability to inspire.

A summary of the nominees and the Panel's recommendations has been circulated to Councillors separately.

#### The Local Hero Award Ceremony

If endorsed by Council, the awards and certificate will be presented by the Mayor of Waverley at a Waverley Local Hero Awards Ceremony during Volunteer Week (17–23 May), with the date and location to be confirmed.

The Award ceremony is generally combined with our volunteering event, which is held annually during National Volunteer Week to celebrate community giving. We are currently determining the feasibility of having these two events combined in 2021.

Attendance at the event will be by invitation only. Award recipients will be invited to have a limited number of family members or friends accompany them.

**5. Financial impact statement/Time frame/Consultation****Financial impact**

The Local Hero Awards 2021 are funded as part of Council's Local Connections recurrent budget.

**Time frame**

The Awards Ceremony will be held during Volunteer Week (17–23 May).

**Consultation**

A review of the program was undertaken in 2017. As a part of this review, neighbouring council officers were contacted and internal stakeholders engaged for feedback. In 2021, the judging panel has proposed to reconvene following the awards to review the awards program based on community feedback and observation of officers.

**6. Conclusion**

The biennial Waverley Local Hero Awards are a significant way for Council to recognise individuals within the community who work selflessly, are often quiet achievers and not otherwise acknowledged. The awards also identify new community contributors, and highlights the importance of giving back to the community. The continued involvement of our local heroes in the community helps to make Waverley a safer, friendlier and more cohesive place to live.

**7. Attachments**

Nil.

**CLOSED SESSION**  
**OC/7/21.04****Subject:** Moving into Closed Session**Author:** Emily Scott, Acting General Manager**WAVERLEY**  
COUNCIL**RECOMMENDATION:**

That:

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

OC/7.1/21.04      CONFIDENTIAL REPORT - Tea Gardens Hotel, 4A Bronte Road, Bondi Junction - Airspace Lease

This matter is considered to be confidential in accordance with section 10A(2)(c) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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

**Introduction/Background**

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

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

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

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

## **RESUMING IN OPEN SESSION OC/8/21.04**

**Subject:** Resuming in Open Session  
**Author:** Emily Scott, Acting General Manager



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### **RECOMMENDATION:**

That Council resumes in open session.

### **Introduction/Background**

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