



# Extraordinary Council Meeting

7:00 PM  
Wednesday 10 December 2025

**Venue:**  
Rockdale Town Hall, Council Chambers,  
Level 1, 448 Princes Highway, Rockdale

**Contact Us:**

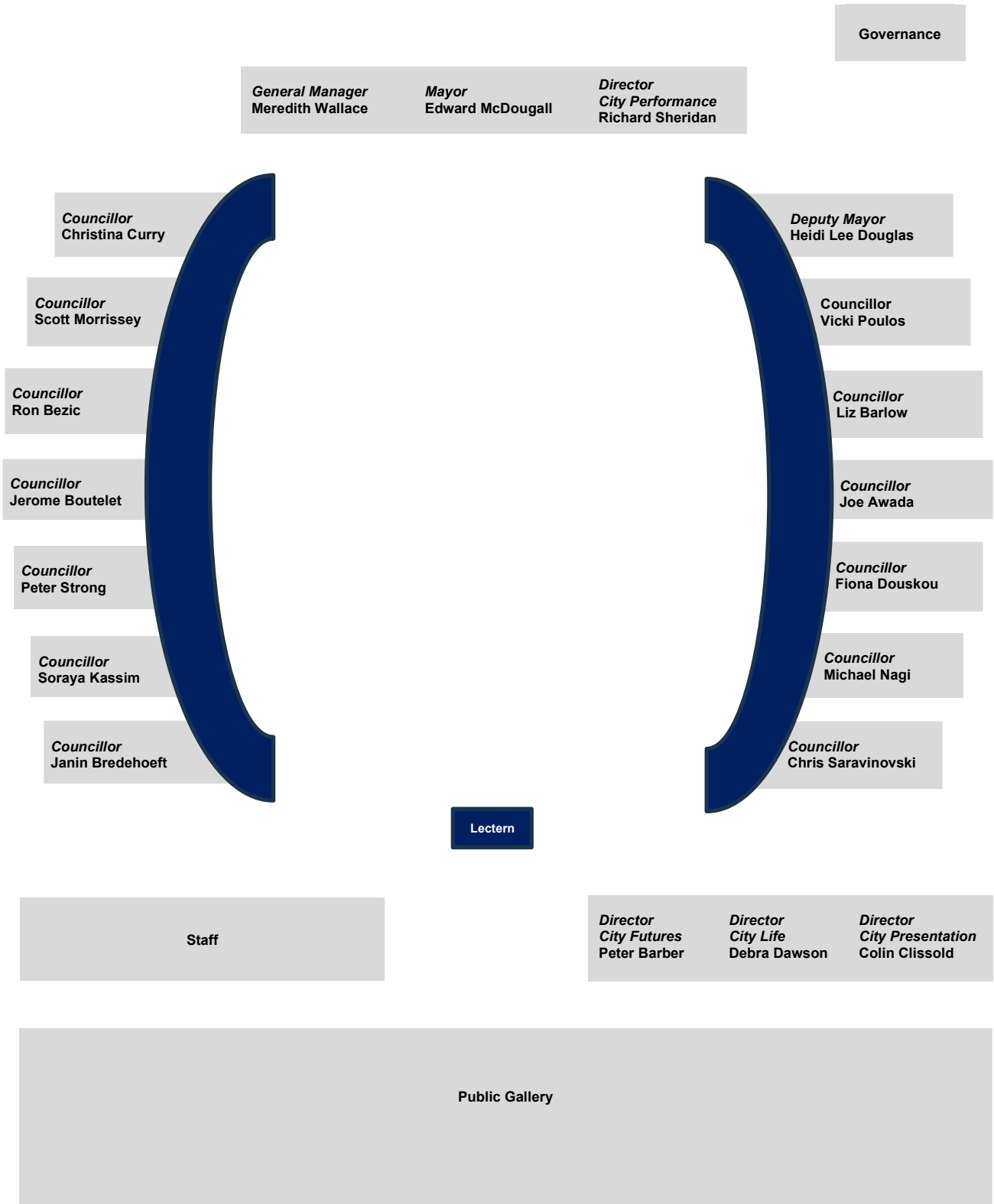
1300 581 299 or 9562 1666

[council@bayside.nsw.gov.au](mailto:council@bayside.nsw.gov.au)

PO Box 21, Rockdale NSW 2216

ABN: 80 690 785 443

# Council Meeting Seating



# Statement of Ethical Obligations

## Obligations

### Oath [Affirmation] of Office by Councillors

#### Oath

I swear that I will undertake the duties of the office of councillor in the best interests of the people of Bayside Local Government Area and the Bayside Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment.

#### Affirmation

I solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Bayside Local Government Area and the Bayside Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment.

## Code of Conduct conflict of interests

### Pecuniary interests

A Councillor who has a **pecuniary interest** in any matter with which the council is concerned, and who is present at a meeting of the council at which the matter is being considered, must disclose the nature of the interest to the meeting.

The Councillor must not be present at, or in sight of, the meeting:

- a) at any time during which the matter is being considered or discussed, or
- b) at any time during which the council is voting on any question in relation to the matter.

### Non-pecuniary conflicts of interests

A Councillor who has a **non-pecuniary conflict of interest** in a matter, must disclose the relevant private interest in relation to the matter fully and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.

### Significant non-pecuniary interests

A Councillor who has a **significant** non-pecuniary conflict of interest in relation to a matter under consideration at a council meeting, must manage the conflict of interest as if they had a pecuniary interest in the matter.

### Non-significant non-pecuniary interests

A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is **not significant** and does not require further action, when disclosing the interest must also explain why conflict of interest is not significant and does not require further action in the circumstances.

## MEETING NOTICE

The **Extraordinary Council Meeting** of  
**Bayside Council**  
will be held in the Rockdale Town Hall, Council Chambers,  
Level 1, 448 Princes Highway, Rockdale  
on **Wednesday 10 December 2025 at 7:00 PM**

## AGENDA

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The meeting will be video recorded and live streamed to the community via Council's YouTube channel, in accordance with Council's Code of Meeting Practice.

Meredith Wallace  
**General Manager**

**1 OPENING MEETING**

**2 ACKNOWLEDGEMENT OF COUNTRY**

Bayside Council acknowledges the Bidjigal Clan, the traditional owners of the land on which we meet and work and acknowledges the Gadigal people of the Eora Nation. Bayside Council pays respects to Elders past and present.

**3 OPENING PRAYER**

**4 APOLOGIES, LEAVE OF ABSENCE & ATTENDANCE VIA AUDIO-VISUAL LINK**

**5 DISCLOSURES OF INTEREST**

In accordance with Council's Code of Meeting Practice, Councillors are reminded of their Oath or Affirmation of Office made under Section 233A of the Local Government Act and their obligations under the Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

**6 MAYORAL MINUTES**

Nil

**7 ITEMS BY EXCEPTION**

These are items that have been identified to be confirmed in bulk in accordance with the Officer Recommendation and without debate. These items will not include items identified in the Public Forum, items in which councillors have declared a Significant Conflict of Interest and a Pecuniary Interest, items requiring a Division and any other item that a Councillor has identified as one they intend to speak on or vote against the recommendation.

**8 PUBLIC FORUM**

Members of the public, who have applied to speak at the meeting, will be invited to address the meeting.

Any item the subject of the Public Forum will be brought forward and considered after the conclusion of the speakers for that item.

## **9 REPORTS TO COUNCIL**

### **Extraordinary Council Meeting**

**10/12/2025**

Item No	9.1
Subject	<b>Classification of Land - 11 Bryant Street Rockdale</b>
Report by	Peter Barber, Director City Futures
File	SF24/7071

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### **Summary**

Council resolved at its June 2025 meeting to commence the classification process of the land as Operational, should 11 Bryant Street (Lot B DP 414614) be acquired. Council purchased the property on 12 September 2025 with settlement occurring on 27 Oct, 2025.

The minimum 28-day public consultation period commenced on 05 November, 2025 with the closing date being 05 December, 2025 to enable the community the opportunity to submit comments.

At the time of this report, no written submissions were received and only 1 phone call received querying what Operational Land meant. The caller did not indicate an objection to the classification once they understood its application.

Should any further submissions be received prior to Council considering this matter at its meeting on 10 December, 2025, a supplementary report will be submitted providing Councillors with the details on any other submissions received.

This report recommends Council to now classify 11 Bryant Street ,Rockdale as Operational Land by way of resolution.

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### **Officer Recommendation**

- 1 That Council notes that at the time of drafting this report, no written submissions were received during the statutory advertising period for the classification of 11A Bryant Street Rockdale as Operational land.
  - 2 That Council resolves to classify 11 Bryant Street Rockdale as operational land in accordance with Section 31(2) of the Local Government Act 1993.
- 

### **Background**

Council resolved at its June, 2025 meeting to commence the classification process of the land as Operational, should 11 Bryant Street be acquired. Council purchased the property on 12 September, 2025 with settlement occurring on 27 Oct, 2025.

The property is listed in Bayside LEP 2021 for acquisition, having been in the Land Reserved for Acquisition register, and is the final parcel the Council requires to consolidate ownership of the street block.

Council Property Officers approached the owner in late 2024 to determine their willingness to sell the property to the Council via mutual agreement supported by a valuation, rather than Council purchasing the site under a Compulsory Acquisition process.

Terms agreeable to both parties were reached, and a report to Council via the City Works & Assets Committee recommending the acquisition was endorsed and resolved to purchase at Councils June, 2025 meeting.

The Statutory Advertising period commenced on Wednesday 5<sup>th</sup> November and was listed on the Bayside Council website as well as letters being issued to adjacent landowners. Attached to this report is a copy of the letter provided.

Operational classification will allow Council to progress in delivering the proposed Rockdale Centre Master Plan. It will provide flexibility and options in terms of where various components of the Master Plan are ultimately located and how the delivery of the Plan is staged, as Operational status allows land to be leased for commercial purposes, used by the community, exchanged, or sold.

**Financial Implications**

- |                                      |                                     |
|--------------------------------------|-------------------------------------|
| Not applicable                       | <input checked="" type="checkbox"/> |
| Included in existing approved budget | <input type="checkbox"/>            |
| Additional funds required            | <input type="checkbox"/>            |

**Community Strategic Plan**

- |  |                                     |
|--|-------------------------------------|
| Theme One – In 2035 Bayside will be a vibrant and liveable place                                 | <input type="checkbox"/>            |
| Theme Two – In 2035 our Bayside community will be connected and feel that they belong            | <input checked="" type="checkbox"/> |
| Theme Three – In 2035 Bayside will be green, resilient and sustainable                           | <input type="checkbox"/>            |
| Theme Four – In 2035 Bayside will be financially sustainable and support a dynamic local economy | <input type="checkbox"/>            |

**Risk Management – Risk Level Rating**

- |                |                                     |
|----------------|-------------------------------------|
| No risk        | <input type="checkbox"/>            |
| Low risk       | <input checked="" type="checkbox"/> |
| Medium risk    | <input type="checkbox"/>            |
| High risk      | <input type="checkbox"/>            |
| Very High risk | <input type="checkbox"/>            |
| Extreme risk   | <input type="checkbox"/>            |

**Community Engagement**

Council commenced the minimum public notification period to classify the land on 5 November, 2025 which ended on 5 December, 2025. The notice period invited the public to make written submissions in relation to the proposal for the property to be classified as Operational.



*(photo taken 05Nov'2025)*



*(photo taken 05Nov'2025)*

At the time of drafting this report, no written submissions were received and only 1 phone call from a neighbouring resident, seeking an explanation of the meaning Operational. Callers did not indicate an objection to the classification once they understood its application.

In compliance with the Local Government Act 1993, Council can now resolve to classify the land at 11 Bryant Street Rockdale as Operational.

It is noted that should any further submissions be received prior to Council considering this matter at its meeting on 10 December 2025, a supplementary report will be submitted providing Councillors with the details of any other submissions received.

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## Attachments

- 1 [Letter to Adjoining owners - 11 Bryant St Rockdale](#)



05 November 2025

Our Ref: SF24/7071  
Our Contact: Eli Cowley

Xxxxx  
Xxxxx  
xxxxxx

### Notice of Proposal to Classify Land as Operational

Pursuant to Section 34 of the Local Government Act 1993 Council hereby provides notice of a proposed resolution that Council intends to make in accordance with Section 31 (2) of the same Act to classify Lot B DP 414614 being 11 Bryant Street Rockdale, as Operational Land. The proposed resolution can be viewed on Council's website.

Written submissions can be made to Council up to the close of business  
**Friday, 05 December 2025**

Mail: Bayside Council, PO Box 21, Rockdale NSW 2216 Email:

[council@bayside.nsw.gov.au](mailto:council@bayside.nsw.gov.au)

For more information, please contact Coordinator Strategic Property, Eli Cowley on 02 9562 1792.

Site Plan below outlined in yellow.



#### Postal address

PO Box 21, Rockdale NSW 2216  
ABN 80 690 785 443

#### Bayside Customer Service Centres

Rockdale Library, 444-446 Princes Highway, Rockdale  
Westfield Eastgardens, 152 Bunnerong Road, Eastgardens

E [council@bayside.nsw.gov.au](mailto:council@bayside.nsw.gov.au)

W [www.bayside.nsw.gov.au](http://www.bayside.nsw.gov.au)

T 1300 581 299 | 02 9562 1666

Telephone Interpreter Services: 131 450

Τηλεφωνικές Υπηρεσίες Διερμηνέων

خدمة الترجمة الهاتفية

電話傳譯服務處

Служба за преведување по телефон

## Extraordinary Council Meeting

10/12/2025

Item No	9.2
Subject	<b>Designated E-Mobility (Shared Bike) Parking Bays</b>
Report by	Peter Barber, Director City Futures
File	SF23/5444

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### Summary

On 24 November 2025, the Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025 passed into parliament. This Bill sets out a statewide framework for safety and operational standards for bikes, e-bikes and e-scooters across NSW. It also gives government and Councils the power to regulate operators and recoup the costs of shared scheme management and infrastructure.

The Bill established minimum regulatory requirements for shared scheme operators and gives new powers to Transport for NSW (TfNSW) to check operators meet these standards before they can provide services. This will improve consistency and reduce duplication across councils.

The legislation will also give local councils the power to decide where NSW Government approved shared schemes can operate in their area, set dedicated parking areas, go-slow, and no-go zones.

TfNSW is aiming to deliver zones prior to the end of 2025 as part of an initial rollout (Tranche 1). This report assesses both Council and TfNSW nominated locations adjacent to transport hubs in Bayside that would be well-suited to designated e-mobility (i.e. shared bike) priority parking and greater transport network integration.

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### Officer Recommendation

- 1 That Council undertakes community consultation in relation to the proposed designated shared e-bike parking areas in Wolli Creek and Mascot in the locations outlined as part of Tranche 1 in this report, being both the TfNSW suggested and Council nominated locations.
  - 2 That a report be brought back to Council at the conclusion of community consultation.
- 

### Background

Electronic transport devices, such as e-bikes and e-scooters, are being utilised more frequently by the Bayside community as innovative, cost-effective transport options for short trips.

*Shared* e-micromobility refers to the *operator-managed* use of share bikes and (in other jurisdictions) e-scooters as part of the transport network. Their use is subject to proposed NSW Government legislative changes to better manage adverse outcomes and encourage improved integration into the local transport network.

In 2017 a set of guidelines were developed by inner-city Councils to address the incidence of improper use of shared bikes and their impact on the public domain. Although the incidence of community complaints to Council and operators has reduced considerably since 2017, it is recognised that informal parking and public domain clutter remains a notable community concern for shared e-bikes.

Over recent years, Council staff have provided regular feedback to operators (e.g. Lime) who have increased staffing numbers, real-time parking notifications, and user education through their app within the Bayside LGA.

## **Recent Legislation Changes**

In November 2025, the Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025 was passed into NSW Parliament. This Bill sets out a statewide framework for safety and operational standards for bikes, e-bikes and e-scooters across NSW. It also gives government and Councils the power to regulate operators and recoup the costs of shared scheme management and infrastructure.

Previously, operators could deploy e-bikes anywhere, without approval from councils or the NSW Government. This has led to poorly parked e-bikes creating clutter, e-bikes without helmets, and no controls in place to ensure devices meet minimum standards.

The Bill establishes minimum regulatory requirements for shared scheme operators and gives new powers to Transport for NSW to check operators meet these standards before they can provide services. This will improve consistency and reduce duplication across councils.

Minimum standards include helmet provision, distribution and collection of devices, adherence to council conditions, device specifications, maintenance, minimum insurances, complaints handling processes, incident reporting and rider education.

The legislation will also give local councils the power to decide where NSW Government approved shared schemes can operate in their area, set dedicated parking areas, go-slow, and no-go zones.

As part of the reform, approved shared scheme operators will pay a fee that funds the approvals, compliance monitoring, council rangers, establishing parking bays, active transport infrastructure and a data sharing platform monitoring shared bike use. Starting from 2026, a levy of 80 cents per trip will be added to the hire fee for shared e-bikes to fund Council management of shared e-bikes.

Transport and local councils will be establishing on street and kerb side e-bike parking bays in town centres, train and metro stations. This will give e-bike users and shared scheme operators more clarity on where to park and reduce clutter for pedestrians and other road users. TfNSW is aiming to deliver the first tranche of these zones prior to the end of 2025.

## Progress of E- Mobility in the Bayside LGA

The Bayside community have both embraced and expressed concern relating to the increased uptake of e-mobility across the LGA. Notable issues and opportunities include:

- **Public Feedback and Safety Concerns:**  
There have been safety concerns related to the improper parking of shared devices in Bayside. Whilst feedback has related to both shared and private e-bikes, Council has been proactive in forwarding these concerns to the State government and operators, advocating for better education and communication regarding safety.
- **Communication with TfNSW and Operators:**  
Council has been engaged in discussions with TfNSW and Bayside's main mobility provider (Lime) to manage and regulate fleet sizes, ensuring that the number of e-bikes available aligns with the local demand.
- **Integration with Public Transport:**  
Expanding the integration of shared-device parking areas with local public transport networks can serve to provide an integrated and sustainable 'last-mile' transport benefit. This will involve utilising TfNSW decals (example below) to designate preferred parking configurations at train stations and bus interchanges.

The orderly integration and management of micro-mobility options is consistent with Council's adopted Bayside Transport Strategy, which contains the following action item:

*Action Item 5.4 - Micromobility - Plan for infrastructure, where appropriate to support micromobility (e.g. share bikes) near town centres, transport hubs and where demand exists*



Image 1: Example share-bikes parked outside Mascot Station

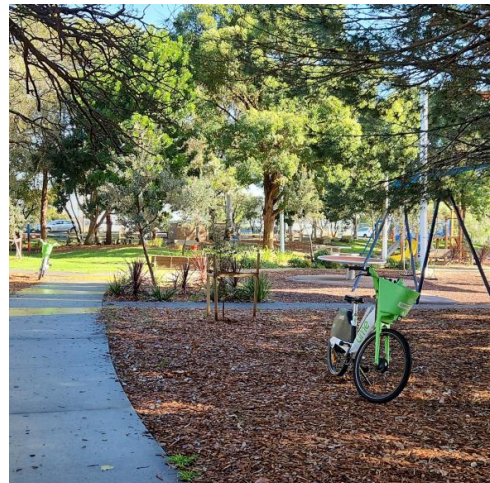
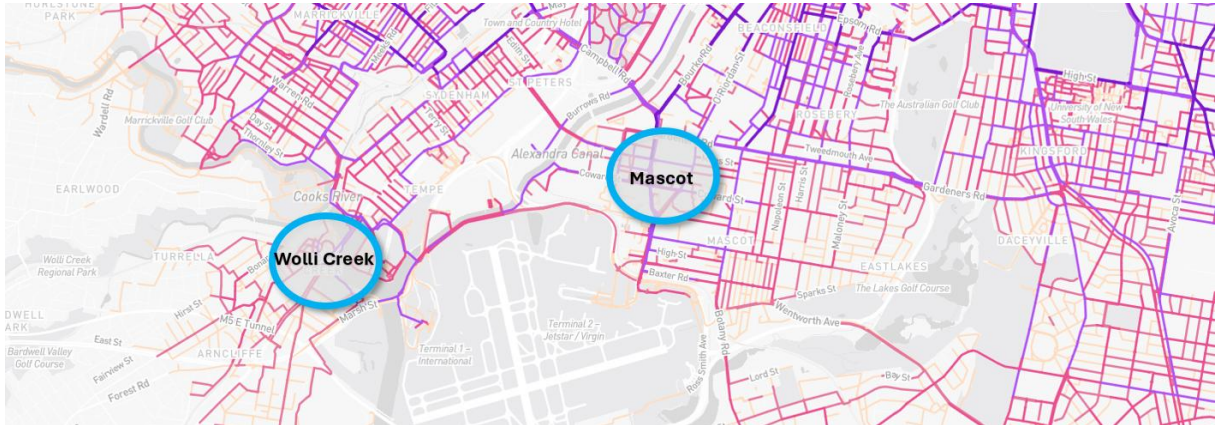


Image 2: Share-bike parked in open space

Two share bike providers, Lime and Hello Ride, are currently operating primarily in the northern areas of Bayside, although there has recently been an increase in the presence of shared bikes around Rockdale. Council staff regularly meet Lime's operations team, neighbouring Councils, and the shared mobility team at TfNSW. These relationships have been productive in managing share bike issues to some extent.

Council currently has access to the **Ride Report** and **Blue Systems Mobility** tools to gather data, and better understand the usage and opportunities associated with share bikes. This allows Council to review locations where rides predominantly begin and end. Two key high usage centres exist in Bayside are the high-density residential hubs of Wolli Creek and Mascot Station town centres

Image 3: *Ride Report* Shared Bike Usage Corridor 'Heat Map'



## Designated Parking Areas at Bayside Transport Hubs

City of Sydney, Waverley and Inner West have recently rolled out priority parking decals as a pilot at rail and light rail transport hubs in partnership with TfNSW (see images 3 and 4 below) to designate preferred parking zones for share bikes.

TfNSW have approached Bayside and indicated they wish to work to provide similar decals at our two key transport hubs and explore appropriate locations for implementation as part of an initial rollout (Tranche 1).



Image 3: TfNSW Designated Parking Decals of Sydney



Image 4: Example of similarly designated site - City

Utilising the *Blue Systems Mobility* data platform provided to Council, the parking locations proposed in this report correspond to share bike usage adjacent to the Mascot and Wolli Creek rail station entrances, and reflect the highest volume existing start/end trip patterns.

Image 1 above shows the current situation at Mascot Station, and the intent of designating areas is to bring some order to the uncontrolled parking of shared bikes. The GPS technology on the bikes allows the operator to ensure bikes are correctly parked (a trip can't be ended if a bike is not in a designated area) and to penalise hirers if they do not comply.

The operators must have extensive insurance cover against injury to people and damage to property.

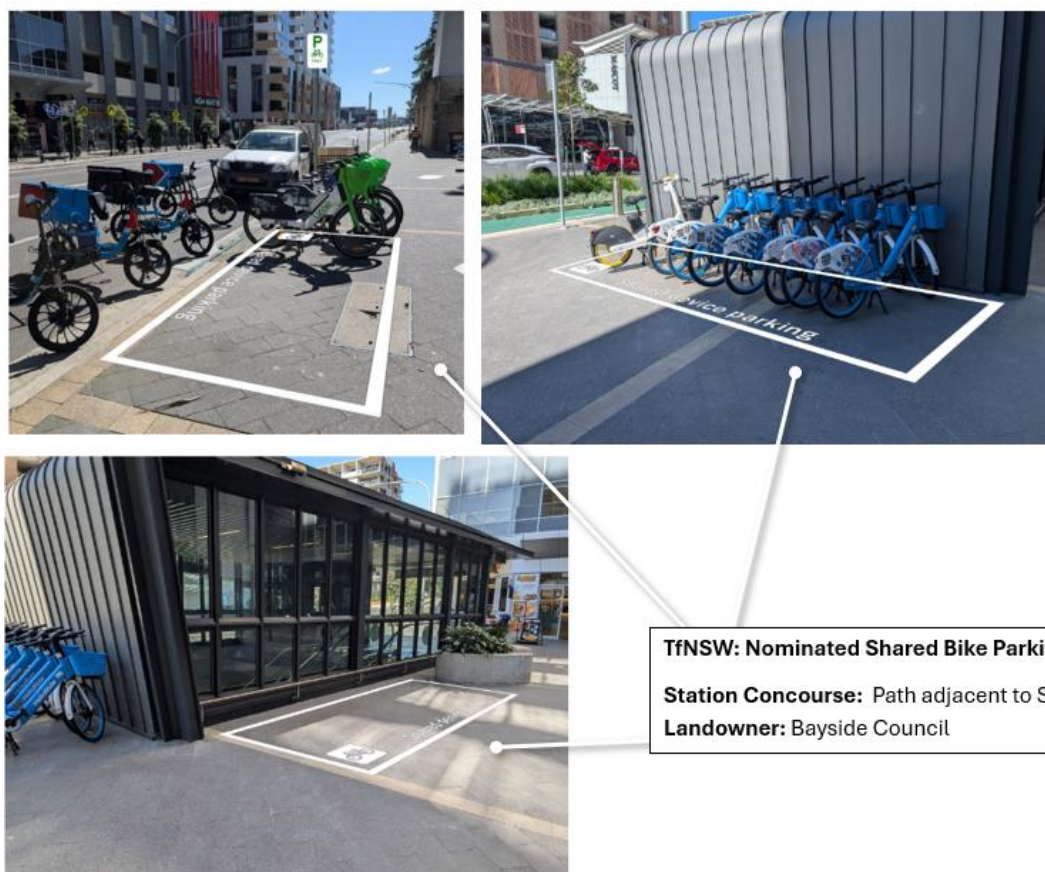
### Mascot Station Town Centre Locations

<b>Mascot</b>	Streetview	Road / Path	Asset Manager	Parking Spaces Provided	Preferred
<b>Bayside Nominated Space</b>					
1) S/W Kerb Church and Bourke Street	Link <a href="#">here</a>	On-Road 1P	Bayside	10	<b>Tranche 1</b>
2) N/E Kerb John and Bourke Street	Link <a href="#">here</a>	On-Road 1P	Bayside	10	<b>Tranche 1</b>
<b>TfNSW Nominated Space</b>					
1) Bourke Street – Ped Concourse	Link <a href="#">Here</a>	On-Path	Bayside	10	<b>Tranche 1</b>
2) Bourke Street – Ped Concourse (outside station)	Link <a href="#">Here</a>	On-Path	Bayside	10	<b>Tranche 1</b>
3) Bourke Street – Ped Concourse (outside station)	Link <a href="#">Here</a>	On-Path	Bayside	10	<b>Tranche 1</b>





Entrance



The two areas nominated by TfNSW adjacent the western station entry are located in prime public space in what is already a constricted and busy area. If the trial shows that bikes are not parked within the defined area or obstruct movement and enjoyment of the space by the

public, it may be appropriate to reduce the locations from two down to one, or to look for alternatives.

## Wolli Creek Town Centre Locations

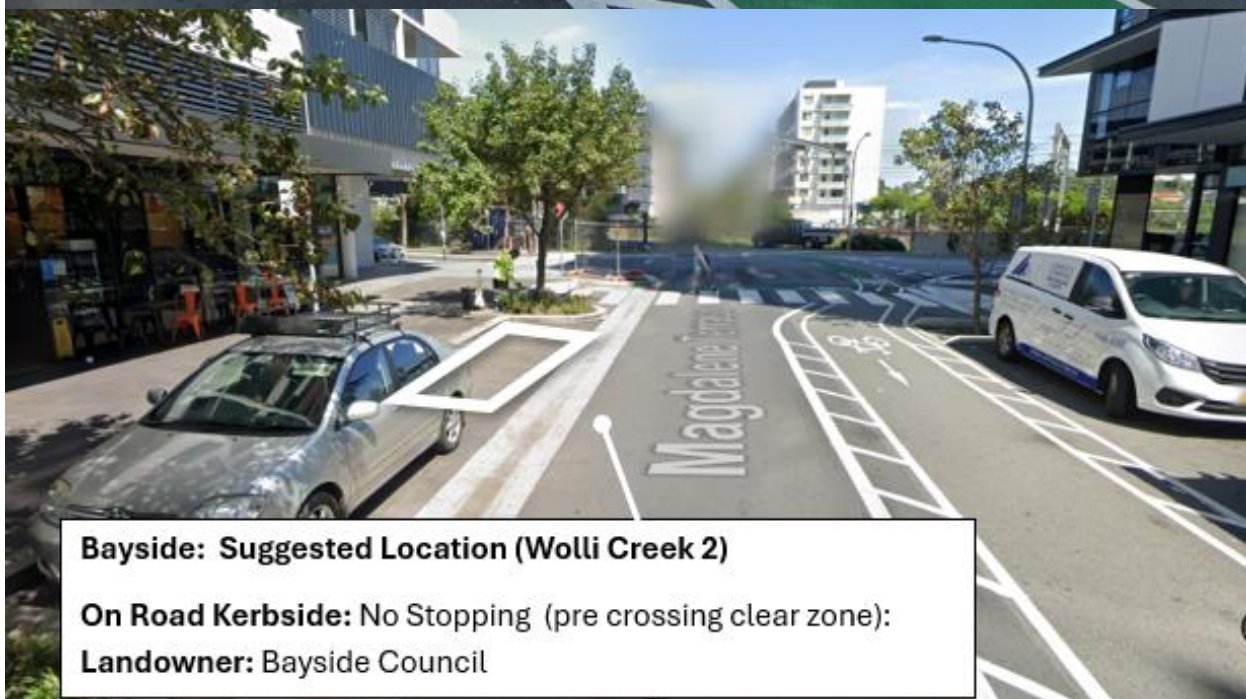
Wolli Creek	Streetview	Road / Path	Asset Manager	Parking Spaces Provided	Preferred
<b>Bayside Nominated Space</b>					
1) Magdelene Terrace kerbside opposite plaza	<a href="#">Link here</a>	On-Road 1P	Bayside	10	Tranche 1
2) Magdelene Terrace kerbside adjacent pedestrian crossing	<a href="#">Link here</a>	On-Road 1P	Bayside	10	Tranche 1
<b>TfNSW Nominated Space</b>					
1) Discovery Pt Place - Opposite Station Entrance	<a href="#">Link here</a>	On-Path	Discovery Place	10	TBC – needs land owner's approval
2) Brodie Sparks Drive - Near Station Entrance	<a href="#">Link here</a>	On-Path	Discovery Place	10	TBC – needs land owner's approval





**Bayside: Suggested Location (Wolli Creek 1)**

**On Road Kerbside: No Stopping** (pre crossing clear zone):  
**Landowner: Bayside Council**



**Bayside: Suggested Location (Wolli Creek 2)**

**On Road Kerbside: No Stopping** (pre crossing clear zone):  
**Landowner: Bayside Council**

## Next Steps

TfNSW have advised that they intend to proceed with implementation of the locations marked as part of the Tranche 1 package. For the two TfNSW nominated locations identified in Wolli Creek, TfNSW will engage with private land holders (Discovery Point) to determine the most appropriate designated parking spaces and seek permission prior to installation.

All costs relating to the application of line markings and regulatory signage will be borne by TfNSW.

The trial will utilise geofencing technology that will inform users of mandatory parking, no-go and go-slow zones. These items will be enforced via the respective providers mobile phone application.

Bayside Council will continue collaboration with TfNSW and neighbouring Council's and adhere to established standards and guidelines to ensure the effectiveness and compliance of these shared bike management initiatives.

## Financial Implications

The recently introduced legislative changes will require shared e-bike operators from 2026 to levy users and remit to Council 80 cents from every trip made to fund the regulation and management of the devices. The cost of implementing the proposed spaces as a trial will be funded by TfNSW.

Not applicable	<input checked="" type="checkbox"/>	TfNSW have advised they will cover installation costs. Maintenance costs will be recouped from providers in future.
Included in existing approved budget	<input type="checkbox"/>	
Additional funds required	<input type="checkbox"/>	

## Community Strategic Plan

Theme One – In 2035 Bayside will be a vibrant and liveable place	<input checked="" type="checkbox"/>
Theme Two – In 2035 our Bayside community will be connected and feel that they belong	<input checked="" type="checkbox"/>
Theme Three – In 2035 Bayside will be green, resilient and sustainable	<input checked="" type="checkbox"/>
Theme Four – In 2035 Bayside will be financially sustainable and support a dynamic local economy	<input type="checkbox"/>

## Risk Management – Risk Level Rating

No risk	<input type="checkbox"/>
Low risk	<input checked="" type="checkbox"/>
Medium risk	<input type="checkbox"/>
High risk	<input type="checkbox"/>
Very High risk	<input type="checkbox"/>
Extreme risk	<input type="checkbox"/>

## **Community Engagement**

There has been no community engagement on the proposed designated e-bike parking areas. Council undertakes consultation in similar situations, such as for proposals to install electric vehicle chargers. Given that the proposed spaces include public plaza space and existing car spaces that would be converted, it is recommended that consultation occurs before Council endorses the proposed locations.

TfNSW and Council will consider any feedback related to the designated parking spaces after 12 months as part of any improvements to shared device parking and regulation.

---

## **Attachments**

Nil

**10/12/2025**

## Summary

## Officer Recommendation

## Background

## Financial Implications

# Community Strategic Plan

Item 9.3

**Risk Management – Risk Level Rating**

No risk	<input type="checkbox"/>
Low risk	<input checked="" type="checkbox"/>
Medium risk	<input type="checkbox"/>
High risk	<input type="checkbox"/>
Very High risk	<input type="checkbox"/>
Extreme risk	<input type="checkbox"/>

**Community Engagement**

Not applicable

**Attachments**

1 [↓](#) 2024-25 Bayside ARIC Annual Report (Final Design)



# **Bayside ARIC**

## Audit, Risk and Improvement Committee



## **ANNUAL REPORT 2024/25**

# Acknowledgment of Country

Bayside Council acknowledges the Bidjigal Clan, the traditional owners of the land on which we meet and work and acknowledges the Gadigal people of the Eora Nation. Bayside Council pays respects to Elders past and present.



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# 1. Introduction

## 1.1 Background

The Bayside Audit, Risk & Improvement Committee (ARIC) was established in 2016 in accordance with s.428(A) of the *NSW Local Government Act 1993* (the 'Act') and supports good corporate governance by the provision of independent objective advice and assistance to the Council. As such, the ARIC plays an important role as part of the monitoring element within Council's Governance framework in line with its statutory requirements.

Section 428A of the Act requires the ARIC to 'keep under review':

- (a) Compliance;
- (b) Risk management;
- (c) Fraud control;
- (d) Financial management;
- (e) Governance;
- (f) Implementation of the strategic plan, delivery program and strategies;
- (g) Service reviews;
- (h) Collection of performance measurement data by the council; and
- (i) Any other matters prescribed by the regulations.



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Further, the Act requires the ARIC *'also to provide information to the Council for the purpose of improving the Council's performance of its functions'*.

Clause 216R of the Local Government (General) Regulation 2021 (the Regulation) requires ARIC to also oversee the internal audit activities, review the performance and efficiency of the activities over each 4 year period and report to Council on its review.

In addition, to the requirements under the Act in terms of risk management, clause 216S(2) of the Regulation requires the ARIC to monitor and review the implementation of Council's risk management system and to report to the Council on the operation and efficacy of the system.

The ARIC's Charter (or terms of reference) was also revised and approved by Council on 22 May 2024. The Charter sets out the ARIC's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements. The Charter takes into account the amendments to the Regulation and the issuance of the Office of Local Government's *Guidelines for Risk Management and Internal Audit for Local Government in NSW* ('the Guidelines').

In accordance with the Charter, the ARIC presents an Annual Report on its activities to Council. The ARIC also provides advice to the Council via recommendations within the minutes of its meetings which are tabled, and determined, at Council meetings.

This is Bayside ARIC's Annual Report for the period from 1 July 2024 to 30 June 2025 and covers the activities of the ARIC during that period in meeting its responsibilities under the Act, the Regulation and its Charter.

## 1.2 Membership, attendance and conduct

In 2024/25, the ARIC comprised 3 independent members (of which 1 is the Chair) and 1 Councillor representative (non-voting member). Council has the discretion to appoint one further independent member to the ARIC should it be deemed necessary.

In order to fulfill its responsibilities, the ARIC met on 5 occasions in 2024/25 including 1 extra-ordinary meeting. The ARIC Meetings in 2024/25 were held on:

- ▶ 22 August 2024;
- ▶ 17 October 2024 (Extra-ordinary);
- ▶ 21 November 2024;
- ▶ 18 March 2025; and
- ▶ 27 May 2025.

It is noted that the ARIC meeting of 22 August 2024 was the first meeting under the changed governance arrangements brought about by the changes in the Regulation.

### Independent member attendance

Independent Member attendance at ARIC meetings is summarized in the Table 1 below.

**Table 1 – Independent member attendance record**

MEMBER	ROLE	MEETINGS ATTENDED / ELIGIBLE TO ATTEND
Mark Sercombe	Independent External Member & Chairperson	5/5
Sheridan Dudley	Independent External Member	5/5
Robert Lagaida	Independent External Member	5/5
Jennifer Whitten	Independent External Member (Ended in September 2024 due to maximum term being reached)	1/1

The expiry of the term of the current independent members is as follows:

- a. Mark Sercombe to 30 June 2028;
- b. Robert Lagaida to 30 June 2027; and
- c. Sheridan Dudley to 30 June 2026.

## Councillor member attendance

Under the changed governance requirements, Councils are able to appoint one of its councillors as a non-voting member of its ARIC. To meet this requirement Council reduced its councillor member numbers from 2 to 1. Councillor Member attendance at ARIC meetings is summarised in Table 2 below.

**Table 2 – Councillor member attendance record**

MEMBER	ROLE	MEETINGS ATTENDED / ELIGIBLE TO ATTEND
Councillor Scott Morrissey	Councillor Representative (Term ended with local government elections in September 2024)	0/1
Councillor Janin Bredehoeft	Councillor Representative (Commenced from 23 October 2024 following the local government elections)	2/3

It is noted that Councillor Kassim attended the Extra-ordinary meeting of ARIC of 17 October 2025 as an observer.

## 1.3 Attendance: non-voting attendees

Other regular (non-voting) attendees to ARIC meetings include:

- ▶ General Manager;
- ▶ Director City Performance;
- ▶ Manager Mayoral & Councillor Support (Head of Internal Audit);
- ▶ Manager Governance & Risk;
- ▶ Co-ordinator Risk Management;
- ▶ Manager Finance;
- ▶ Chief Information Officer;
- ▶ Manager Business Transformation;
- ▶ Internal Auditors; and
- ▶ Director and Audit Leads, Audit Office of NSW.

## 1.4 Disclosures of interest

Members declare and make any disclosures of interest at meetings and such disclosures are recorded in the Minutes of the Meeting.

## 1.5 Independence and accountability

By its Charter, the ARIC is a forum for communication between the Council, the General Manager, senior management, internal audit and the Audit Office of NSW (AONSW).

The ARIC held in-camera sessions with the AONSW and internal auditors. In addition, the ARIC expanded its in camera sessions and held sessions with the General Manager and Manager Governance & Risk.

The ARIC provides advice to Council and senior management through its discussion at meetings and recommendations to Council via the ARIC Minutes.

## 1.6 Core requirement

As at 30 June 2025, the ARIC met all its core requirements being:

- ▶ Charter and structure;
- ▶ Size and composition including chairperson, independent members and a non-voting councillor representative;
- ▶ Role of committee members;
- ▶ The independence criteria and eligibility criteria of the chairperson and members;
- ▶ Appointment including letters, terms, rotation, fees, insurance, and conduct;
- ▶ Meetings;
- ▶ Secretariat;
- ▶ Effective key relationships;
- ▶ Access to Council, staff, resources and information and confidentiality requirements;
- ▶ Strategic and annual workplan;
- ▶ Provision of advice to the Council; and
- ▶ Review of committee performance.

In Bayside Council's 2024/2025 annual report, the General Manager is required to attest whether the Council has complied with the requirements prescribed under the Regulation in relation to its ARIC. A draft attestation has been provided to the Chair as to the current level of compliance and it notes that ARIC meets the core requirements of the legislation and guidelines.

## 1.7 Independent assessment of the committee

In accordance with the legislation, an independent assessment of the functioning of the ARIC against best practice was undertaken by the Institute of Internal Auditors Australia in September 2024.

The maturity assessment assessed ARIC operations against six pillars of better practice. The graphic below highlights the results of assessment against each pillar and its contribution to the overall maturity rating which has been assessed as managed. Council has generally achieved a 'Managed' level of maturity.



## 2. Year in Review

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As mentioned, the ARIC is required to monitor and keep various aspects of Council's operations under review. The following addresses ARIC's work in 2024/25 in each of those areas. Each element is referenced to the ARIC's obligations under the Act (i.e. s428A(2)(a)) and/or the Regulation (i.e. cl 216M).

### 2.1 Compliance s428A(2)(a)

The Governance Framework outlines Bayside Council's approach to legislative compliance.

ARIC's annual workplan requires management to report at least annually on its compliance regime including legislative compliance. In addition, the ARIC must hold at least annual in camera sessions with relevant senior management and the external auditors which cover the area of compliance. It is noted that due to a rescheduling of the in-camera meetings, the ARIC members did not meet with the Council's Legal Counsel during the year. The revised annual ARIC workplan includes an in-camera session with Legal Counsel in FY25/26.

Additionally, legal and compliance risks are included as part of its enterprise risk management framework and compliance audits are undertaken as part of its strategic internal audit program e.g. DRIVES audit, tender compliance review.

The ARIC has also reviewed interim and final management letters from the AONSW and management's responses.

The ARIC also received reports on the Council's self-assessments against corruption prevention recommendations arising from ICAC's two relevant investigations into local government (i.e. Operation Hector and Operation Mantis).

The ARIC noted that the Council reported that it had complied with its obligations to receive Annual Disclosures of Interest Returns required under the Code of Conduct, that relevant officers had completed their annual compliance attestation return as required under the Council's Compliance Management Policy and complied with various statutory reporting requirements including those for IP&R, Public Interest Disclosures, Code of Conduct and the GIPA Act.

The ARIC received reports on the compliance inspections of two of the Council's Children Services Centres, and the Council's contractor compliance services to monitor WHS licensing requirements.

The General Manager reported on the transition of senior staff under fixed term contract to the ward in accordance with legislative changes.

The ARIC was provided with sufficient information to fully consider the adequacy and effectiveness of the Council's compliance framework and meet its obligations under s428A(2)(a) of the LGA. Observations and suggestions for improvement were provided to management including reviewing completion dates of moderate risk items identified in the AONSW management letters.

## 2.2 Risk management s428A(2)(b), cl216S

The risk management aspects of Council operations essentially cover Council's risk management framework and internal controls that identify and manage the risks Council faces.

The ARIC is responsible broadly to keep Council's risk management function under review and also for monitoring and reviewing the implementation of the Council's risk management system, and for reporting to the Council on the operation and efficacy of the system.

The ARIC annual workplan requires management to report regularly on the various elements of its risk management framework to enable the ARIC to fulfil its statutory obligations.

In order for ARIC to keep these areas under review, its key activities included:

- ▶ Receiving a report on Council's review by an external consultant, of its risk management framework including strategic and operational risks.
- ▶ Receiving status reports on the establishment of an overarching Organisational Resilience Framework which includes risk management policy, strategic and operational risk procedure, business continuity, and fraud and corruption control.
- ▶ Reviewing Council's draft revised Risk Management Policy prior to public exhibition.
- ▶ Reports on Council's assessment against the OLG's *Cyber Security Guidelines for NSW Local Government* and the Australian Cyber Security Centre's *Essential 8* requirements.
- ▶ Reviewing internal and external audit reports including separate meetings with the internal and external auditors.
- ▶ Reviewing Council's claims management, insurance levels, insurable claims events and corrective actions.
- ▶ Reviewing the General Manager's draft attestation.

Currently the Council has a risk management framework in place including a strategic risk and operational risk registers.

The registers are key factors that inform Internal Audit in its development of the Strategic and Annual Internal Audit Program. The finalization of all elements of the Organisational Resilience Framework is planned for FY25/26.

The ARIC has expressed its significant concerns about the approach being proposed by the external review particularly in relation to the necessity to maintain inherent risk ratings as part of its risk management framework, as it currently does. These have been expressed in the ARIC's minutes to Council.

Also, the ARIC has not received a report on the testing of Council's current business continuity plan as that plan is under review. Non-IT business continuity testing was identified as a gap by the AONSW in its Final Management letter to the Council for the audit ended 30 June 2024.

Based on the information provided to the ARIC, it has been able to keep the Council's risk management function under review in accordance with its obligations under s428A(2)(b) of the LGA and cl 216S(2)(a) of the Regulation and report to Council where necessary in accordance with its obligations under cl 216S(2)(b).

## **2.3 Fraud control s428A(2)(c)**

The ARIC annual workplan requires management to report at least annually on its fraud and corruption framework. Fraud and corruption are also reported to the ARIC through other reports e.g. internal and external audits, risk reviews, cyber security and the ARIC's in camera sessions.

In the previous year, the ARIC had received an internal audit report on Council's fraud and corruption control framework. Council was implementing the recommendations for improvement arising from that audit. This year the ARIC received a report on the Council's review of its Fraud & Corruption Prevention Framework and Policy. The Council also reported that it has implemented all 8 recommendations of the previous audit.

Through its activities, the ARIC has been able to fulfil its obligations under s428A(2)(c) and keep Council's fraud control framework under review.

## 2.4 Financial management s428A(2)(d)

The ARIC annual workplan requires management to report regularly on various elements of its financial management framework. The key activities for the ARIC this year included reviewing:

- ▶ The financial statements and external audit outcomes.
- ▶ Council's financial performance against sector benchmarks and Council's approved budget.
- ▶ Periodic and quarterly management, financial, investment and performance reports.
- ▶ Strategies of management to achieve financial sustainability.
- ▶ Asset Management Strategy.
- ▶ The Long-Term Financial Plan.

The ARIC also received a report on Council's grant and tied funding policy and procedures. The ARIC Chairperson presented at the 23 October 2024 Council Meeting on the ARIC's support for the sign of the Statement by Councillors and Management on the General Purpose Financial Statements for the year ended 30 June 2024.

Through its activities, the ARIC has been able to fulfil its obligations under s428A(2)(d) and keep the Council's financial management under review.

## 2.5 Governance s428A(2)(e)

The Council has in place the Bayside Governance Framework which was reviewed by the ARIC and subsequently adopted by the Council on 24 July 2024.

Elements of the Governance Framework are reviewed as part of ARIC's annual activities including meetings with the internal and external auditors, through the review of, and advice on, audit and management reports, the General Manager updates, and integrated planning and reporting.

Significantly, the local government elections in September 2024, saw the re-election of 7 existing Councillors and 8 new Councillors. The ARIC was updated on Council's comprehensive Councillor Induction Program.

The ARIC received an internal audit report on the review of the processes and protocols for public access to information under the GIPA Act and also received reports on Council policies such as Cyber Security Policy, Media and Social Media Policies, Data Breach Policy and the Privacy Management Plan.

Through its activities including in camera sessions with senior management, the ARIC has been able to fulfil its obligations under s428A(2)(e) and keep Council's governance framework under review.



## 2.6 Strategic plan, delivery program and strategy implementation s428A(2)(f)

As of 1 July 2024, the ARIC has significant responsibility in keeping under review and advising on the Council's integrated planning and report (IP&R) framework. The ARIC annual workplan requires management to report regularly on the IP&R activities.

ARIC received a report on the IP&R reporting timetable and during the period ARIC has reviewed the reports covering:

- ▶ Long Term Financial Plan and its updating.
- ▶ Delivery Program/Operational Plan 2023-24.
- ▶ Draft Operational Plan and Budget 2024-25 and community engagement activities and results.
- ▶ Workforce Management Strategy.
- ▶ Asset Management Strategy.
- ▶ Quarterly budget reviews.
- ▶ Six monthly progress reports on Delivery Program & Operational Plan including reporting against performance measures.

The Council also reported to the ARIC on a peer review of its Integrated Planning & Reporting, undertaken through the NSW Office of Local Government noting that the review focused on previous IP&R documents, but its findings were taken into account in the development of the new IP&R suite of documents.

Through its activities including in camera sessions with senior manager of governance, the ARIC has been able to fulfil its obligations under s428A(2)(f) and keep Council's IP&R framework under review.

## 2.7 Service reviews (and business improvement) s428A(2)(g)

The ARIC's annual workplan requires management to report at least bi-annually on its business improvement programs and service reviews.

The ARIC noted a minor restructuring of the Business Transformation Business Unit which separated the activities of business improvement from business innovation.

ARIC received reports on the Service Review Framework, and reviews including the incoming correspondence process review, the data and information management service review and action plan arising from management's response to the review, and the formal/informal information request process review.

ARIC received a report on the action plan to implement management's response to the Asset Management Service Review, the Customer Request Management (CRM) Review (Stage 1 and 2) and recommended that there be quarterly reporting to Council's Executive [Management] Committee as a monitoring mechanism.

ARIC received reports on Council's business improvement program and business improvement activities and through the General Manager updates. These included:

- ▶ Active steps to reduce annual leave accruals.
- ▶ Strategy and actions arising from the Staff Survey 2024 results.
- ▶ Staff rewards and recognitions initiatives.
- ▶ Learning and development training summary.
- ▶ Staff turnover analysis.
- ▶ E-recruitment.
- ▶ Contractor compliance services to meet WHS legislative requirements.
- ▶ Business Intelligence Reporting.
- ▶ Project Management Framework.
- ▶ Smart CCTV expansion.
- ▶ CCTV: Flood detection.
- ▶ People Services Program: Employee Self Service (Mobile HR).

The ARIC has suggested that reporting separate business improvement initiatives from service reviews and some reporting enhancements such as linking actual service review implementation improvements to contributing to Council's outcomes.

Through its activities, ARIC has been able to fulfil its obligations under s428A(2)(g) and keep Council's service review and business improvement activities under review.

## 2.8 Collection of performance management data s428A(2)(h)

As mentioned in section 2.6, as part of the ARIC's review and advice role on Council's IP&R framework, the ARIC received and reviewed various reports on the elements of the framework.

The Council has measures in its Community Strategic Plan (CSP), and these are compiled from a range of data sources that Council already uses to inform its operational performance. The majority of data comes from the biennial Community Satisfaction Survey, a statistically representative, whole community survey of Bayside residents. The ARIC received a report on the review of the Bayside 2032 CSP measures which identified that Council performed well on the targets across its four CSP themes.

Council improves its performance measures in every reiteration of its 4 year Delivery Program and Annual Operational Plan, and the ARIC receives six-monthly progress reports in these areas. Further improvements have been identified for the new reiteration of these documents.

Through its activities, the ARIC has been able to fulfil its obligations under s428A(2)(h) and keep Council's performance management system under review.



## 2.9 Internal and external audits s428A(i), cl216M, cl216R

### Internal audit

The Council has adopted an Internal Audit Charter, and its internal audit function is overseen by the Manager Mayoral & Councillor Support. The Manager is the Council's Internal Audit Co-ordinator and also has functional oversight of the Mayoral and Councillor Support functions.

As at 30 June 2025, the internal audit function was internally resourced with a full time Internal Auditor, a part time Internal Auditor and a Cadet Internal Auditor (a grant funded position). The Internal Audit Co-ordinator also has a budget to enable the outsourcing of internal audits for specialized audits; verification audits and other audits should the need arise. During the year two verification audits were outsourced (as normally is the case), and a further four audits were outsourced either because of the specialized nature of the audit or internal resourcing issues with the vacancy in the full-time Internal Auditor position. The ARIC has ascertained from the Manager that he is of the view that he has the resources necessary to properly exercise the internal audit functions

The ARIC by Regulation is required to monitor and keep under review Council's internal audit function. In order to do so, the ARIC met separately with the internal auditors and received a report on the progress of the performance improvements to the internal audit function. Also, at each meeting it receives a report on the status of the annual internal audit plan and reviews the reports arising from the internal audit function. FY2024/25 was the final year of the Council's three-year strategic internal audit plan. The Council has adopted a strategic four-year plan to commence from FY2025/26.

As mentioned, part of its oversight role, the ARIC reviewed the following Internal Audit Reports along with the adequacy of management responses including timeframes for review:

- ▶ Parks & Open Spaces (turf mowing).
- ▶ Tender Compliance Audit.
- ▶ Project Management Framework.
- ▶ Payroll – Compliance with legislative requirements.
- ▶ Review of leasing processes.
- ▶ Work Health & Safety – Mechanical workshops.
- ▶ Food inspection fee collection process.
- ▶ RMS DRIVES annual compliance.

In addition, the Council and the ARIC monitor the implementation of agreed management actions to the audits, and during the year received two Independent verification audit reports outlining the status of audit actions due as at 30 September 2024 and 31 March 2025. Apart from these bi-annual verification audits, the ARIC also receives regular progress reports on any audit action rated 'High' risk to monitor management action.

It is noted that management agreed to not undertake planned audits of the Project Management Framework review and the Food Inspection Fee Collection Process due to businesses not being ready for such audits.

Separate meetings with internal audit, the results of the audits (including external audits) and the implementation of the management responses, enable the ARIC to monitor the adequacy and effectiveness of the Council's internal control structure and keep these areas under review.

## External audit

The AONSW is the mandated external audit provider for Bayside Council under the *Local Government Act 1993*. In 2024/25 the ARIC has met separately with the external auditors and also reviewed the following reporting in relation to external auditor activities for Council:

- ▶ Audit Engagement 2024 Closing Report by AONSW.
- ▶ Presentation of final audited Annual Financial Reports for 30 June 2024.
- ▶ FY23/24 Interim Management Letter – AONSW.
- ▶ Council's response to the FY23/24 Interim Management Letter.
- ▶ FY2023/24 Final Audit Management Letter – AONSW.
- ▶ Annual Engagement Plan for the Audit of Council for the Year Ending 30 June 2025 by AONSW.
- ▶ Council's response to the FY2023/24 Final Audit Management letter.

The ARIC also received a presentation from the NSW Auditor General on the Council's performance at audit and in the preparation of its financial statements as well as other matters.

## 2.10 Focus areas for FY2025/26

The key focus areas for the ARIC in the forthcoming financial year will include:

- ▶ Cyber security self-assessment and maturity.
- ▶ Implementation of the new risk management framework.
- ▶ Business continuity testing.
- ▶ Results of the independent review of the internal audit function.

# 3. Conclusions

The Council has satisfactorily transitioned to new audit and risk management governance arrangements required of it. The draft General Manager's attestation reviewed by the ARIC shows that she is of the view that the Council complies with the requirements.

The Council continues to exhibit a strong culture of ethics and governance, and it is pleasing that the Council has taken the initiative and continues to self-assess its performance against the ICAC corruption prevention reporting. The Council has maintained overall reporting in accordance with the ARIC's annual workplan and as such, through its activities in 2024/25 and in collaboration with the Council, the ARIC has fulfilled its responsibilities under the Act and the Regulation.

The ARIC has identified improvements in reporting on certain areas and Council responds positively to its suggestions. The ARIC appreciates the extensive review being undertaken of its risk management framework and looks forward to that review being completed in FY25/26 and improved reporting in some elements of the framework particularly concerning the strategic risks and business continuity testing. The ARIC will also continue to place a significant focus on Council's cyber security maturity and improvements as this remains a key area for all three tiers of government.

Nevertheless, Council's overall performance on the matters the ARIC is required to keep under review is performing, is satisfactory.

**Mark Sercombe**  
Bayside Council  
ARIC Chair



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## Extraordinary Council Meeting

10/12/2025

Item No	9.4
Subject	<b>Code of Meeting Practice (2025) - Post Public Exhibition Report</b>
Report by	Richard Sheridan, Director City Performance
File	SF23/5085

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### Summary

The purpose of this report is two-fold:

- Firstly, to present the results of the recent public exhibition of the Draft Code of Meeting Practice, and
- Secondly, to present the final draft Code of Meeting Practice (the new Code) 2025 for adoption by Council. This is mandatory for all Council meetings in 2026.

No feedback was received during the public exhibition, as this is a key outcome and supports the recommendation for adoption.

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### Officer Recommendation

- 1 That Council notes the recent public exhibition of the Draft Code of Meeting Practice, and notes that no feedback has been received as a result of the community consultation.
  - 2 That Council endorses the Draft Code of Meeting Practice 2025 (Attachment 1) which includes both mandatory, non-mandatory and Bayside specific provisions, consistent with the Office of Local Government's Model Code of Meeting Practice (2025), subject to the amendment of Ordinary Council meetings being held on the fourth Wednesday (February to November) and held on the second Wednesday (December).
  - 3 That Council authorises the General Manager to approve any minor editorial changes prior to publication.
- 

### Background

Following the release of the new Model Code of Meeting Practice by the OLG in late August 2025, Council is required to adopt a Code of Meeting Practice 2025 based on the model released by the OLG by 31 December 2025.

To meet this requirement, a report was prepared and considered at the Council Meeting on the 22 October 2025 whereby the Draft Code of Meeting Practice was endorsed for public exhibition which occurred between the 24 October 2025 - 5 December 2025.

A link to the [Agenda of the Council Meeting – 22 October 2025](#) is provided for reference.

Council at its meeting on 22 October 2025 resolved:

1. *That Council notes the previous public exhibition of the Draft Code of Meeting Practice, feedback received and notes no further action on the Draft Code exhibited in July and August 2025 given the release of the new Model Code of Meeting Practice by the Office of Local Government.*
2. *That Council endorses the Draft Code of Meeting Practice 2025 (Attachment 2) which includes both mandatory, non-mandatory and Bayside specific provisions, consistent with the Office of Local Government's Model Code of Meeting Practice (2025), for public exhibition for a period of 28 days (open for public consultation/feedback for 42 days) subject to the following:*
  - a) *Clause 3.10 being amended to remove reference of limiting the number of Notice of Motions.*
  - b) *Clause 3.12 being amended to remove reference to limiting number of Questions with Notice.*
  - c) *Clause 10.5 being amended to delete the note (in teal font).*
3. *That Council authorises the General Manager to approve any minor editorial changes prior to public exhibition.*
4. *That Council notes that a further report will be presented to Council following the public exhibition period of the Draft Code of Meeting Practice (2025), detailing submissions received, and amendments made, and recommending adoption of the Code.*
5. *That a further Councillor Training Session be arrange on how to regarding writing Notices of Motion and Questions with Notice and the process in relation to such.*

### **Draft Code (as exhibited)**

As a result of the Council resolution on 22 October 2025, Public Exhibition took place between 24 October 2025 to 5 December 2025, resulting in the following engagement activities/outcomes:

- **0 people responded to the consultation/provided contributions**
- **57 [Have Your Say Project page](#) views**
- **E-News**
- **47 document downloads**

Please note that the above-mentioned activities/outcomes are provided as at the date of preparing this report, i.e. 1 December 2025.

It is recommended that Council notes that the exhibition of the Draft Code occurred and no feedback was received at the time of writing this report. In the event that feedback is received by close of the exhibition period, a memorandum will be prepared and circulated for Councillors consideration prior to the Extraordinary Council Meeting on 10 December 2025.

Key changes made by the OLG which are **mandatory** in our Code.

These are shown in **black font**.

- Prohibition on pre-meeting briefing sessions (i.e. clauses 3.31 to 3.32)
- Edits to the Public Forum whereby public forums are to be held prior to meetings of the Council and Committee - Mandatory (i.e. clauses 4.1 to 4.3)
- New rules of etiquette at meetings to include a dress code (i.e. clause 5.2)
- Edits to Councillors' attendance at meetings by audio-visual link (i.e. clauses 5.19 to 5.31)
- Edits to the Livestreaming of meetings (i.e. clause 5.9).
- Inclusion of Modes of Address (i.e. clause 7.1).
- Changes to voting of planning decisions (i.e. clauses 11.12 to 11.13)
- Making information considered at closed meetings public (i.e. clauses 14.19 to 14.20)
- Inclusion of Acts of Disorder (i.e. clauses 15.10 to 15.13).

Some of the **Supplementary** changes are additional clauses included which reflect local current practice at Bayside Council to enhance our Code.

These are shown in **teal font**.

- Inclusion of 'Respectful' in Meeting Principles (i.e. clause 2.1)
- Inclusion of timeframes for the submission of 'Notices of Motion' (i.e. Clause 3.10)
- Inclusion of reference to Written Submissions (i.e. clause 4.25)
- Inclusion of Exclusions on the ability to address Council (i.e. clauses 4.26 to 4.28)
- Minor edits to the Order of Business (i.e. clause 8.1)
- Inclusion of Foreshadowed motions (i.e. clauses 10.17 to 10.19)
- Inclusion of reference to rescinding and altering motions (i.e. clauses 17.12 to 17.14)
- Inclusion of Recommitting resolutions to correct an error (i.e. clauses 17.15 to 17.20).
- Inclusion of Time Limits on Council Meetings (i.e. clauses 18.1 to 18.4)
- Inclusion of Tasks Groups, Working Parties and Advisory Committee (i.e. clauses 22.1 to 22.11)
- Inclusion of reference to Petitions (i.e. clauses 23.1 & 23.2).
- Inclusion of Code Implementation (i.e. clauses 25.1 to 25.3).
- Inclusion of Document Control (i.e. clauses 26.1 to 26.2).

Based on internal discussions and given Bayside Council previous years an Extraordinary Council meeting in December, it is proposed that the December meeting become an Ordinary Meeting of Council and that clause 3.1 be amended to:

*Timing of ordinary council meetings*

*3.1 Ordinary meetings of the council will be held on the following occasions:*

*Fourth Wednesday of each month (February to November) and Second Wednesday in December commencing at 7:00pm at the Rockdale Town Hall, Princes Highway Rockdale or as otherwise determined by the Council and indicated in the Notices of Meetings.*

## Other

Minor amendments to Code implementation and document control have also occurred administratively to refine the Code of Meeting Practice. The Minor administrative amendments correct typographical errors and formatting has been undertaken during the public exhibition period. No change to the substance of the Code of Meeting Practice has been made.

**Attachment 1** presents a copy of the final Draft Code of Meeting Practice.

## Next Steps

Subject to consideration by Council, it is recommended that Council Code of Meeting Practice, presented as Attachment 1 be adopted. The Code of Meeting Practice will then be uploaded to Council's website and circulated to the Mayor and Councillors.

A Councillor Training session will be organised in the new year in accordance with Part 4 of the resolution of the 22 October 2025.

## Financial Implications

Not applicable	<input checked="" type="checkbox"/>
Included in existing approved budget	<input type="checkbox"/>
Additional funds required	<input type="checkbox"/>

## Community Strategic Plan

Theme One – In 2035 Bayside will be a vibrant and liveable place	<input type="checkbox"/>
Theme Two – In 2035 our Bayside community will be connected and feel that they belong	<input type="checkbox"/>
Theme Three – In 2035 Bayside will be green, resilient and sustainable	<input type="checkbox"/>
Theme Four – In 2035 Bayside will be financially sustainable and support a dynamic local economy	<input checked="" type="checkbox"/>

## Risk Management – Risk Level Rating

No risk	<input type="checkbox"/>
Low risk	<input type="checkbox"/>
Medium risk	<input checked="" type="checkbox"/>
High risk	<input type="checkbox"/>
Very High risk	<input type="checkbox"/>
Extreme risk	<input type="checkbox"/>

## Community Engagement

Internal consultation has occurred between the General Manager, Executive Committee, Director City Performance and Manager Governance & Risk in the preparation of this report.

Public exhibition for a period of 42 days and that a further report be prepared post exhibition for consideration by Council (i.e. 24 October 2025 to 5 December 2025) to obtain community's views on the Draft Code of Meeting Practice 2025.

Any comments received will be reviewed and evaluated to determine whether to incorporate any amendments or additional supplementary provisions.

## **Attachments**

1 [↓](#) Final Draft Code of Meeting Practice - Post Exhibition Version



**DRAFT –  
Post Exhibition  
Code of Meeting  
Practice (based on the  
Model Code of Meeting  
Practice for Local  
Councils in NSW 2025)**



**Post Exhibition Explanatory Notes:**

This Draft Code of Meeting Practice – Public Exhibition copy, is based on the Model Code of Meeting Practice for Local Councils in NSW (issued by the Office of Local Government 2025).

The Draft Code consists of **Mandatory provisions** which are compulsory, and **optional provisions** which Council has included.

To assist readers in understanding the distinction between these types of provisions this Draft Code of Meeting Practice is colour coded as follows:

- **Black font** denotes mandatory provisions which must be included in the Draft Code.
- **Teal font** denotes additional supplementary provisions added by Bayside Council.

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Code of Meeting Practice

File: TBC Document: TBC

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Enquiries: Manager Governance & Risk



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DRAFT Code of Meeting Practice  
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## 1 INTRODUCTION

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

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

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

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

The provisions of the Model Meeting Code that are not mandatory are indicated in **Teal font** and denote additional/supplementary provisions added by Bayside Council.

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

## 2 MEETING PRINCIPLES

### 2.1 Council and committee meetings should be:

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

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

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

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

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

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

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

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

**Note:** The Office of Local Government has issued a guideline on free speech in local government in NSW. The Guideline provides practical guidance to councils on what free speech means in the context of NSW local government, including in relation to council meetings. The Guidelines have been issued under section 23A of the Act meaning councils must consider them when exercising their functions at meetings.

## 3 BEFORE THE MEETING

### Timing of ordinary council meetings

#### 3.1 Ordinary meetings of the council will be held on the following occasions:

Fourth Wednesday of each month (February to November) and Second Wednesday in December commencing at 7:00pm at the Rockdale Town Hall, Princes Highway Rockdale or as otherwise determined by the Council and indicated in the Notices of Meetings.

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

Extraordinary meetings

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

**Note: Clause 3.2 reflects section 366 of the Act.**

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

Notice to the public of council meetings

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

**Note: Clause 3.4 reflects section 9(1) of the Act.**

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council must be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

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

Notice to councillors of ordinary council meetings

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

**Note: Clause 3.7 reflects section 367(1) of the Act.**

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

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

Notice to councillors of extraordinary meetings

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

**Note: Clause 3.9 reflects section 367(2) of the Act.**

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Giving notice of business to be considered at council meetings (i.e. Notices of Motion)

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted **by 5.00pm 14 days' prior to the meeting being held (which includes a Saturday, Sunday and/or Public Holiday)**.
- 3.11A A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.11B If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.
- 3.11C A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:
- (i) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
  - (ii) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

- 3.12 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.13 A councillor is not permitted to ask a question with notice under clause 3.12 that would constitute an act of disorder.
- 3.14 The general manager or their nominee may respond to a question with notice submitted under clause 3.12 by way of a report included in the business papers for the relevant meeting of the council.

Agenda and business papers for ordinary meetings

- 3.15 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.16 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
  - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
  - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
  - (d) any business of which due notice has been given under clause 3.10.
- 3.17 Nothing in clause 3.16 limits the powers of the mayor to put a mayoral minute to a meeting without notice under clause 9.7.
- 3.18 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.19 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
  - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

**Note: Clause 3.19 reflects section 9(2A)(a) of the Act.**

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

**Note:** Any matter considered urgent by the general manager which arises after the distribution of Business Papers, may be circulated to Councillors immediately prior to the meeting via a Supplementary agenda. In such circumstances if requested by one (1) or more Councillors, prior to discussion or determination of the matter, the Chairperson shall allow a period of time for Councillors to read the report.

Availability of the agenda and business papers to the public

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

**Note: Clause 3.21 reflects section 9(2) and (4) of the Act.**

- 3.22 Clause 3.21 does not apply to the business papers for items of business identified under clause 3.19 as being likely to be considered when the meeting is closed to the public.

**Note: Clause 3.22 reflects section 9(2A)(b) of the Act.**

- 3.23 For the purposes of clause 3.21, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

**Note: Clause 3.23 reflects section 9(3) of the Act.**

- 3.24 A copy of an agenda, or of an associated business paper made available under clause 3.21, may in addition be given or made available in electronic form unless the council determines otherwise.

**Note: Clause 3.24 reflects section 9(5) of the Act.**

Agenda and business papers for extraordinary meetings

- 3.25 The council must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.26 Nothing in clause 3.25 limits the powers of the mayor to put a mayoral minute to an extraordinary meeting without notice under clause 9.7.
- 3.27 Despite clause 3.25, business may be considered at an extraordinary meeting of the council at which all councillors are present, even though due notice has not been given of the business, if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council. A resolution adopted under this clause must state the reasons for the urgency.

- 3.28 A motion moved under clause 3.27 can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with. Despite any other provision of this code, only the mover of a motion moved under clause 3.27, and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 3.29 If all councillors are not present at the extraordinary meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 3.27 and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 3.30 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.29 on whether a matter is urgent.

Prohibition of pre-meeting briefing sessions

- 3.31 Briefing sessions must not be held to brief councillors on business listed on the agenda for meetings of the council or committees of the council.

**Note: The prohibition on the holding of briefing sessions under clause 3.31 reflects the intent of Chapter 4, Part 1 of the Act which requires business of the council to be conducted openly and transparently at a formal meeting of which due notice has been given and to which the public has access. Pre-meeting briefing sessions are inconsistent with the principles of transparency, accountability and public participation and have the potential to undermine confidence in the proper and lawful decision-making processes of the council.**

- 3.32 Nothing in clause 3.31 prevents a councillor from requesting information from the general manager about a matter to be considered at a meeting, provided the information is also available to the public. Information requested under this clause must be provided in a way that does not involve any discussion of the information.

Statement of ethical obligations

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

#### 4 PUBLIC FORUMS

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

4.2 The council may determine the rules under which public forums are to be conducted and when they are to be held.

4.3 The provisions of this code requiring the livestreaming of meetings also apply to public forums.

4.4 The Council will hold Public Forums immediately prior to each Ordinary Meeting of the Council and Committee to hear submissions from members of the public on items of business to be considered at the meeting.

Public forums may also be held as part of Extraordinary Council meetings and meetings of Committees of the Council. All registered speakers will be heard at during the public forum session in item order as it appears in the business paper.

A Committee Chair or Council Meeting Chair may permit a member of the public to address a Committee or Ordinary Council Meeting as part of that meeting if required, and the community member has not previously spoken at the public forum on the agenda item.

4.5 Public forums may be held by audio-visual link.

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

4.7 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum **must be received by 5:00 pm on the day before the meeting**, at which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.

4.8 A person may apply to speak on no more than **three** items of business on the agenda of the council meeting.

4.9 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

4.10 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.

- 4.11 Each speaker will have a maximum of three (3) minutes to address Council on a public forum item. Time is to be strictly enforced by the chairperson with a warning bell after two (2) minutes (indicating they have one (1) minute remaining). The chairperson may grant an extension of up to two (2) minutes.
- 4.12 The public forum for each item will be allocated nine (9) minutes. Preference will be given to the arrangement where one person speaks for the motion, and one speaks against the motion. Groups are encouraged to nominate a representative to make the presentation to the Council on behalf of the group. Where more than three (3) speakers have registered to speak on the same item, the Chairperson will determine the equal allocation of time between speakers.
- 4.13 The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.14 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.15 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.16 Speakers are under no obligation to answer a question put under clause 4.15.
- 4.17 Speakers at public forums cannot ask questions of the council, councillors, or council staff.
- 4.18 The general manager or their nominee may, with the concurrence of the chairperson, address the council in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.20 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies, and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.21 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.20, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.22 Clause 4.21 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.

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- 4.23 Where a speaker engages in conduct of the type referred to in clause 4.20, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.

#### Written Submissions

- 4.24 To make a written submission, a person must first make an application to the council in the approved form attaching the written submission. Written submissions **must be received by 5:00 pm on the day before the meeting** and must identify the item of business on the agenda of the council meeting the written submission relates to, and whether it is 'for' or 'against' the item.

#### Exclusions

- 4.26 Addresses will not be permitted on:
- (a) Council Minutes
  - (b) Minutes of the four standing committees (i.e. City Planning & Environment Committee, City Works & Assets Committee, City Services Committee and City Performance Committee) unless the item is subject to a supplementary report
  - (c) Responses to Questions with Notice
  - (d) Confidential items
- 4.27 Notwithstanding Clause 4.25, a member of the public may make written submissions **and must be received by 5:00 pm on the day before the meeting** on any item of business other than Clause 4.26 (a), (c) and (d).
- 4.28 Applications to speak will not be accepted from nominated or publicly announced candidates for federal, state, or local government elections.

## 5 COMING TOGETHER

### Attendance by councillors at meetings

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

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

- 5.2 The standards of dress for councillors when attending meetings is smart casual.
- 5.3 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.
- 5.4 Deleted – Not applicable.
- 5.5 Where a councillor is unable to attend one or more meetings of the council or committees of the council, the councillor should submit an apology for the meetings they are unable to attend, state the reasons for their absence from the meetings and request that the council grant them a leave of absence from the relevant meetings.
- 5.6 The council must not act unreasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.7 Where a councillor makes an apology under clause 5.5, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting for the purposes of section 234(1)(d) of the Act. If the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its decision in its resolution.
- 5.8 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

**Note: Clause 5.8 reflects section 234(1)(d) of the Act.**

The quorum for a meeting

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

**Note: Clause 5.9 reflects section 368(1) of the Act.**

- 5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

**Note: Clause 5.10 reflects section 368(2) of the Act.**

- 5.11 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
  - (b) within half an hour after the time designated for the holding of the meeting, or
  - (c) at any time during the meeting.
- 5.12 In either case, the meeting must be adjourned to a time, date, and place fixed:
- (a) by the chairperson, or
  - (b) in the chairperson's absence, by the majority of the councillors present, or
  - (c) failing that, by the general manager.
- 5.13 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called by the mayor under clause 3.3.

Meetings held by audio-visual link

- 5.16 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.
- 5.17 Where the mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the general manager must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
  - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
  - (c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.18 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

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

Attendance by councillors at meetings by audio-visual link

- 5.19 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.
- 5.20 Clause 5.19 does not apply to meetings at which a mayoral election is to be held.
- 5.21 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.22 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.21.

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- 5.23 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.24 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.25 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state the meetings the resolution applies to.
- 5.26 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.27 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link.
- 5.28 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.29 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.30 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.31 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

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

**Note: Clause 5.32 reflects section 10(1) of the Act.**

**Note:** Notwithstanding clause 5.32, a limitation may be placed on the number of members of the public admitted to a meeting of the Council or a Committee of the Council, where such a limitation is for the reasons of safety or security.

- 5.33 Clause 5.32 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.34 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:
- (a) by a resolution of the meeting, or
  - (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

**Note: Clause 5.34 reflects section 10(2) of the Act.**

- 5.35 On the adoption of this code and at the commencement of each council term, the council must determine whether to authorise the person presiding at a meeting to exercise a power of expulsion.

**Note:** If adopted, clauses 15.15 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.15 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting.

Livestreaming of meetings

- 5.36 Each meeting of the council or a committee of the council is to be recorded by means of an audio-visual device.
- 5.37 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:
- (a) the meeting is being recorded and made publicly available on the council's website, and
  - (b) persons attending the meeting should refrain from making any defamatory statements.
- 5.38 The recording of a meeting is to be made publicly available on the council's website at the same time as the meeting is taking place or as soon as practicable after the meeting, if technical difficulties are being experienced during the meeting.

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

5.40 Clauses 5.36 - 5.39 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

**Note: Clauses 5.36 – 5.40 reflect section 236 of the Regulation.**

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

Attendance of the general manager and other staff at meetings

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

**Note: Clause 5.42 reflects section 376(1) of the Act.**

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

**Note: Clause 5.43 reflects section 376(2) of the Act.**

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

**Note: Clause 5.44 reflects section 376(3) of the Act.**

5.45 The attendance of other council staff at a meeting, (other than as members of the public) shall be determined by the general manager in consultation with the mayor.

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

## 6 THE CHAIRPERSON

### The chairperson at meetings

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

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

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

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

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

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

- 6.4 The election of a chairperson must be conducted:

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

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

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

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

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

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

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:
- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
  - (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

**7 MODES OF ADDRESS**

- 7.1 Where physically able to, councillors and staff should stand when the mayor enters the chamber and when addressing the meeting.
- 7.2 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor', 'Madam Mayor' or 'Mayor'.
- 7.3 If the chairperson is the deputy mayor, they are to be addressed as 'Mr Deputy Mayor', or 'Madam Deputy Mayor' or 'Deputy Mayor'.
- 7.4 Where the chairperson is not the mayor or deputy mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson' or 'Chair'.
- 7.5 A councillor is to be addressed as 'Councillor [surname]'.
- 7.6 A council officer is to be addressed by their official designation or as Mr/Ms/Mx [surname].

**8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS**

- 8.1 At a meeting of the council, the general order of business [for Ordinary Council Meetings shall be as outlined below:](#)
- 1 Opening Meeting
  - 2 Acknowledgement of Country
  - 3 Opening Prayer
  - 4 Condolences
  - 5 Presentations
  - 6 Apologies, Leave of Absence and/or Attendance via Audio-Visual Link
  - 7 Disclosures of Interest
  - 8 Minutes of Previous Meetings
  - 9 Mayoral Minute(s)
  - 10 Items by Exception
  - 11 Reports to Council
  - 12 Minutes and Reports of Committees
  - 13 Notices of Motion (including Rescission Motions)
  - 14 Questions with Notice
  - 15 Confidential Reports / Matters
  - 16 Conclusion of the Meeting

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- 8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

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

- 8.3 Despite any other provision of this code, only the mover of a motion referred to in clause 8.2 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

## **9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS**

### Business that can be dealt with at a council meeting

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

- 9.6 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.5.

Mayoral minutes

- 9.7 The mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that the mayor determines should be considered at the meeting.
- 9.8 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The mayor may move the adoption of a mayoral minute without the motion being seconded.
- 9.9 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

Staff reports

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

Reports of committees of council

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

Questions

- 9.13 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.12, unless the council determines otherwise in accordance with this code.
- 9.14 A councillor may, through the chairperson, ask another councillor about a matter on the agenda.
- 9.15 A councillor may, through the mayor, ask the general manager about a matter on the agenda. The general manager may request another council employee to answer the question.
- 9.16 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.17 Councillors must ask questions directly, succinctly, and without argument.

- 9.18 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

## **10 RULES OF DEBATE**

### Motions to be seconded

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

### Notices of motion

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

### Chairperson's duties with respect to motions

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

**Note:** Any motion or amendment that the chairperson has ruled out of order is taken to have been lost.

Amendments to motions

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

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.

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

Limitations on the number and duration of speeches

- 10.15 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.16 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.17 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.18 Despite clause 10.17, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.19 Despite clauses 10.15 and 10.16, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
  - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.20 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.19. A seconder is not required for such a motion.
- 10.21 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.15.
- 10.22 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.23 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.24 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

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10.25 Clause 10.24 does not prevent a further motion from being moved on the same item of business where the original motion is lost provided the motion is not substantially the same as the one that is lost.

10.26 Deleted – Not applicable.

## 11 VOTING

### Voting entitlements of councillors

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

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

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

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

11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

11.4 Deleted – Not applicable.

### Voting at council meetings

11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

11.6 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.

11.7 The decision of the chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.

11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.

11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.

11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

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11.11 Deleted – Not applicable.

Voting on planning decisions

- 11.12 The council or a council committee must not make a final planning decision without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.
- 11.13 Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.
- 11.14 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.15 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.16 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.17 Clauses 11.14–11.16 apply also to meetings that are closed to the public.

**Note: Clauses 11.14–11.17 reflect section 375A of the Act.**

**Note: The requirements of clause 11.14 may be satisfied by maintaining a register of the minutes of each planning decision.**

## 12 COMMITTEE OF THE WHOLE

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

**Note: Clause 12.1 reflects section 373 of the Act.**

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

**Note: Clauses 10.15 – 10.25 limit the number and duration of speeches.**

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

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

## 13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that:
- (a) have declarations of interest, or
  - (b) are a planning matter that requires a Division, or
  - (c) are Notices of Motion, or
  - (d) they intend to vote against the recommendation made in the business paper, or
  - (e) they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.

- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

#### **14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC**

##### Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
  - (a) personnel matters concerning particular individuals (other than councillors),
  - (b) the personal hardship of any resident or ratepayer,
  - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
  - (d) commercial information of a confidential nature that would, if disclosed:
    - (i) prejudice the commercial position of the person who supplied it, or
    - (ii) confer a commercial advantage on a competitor of the council, or
    - (iii) reveal a trade secret,
  - (e) information that would, if disclosed, prejudice the maintenance of law,
  - (f) matters affecting the security of the council, councillors, council staff or council property,
  - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
  - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
  - (i) alleged contraventions of the council's code of conduct.

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

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

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

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**Note:** The grounds on which a meeting is closed to the public must be specified in the decision to close the meeting and recorded in the minutes of the meeting.

Matters to be considered when closing meetings to the public

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

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

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice,
- (c) are fully discussed in that advice, and
- (d) are subject to legal professional privilege.

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

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

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

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
  - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
  - (ii) cause a loss of confidence in the council or committee.

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

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

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

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.19 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
  - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
    - (i) should not be deferred (because of the urgency of the matter), and
    - (ii) should take place in a part of the meeting that is closed to the public.

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

Representations by members of the public

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

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

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Despite clauses 14.9 and 14.10, the council may resolve to close the meeting to the public in accordance with this Part to hear a representation from a member of the public as to whether the meeting should be closed to consider an item of business where the representation involves the disclosure of information relating to a matter referred to in clause 14.1.
- 14.12 Where the matter has been identified in the agenda of the meeting under clause 3.19 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in a manner determined by the council. **Applications must be received by 5:00 pm on the day before the meeting at which the matter is to be considered.**
- a) **The general manager (or their delegate) may refuse an application made under clause 14.12. The general manager or their delegate must give reasons in writing for a decision to refuse an application.**

- b) No more than three (3) speakers are to be permitted to make representations under clause 14.9.
- c) If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- d) The general manager (or their delegate) is to determine the order of speakers.
- e) Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than three (3) speakers to make representations in such order as determined by the chairperson.
- f) Each speaker will be allowed **three (3)** minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

- 14.13 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.14 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

**Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.**

Obligations of councillors attending meetings by audio-visual link

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

Information to be disclosed in resolutions closing meetings to the public

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

**Note: Clause 14.16 reflects section 10D of the Act.**

Resolutions passed at closed meetings to be made public

- 14.17 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.18 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.17 during a part of the meeting that is livestreamed where practicable.
- 14.19 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 14.20 The general manager must consult with the council and any other affected persons before publishing information on the council's website under clause 14.19 and provide reasons for why the information has ceased to be confidential.

## 15 KEEPING ORDER AT MEETINGS

### Points of order

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

**Note:** A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.

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

### Questions of order

- 15.3 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.4 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.5 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.6 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

### Motions of dissent

- 15.7 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.8 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.9 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

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

- (a) contravenes the Act, the Regulation or this code, or
- (b) assaults or threatens to assault another councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) uses offensive or disorderly words, or
- (e) makes gestures or otherwise behaves in a way that is sexist, racist, homophobic or otherwise discriminatory, or, if the behaviour occurred in the Legislative Assembly, would be considered disorderly, or
- (f) imputes improper motives to or unfavourably personally reflects upon any other council official, or a person present at the meeting, except by a motion, or
- (g) says or does anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.

**Note: Clause 15.10 reflects section 182 of the Regulation.**

**Note: The Legislative Assembly's Speaker's Guidelines state that "Members are not to use language, make gestures, or behave in any way in the Chamber that is sexist, racist, homophobic or otherwise exclusionary or discriminatory. Such conduct may be considered offensive and disorderly, in accordance with Standing Order 74".**

15.11 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.10(a), (b), (d), (e), or (g), or
- (b) to withdraw a motion or an amendment referred to in clause 15.10(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.10(d), (e), (f) or (g).

**Note: Clause 15.11 reflects section 233 of the Regulation.**

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

15.13 Where a councillor fails to take action in response to a requirement by the chairperson to remedy an act of disorder under clause 15.11 at the meeting at which the act of disorder occurred, the chairperson may require the councillor to take that action at each subsequent meeting until such time as the councillor complies with the requirement. If the councillor fails to remedy the act of disorder at a subsequent meeting, they may be expelled from the meeting under clause 15.18.

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How disorder at a meeting may be dealt with

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

Expulsion from meetings

- 15.15 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.
- 15.16 Deleted – Not applicable.
- 15.17 Clause 15.15, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.
- 15.18 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.11 or clause 15.13. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

**Note: Clause 15.18 reflects section 233(2) of the Regulation.**

- 15.19 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.20 Members of the public attending a meeting of the council:
- (a) must remain silent during the meeting unless invited by the chairperson to speak,
  - (b) must not bring flags, signs or protest symbols to the meeting, and
  - (c) must not disrupt the meeting.
- 15.21 Without limiting clause 15.19, a contravention of clause 15.20 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Members of the public may, as provided by section 10(2) of the Act, be expelled from a meeting for a breach of clause 15.20.
- 15.22 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

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

**Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.**

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

- 15.24 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 15.25 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.26 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.27 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.28 Without limiting clause 15.19, a contravention of clause 15.27 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Any person who contravenes or attempts to contravene clause 15.27, may, as provided for under section 10(2) of the Act, be expelled from the meeting.
- 15.29 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

**Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.**

## 16 CONFLICTS OF INTEREST

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

## 17 DECISIONS OF THE COUNCIL

### Council decisions

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

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

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

### Rescinding or altering council decisions

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

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

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

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

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

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

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

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

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

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

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

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

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

- 17.10 Deleted – Not applicable.

- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

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

- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three councillors is submitted to the chairperson at the meeting, and
- (b) the council resolves to deal with the motion at the meeting on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council.

- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.12(b) and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

- 17.14 A resolution adopted under clause 17.12(b) must state the reasons for the urgency.

Recommitting resolutions to correct an error

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

**18 TIME LIMITS ON COUNCIL MEETINGS**

- 18.1 Meetings of the council and committees of the council are to conclude no later than **11.00pm**. If the business of the meeting is unfinished at **11:00 pm**, the council or the committee may, by resolution, extend the time of the meeting.
- 18.2 If the business of the meeting is unfinished **at 12 midnight** and the council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
  - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.3 Clause 18.2 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.

18.4 Where a meeting is adjourned under clause 18.2 or 18.3, the general manager must:

- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
- (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

## 19 AFTER THE MEETING

### Minutes of meetings

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

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

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

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

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

**Note: Until such time that the minutes have been confirmed, the words 'Unconfirmed' are added via a watermark prior to publishing on Councils website. This watermark is removed from the minutes once they are confirmed.**

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

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

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

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

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

meeting.

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

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

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

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

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

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

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

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

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

Implementation of decisions of the council

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

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

## **20 COUNCIL COMMITTEES**

### Application of this Part

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

### Council committees whose members are all councillors

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

### Functions of committees

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

### Notice of committee meetings

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

### Non-members entitled to attend committee meetings

- 20.8 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
  - (b) to move or second a motion at the meeting, or
  - (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

- 20.9 The chairperson of each committee of the council must be:
- (a) the mayor, or
  - (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
  - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.10 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.11 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.12 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting. If neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 20.13 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council.
- 20.14 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.13.
- 20.15 Deleted – Not applicable.
- 20.16 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Mayoral minutes

- 20.17 The provisions of this code relating to mayoral minutes also apply to meetings of committees of the council in the same way they apply to meetings of the council.

Closure of committee meetings to the public

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

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- 20.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.19 during a part of the meeting that is livestreamed where practicable.
- 20.21 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 20.22 The general manager must consult with the committee and any other affected persons before publishing information on the council's website under clause 20.21 and provide reasons for why the information has ceased to be confidential.

Disorder in committee meetings

- 20.23 The provisions of the Act, the Regulation, and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way they apply to meetings of the council.

Minutes of council committee meetings

- 20.24 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
  - (b) details of each motion moved at a meeting and of any amendments moved to it,
  - (c) the names of the mover and seconder of the motion or amendment,
  - (d) whether the motion or amendment was passed or lost, and
  - (e) such other matters specifically required under this code.
- 20.25 Deleted – Not applicable.
- 20.26 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.

**Note:** Until such time that the minutes have been confirmed, the words 'Unconfirmed' are added via a watermark prior to publishing on Councils website. This watermark is removed from the minutes once they are confirmed.

- 20.27 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.28 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.
- 20.29 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.30 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

## 21 IRREGULARITIES

- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
- (a) a vacancy in a civic office, or
  - (b) a failure to give notice of the meeting to any councillor or committee member, or
  - (c) any defect in the election or appointment of a councillor or committee member, or
  - (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
  - (e) a failure to comply with this code.

**Note: Clause 21.1 reflects section 374 of the Act.**

## 22 TASK GROUPS, WORKING PARTIES AND ADVISORY COMMITTEES

### Task Groups and Working Parties

- 22.1 The Council may appoint a group of Councillors and staff members to investigate a specific proposal and to report to the Council or appropriate Committee.
- 22.2 The Council shall determine the terms of reference for the Task Group or Working Party, such to clearly state:
- (a) the specific issues to be addressed
  - (b) the time available to the Task Group or Working Party to complete its investigation
- 22.3 The Task Group or Working Party shall have the power to regulate its own procedures and need only report to the Council or Committee when a decision on policy or resources is required.
- 22.4 The Task Group or Working Party shall be disbanded after the terms of reference have been completed.

**Note:** The General Manager appoints staff member representatives on Task Groups and Working Parties.

- 22.5 A Task Group or Working Party which includes staff and/or community representatives may be closed to the public.

**Note:** Clause 22.5 reflects section 10A(1) of the Act.

### Advisory Committees

- 22.6 The Council may appoint a group of Councillors, staff and/or community representatives to undertake a particular administrative responsibility.
- 22.7 Where possible, community representatives on Advisory Committees shall be nominated by community organisations or through an expression of interest process.
- 22.8 The Council shall determine the terms of reference for the Advisory Committee.
- 22.9 Subject to the terms of reference, the Advisory Committee shall have power to regulate its own procedures.
- 22.10 Council can disband the Advisory Committee or alter its terms of reference and membership composition at any time.
- 22.11 An Advisory Committee which includes staff and/or community representatives may be closed to the public.

**Note:** Clause 22.11 reflects section 10A(1) of the Act.

## 23 PETITIONS

- 23.1 Council affirms its belief in and supports the right of individuals or a body of individuals in the community to petition Council.
- 23.2 Petitions tabled by Councillors to duly convened Council Meeting are subject to consideration based on the following:

*“That the petition be received and noted and referred to the relevant department for consideration.”*

**Note: A motion to table a petition does not need a seconder, nor is debate allowed on the merits of the petition, with the mover of the motion only able to speak to the subject matter of the petition by way of introduction of the petition to the Council.**

**Note: Petitions are accepted and tabled in accordance with Council’s Petition Policy.**

## 24 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.10 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.9 of this code
this code	means the council’s adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and any other person exercising functions on behalf of the council
day	means calendar day

DRAFT Code of Meeting Practice  
(based on Model Code of Meeting Practice for Local Councils in NSW 2025)

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division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.19 of this code during debate of the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.18 of this code during debate on an original motion
livestream	a video broadcast of a meeting transmitted across the internet concurrently with the meeting
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan, a planning agreement or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
year	means the period beginning 1 July and ending the following 30 June

## 25 CODE IMPLEMENTATION

### Policy responsibilities

- 25.1 The Code of Meeting Practice outlines the roles and responsibilities of all Council Officials involved, including the Mayor, Councillors, General Manager and 'all staff' as appropriate in the conduct of Council and Committee meetings.

The General Manager is responsible for embedding compliance within the Code of Meeting Practice.

The *Director City Performance* and *Manager Governance & Risk* is responsible for its implementation.

*All Council officials* have a responsibility to comply with this policy.

The Director City Performance and/or Manager Governance & Risk may have additional responsibilities such as maintaining a register, approving public forum requests to speak, accepting submissions or providing training.

### Procedures

- 25.2 Procedures that support this Code, may be approved by the General Manager from time to time and address such issues as:

- Business paper process and related administrative workflow approvals
- Guide and application forms for public speakers
- Guide and application forms for written submissions.
- Guide the acceptance of petitions.

### Breaches

- 25.3 Breaches of the Code of Meeting Practice may result in an investigation or complaint being received.

## 26 DOCUMENT CONTROL

### Review

- 26.1 In accordance with section 360 of the Act, within 12 months after an ordinary election of Councillors, Council must adopt a Code of Meeting Practice. The Code is reviewed when relevant legislation changes. Council will public exhibit a draft code in accordance with section 361 of the Act prior to adopting a Code.

The Council authorises the General Manager to reissue the Code without public exhibition to incorporate any amendments to relevant acts, regulations or formal advice from the NSW Office of Local Government. This authorisation also includes the ability to make minor administrative changes to the Code as required from time to time. Councillors will be notified of any amendments made to the Code of Meeting Practice by email and a copy of the Code recirculated.

The Manager Governance & Risk may approve non-significant and/or minor editorial amendments including document design that do not change the policy substance.

### Related documents/legislation

- 26.2 Related documents/legislation:

- Local Government Act 1993
- Local Government (General) Regulation 2021
- Model Code of Meeting Practice for Local Councils in NSW (2025)

## 27 VERSION HISTORY

Version	Released Date	Author	Reason for Change
1.0	24 October 2025 (Draft)	Manager Governance & Risk	Draft Code of Meeting Practice based on Model Code of Meeting Practice for Local Councils in NSW 2025. Endorsed at Council Meeting 22 October 2025 for public exhibition.
1.1	3 December 2025 (Final Draft)	Manager Governance & Risk	Post Exhibition Final Draft for consideration at the Extraordinary Council Meeting on 10 December 2025.

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## Extraordinary Council Meeting

10/12/2025

Item No	9.5
Subject	<b>Response to Notice of Motion - Upgrade of Memorial Park, Mascot</b>
Report by	Peter Barber, Director City Futures
File	SF25/4740

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### Summary

Council resolved at its September 2025 meeting following a Notice of Motion from Councillor Boutelet:

- 1 *That Council notes that the playground at Memorial Park, Mascot is in need of renewal to meet community needs.*
  - 2 *That Council commits to upgrading the playground at Memorial Park, with a focus on:*
    - a. *Inclusive and accessible play equipment suitable for a range of ages and abilities.*
    - b. *Improved safety features and shade.*
    - c. *Landscaping and seating to enhance the park's amenity for families and carers.*
  - 3 *That Council requests staff prepare a report outlining design options, cost estimates, and potential funding sources for the upgrade, to be brought back to Council for consideration.*
- 

### Officer Recommendation

- 1 That Council receives and notes this report.
  - 2 That Council notes the timing and funding for the project which is included in the future Capital Projects Program (CPP) for 2026-27 and 2027-28.
- 

### Background

The current Capital Projects Program (CPP) for 25/26 includes budget for a Functional Plan and Conservation Management Plan for Mascot Memorial Park which includes an assessment of the condition of the tennis courts, location of the playground, and realignment of the boundary with the former Family Day Care site.

The project is due to commence in the second half of this financial year and the draft Functional Plan will be reported to the City Works and Assets Committee in mid-2026.

Once the functional plan is completed, this will inform the delivery of the playground and its location, noting it is currently in a low-lying flood prone area.

The draft Capital Projects Program for 2026/2027 includes funding for design and approvals to implement the outcomes of the Functional Plan. This will include the renewal of the playground, renewal of the tennis courts and associated works.

A budget for construction is included in the draft 2027-28 CPP.

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### Financial Implications

Not applicable	<input type="checkbox"/>	
Included in existing approved budget	<input checked="" type="checkbox"/>	Included in draft CPP 2026/2027
Additional funds required	<input type="checkbox"/>	

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### Community Strategic Plan

Theme One – In 2035 Bayside will be a vibrant and liveable place	<input checked="" type="checkbox"/>
Theme Two – In 2035 our Bayside community will be connected and feel that they belong	<input type="checkbox"/>
Theme Three – In 2035 Bayside will be green, resilient and sustainable	<input type="checkbox"/>
Theme Four – In 2035 Bayside will be financially sustainable and support a dynamic local economy	<input type="checkbox"/>

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### Risk Management – Risk Level Rating

No risk	<input type="checkbox"/>
Low risk	<input type="checkbox"/>
Medium risk	<input checked="" type="checkbox"/>
High risk	<input type="checkbox"/>
Very High risk	<input type="checkbox"/>
Extreme risk	<input type="checkbox"/>

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### Community Engagement

Not applicable at this stage.

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### Attachments

Nil

## Extraordinary Council Meeting

10/12/2025

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Item No	9.6
Subject	<b>Response to Question - Pram Ramps</b>
Report by	Peter Barber, Director City Futures
File	SF25/4740

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### Question

The following Question With Notice was submitted at Council's Meeting of 22 October, 2025 by Councillor Barlow:

1. *Does Council's specification for pram ramps in kerbs meets the slope or gradient, width and landing area outlined in the relevant Australian Standard?*
2. *In cases where the Australian Standards cannot be met, what remedial action can be/is taken to protect the safety and dignity of people in mobility scooters using pram ramps?*

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### Response to Question 1:

Yes, when Council is undertaking renewal and development works across the public domain the specification referenced and adhered to is *AS 1428.1:2021 – Design for Access and Mobility, Part 1: General Requirements for Access*, which sets out minimum specifications to ensure safe and inclusive access for people with disabilities. This standard is referenced by the *National Construction Code (NCC)* and the *Disability (Access to Premises – Buildings) Standards*, making compliance a legal and functional requirement for public infrastructure works

### Response to Question 2:

Under the NCC, a performance-based approach may be adopted where site constraints limit full compliance. When working in an established urban environment, there are situations where existing road levels, footpath levels, footpath widths, footpath grades, road reserve dimensions, kerb heights, road camber, or a combination of factors, makes strict compliance either impossible, impractical, or cost prohibitive.

In such cases, practical measures are implemented, including the installation of handrails or edge protection, non-slip surfacing, and tactile ground surface indicators. Where necessary, alternative accessible routes are clearly signposted. For temporary public events, portable ramps may be provided as an interim solution.

For development sites, developers are required to renew any footpaths and pram ramps immediately fronting their properties. Design considerations include reducing gradients where possible, increasing footpath widths, and incorporating trip-stop treatments at joints to minimise hazards. Additional measures are taken to control root intrusion and prevent panels from lifting, ensuring long-term safety and accessibility.

### Attachments

Nil

## Extraordinary Council Meeting

10/12/2025

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Item No	9.7
Subject	<b>Response to Question - Bayside Planning Priority 9</b>
Report by	Peter Barber, Director City Futures
File	SF18/2232

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### Question

The following Question With Notice was submitted at Council's Meeting of 22 October 2025 by Councillor Douglas.

*“Can we have an update please as to the status of centres in Local Strategic Planning Statement Planning Priority 9, and if an implementation plan has been done?”*

### **Bayside Planning Priority 9**

*Manage and enhance the distinctive character of the LGA through good quality urban design, respect for existing character and enhancement of the public realm.*

Actions: 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8

- *Council will encourage good built form outcomes through Design Excellence Competitions, Design Excellence Guidelines and Design Review Panel.*
- *Update planning controls for Bayside DCP 2020 to give clearer guidance to applicants and their architects about Council's expectations for high standards of design.*
- *Ensure compliance with the Apartment Design Guide.*
- *Adopt a place-based approach to planning by integrating elements of NSW Planning and Environment Character Toolkit into our policy framework, following the finalisation of the Character Overlay Policy by NSW State Government.*
- *Council will take a place-based approach and finalise and adopt the master plans/urban design studies for the local centres of Rockdale, Eastlakes and Brighton Le Sands.*
- *Council will take a place-based approach for each local centre and prepare master plans/urban design studies or public domain plans to create great places including the following centres at west Kogarah, Carlton, Kingsgrove, Bexley, Bexley North, Ramsgate, Hillsdale, Botany, Mascot (Coward/Botany Road) and Mascot Station Precinct.*
- *Prepare an implementation plan to schedule local centre planning and design across a number of years. Integrate future planning for capital works in centres into the Bayside City Projects Program and the Long-Term Financial Plan.”*

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### Response

Each point has been responded to below.

- *Council will encourage good built form outcomes through Design Excellence Competitions, Design Excellence Guidelines and Design Review Panel.*

**Response:**

Development Applications (DA) are assessed in accordance with relevant legislation and are subject to Design Excellence and Design Review Panel review as appropriate.

- *Update planning controls for Bayside DCP 2020 to give clearer guidance to applicants and their architects about Council's expectations for high standards of design.*

**Response:**

Bayside DCP 2022 includes various controls that require high design standards to be achieved.

- *Ensure compliance with the Apartment Design Guide.*

**Response:**

DAs for residential flat buildings are required to be assessed against the Apartment Design Guide.

- *Adopt a place-based approach to planning by integrating elements of NSW Planning and Environment Character Toolkit into our policy framework, following the finalisation of the Character Overlay Policy by NSW State Government.*

**Response:**

The Character Overlay Policy was abandoned by the NSW Government, as such, this has not been pursued. However, relevant local character is considered when assessing a DA.

- *Council will take a place-based approach and finalise and adopt the master plans/urban design studies for the local centres of Rockdale, Eastlakes and Brighton Le Sands.*

**Response:**

Regarding Rockdale, Council at its meeting of 23 July 2025 resolved:

*"That the Draft Rockdale Centre Masterplan be publicly exhibited, and the results of community engagement be reported back to Council for further consideration".*

High standard digital visualisation materials are currently in production to support the proposal with engagement proposed in 2026.

With regard to Brighton Le Sands, Council at its meeting of 25 June 2025 resolved

1. *That Council proceeds with investigating the items identified for Brighton Le Sands in the 27 November 2024 resolution via a "Complete Streets" Project.*
2. *That Council explores opportunities for improved active transport on Bay Street and revisit the previous Bay Street Planning Proposal to connect Brighton Le Sands and Rockdale.*
3. *That the scope includes investigation of increased residential density in Brighton Le Sands, including a review of the urban design and feasibility work previously*

*undertaken by Council, to provide redevelopment scenario options including planning controls from Brighton Le Sands to the Rockdale spine.*

A report has been prepared for consideration by the City Planning and Environment Committee on 3 December 2025. The report seeks endorsement of the Project Plan for the Brighton Le Sands and Bay Street Masterplan.

With regard to Eastlakes, Council at its meeting of 12 June 2019 resolved:

- 1. That Council endorses the draft Eastlakes Town Centre Master Plan for Public Exhibition.*
- 2. That public exhibition of the Eastlakes Town Centre Masterplan be undertaken for a minimum 28 day period.*
- 3. That a future report be prepared for Council's consideration in relation to submissions received during the public exhibition period.*

Subsequently, community engagement was undertaken from 3 July 2019 to 31 July 2019 however a post exhibition was not reported back to Council in the context of input from local residents and a detailed submission from developers seeking substantial increases in built form. The redevelopment of the Eastlakes Shopping Centre was instead considered through a State Significant Development pathway. More recently, the Housing Delivery Authority has considered an EOI for a further intensification of development at Eastlakes Shopping Centre. The Minister has declared this proposed to be State Significant.

- Council will take a place-based approach for each local centre and prepare master plans/urban design studies or public domain plans to create great places including the following centres at west Kogarah, Carlton, Kingsgrove, Bexley, Bexley North, Ramsgate, Hillsdale, Botany, Mascot (Coward/Botany Road) and Mascot Station Precinct.*

**Response:**

At the City Planning and Environment Committee (CP&E) meeting on 12 October 2022, the Committee considered a report on the Bayside Local Housing Strategy, including the status of all the identified investigation areas. The report recommended that work commence on the following three areas:

- West Kogarah
- Botany Road, Mascot
- Bexley North

These locations were identified for investigation as they could offer a contribution to the future provision and diversity of housing.

Council at its meeting of 24 July 2024 resolved:

- 1. That Council endorses the Botany Road, Mascot Investigation Area Project Scope and Plan, including the revised study area.*
- 2. That Council incorporates affordable housing targets, public space options and that on Botany Road landscape setbacks be provided (where there is no commercial) and extremely wide footpaths.*

Regarding the remaining centres listed in the 'Planning Priority', given the above-mentioned investigations and recent suite of state-led planning changes, investigations into these areas

aren't being pursued in the short-term. The focus will be on centres that have recent Council endorsement to continue investigations.

- *Prepare an implementation plan to schedule local centre planning and design across a number of years. Integrate future planning for capital works in centres into the Bayside City Projects Program and the Long Term Financial Plan*

**Response:**

A specific implementation plan was not completed, however high priority projects identified in both the LSPS and LHS have been progressed by Council since these documents were adopted. Once a new District and Regional Plan have been adopted by the NSW Government, Council will commence a review of the LSPS as required by the Act.

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## **Attachments**

Nil

## Extraordinary Council Meeting

10/12/2025

Item No	9.8
Subject	<b>Response to Question - Implementation of Bayside's Priority Cycleway Network and Schedule of Works</b>
Report by	Peter Barber, Director City Futures
File	SF12/575

### Question

The following Question With Notice was submitted at Council's Meeting of 22 October 2025 by Councillor Douglas

*“BicycleNSW and local cycling groups have identified these items as high-priority actions to deliver safer, more connected active transport options across Bayside. Addressing these issues will help Council deliver on its adopted Bike Plan and Priority Cycleway Network, improve accessibility and safety for cyclists and pedestrians, and strengthen links to major regional routes and destinations.*

- 1 What are the scheduled works, or are they on the schedule of works for this term of Council, for the following priority items raised by BicycleNSW in relation to Bayside's Priority Cycleway Network and Bike Plan?

a) **Network-wide line-marking and wayfinding:**

*Funding for a renewed line-marking and directional signage strategy across the Bayside road network—incorporating new bike lanes and improved visibility where suitable.*

*For example: there is currently a lack of clear signage and markings connecting the Wentworth Avenue shared path and Baxter Road bike route in Mascot (EW9); along the route between Wolli Creek and Kogarah (NS3); and between Kogarah and Monterey (NS3, EW5, EW4), including poor signage at key intersections (NS3/EW8, NS3/NW6, NS4/EW5).*

b) **Sydney Gateway connections:**

*Since the new shared pathways associated with the Sydney Gateway project have now been completed, is Council prioritising improvements to the standard of the bike route (NS6) linking the Sydney Airport Domestic Terminals via Robey Avenue with the Bourke Street cycleway in Mascot.*

*Has Council engaged or is it planning to engage with Transport for NSW regarding missing wayfinding in this area?*

c) **Eastgardens precinct active transport connections:**

*With a significant number of high-density apartments completed (and more under construction) in the Eastgardens precinct, will Council ensure that high standard, separated cycleways are installed on Banks Avenue (NS9) and Heffron Road (NS8) to enable safe bike routes for residents accessing key destinations such as Maroubra Junction, UNSW, and Centennial Park.*

d) **Sir Joseph Banks Park shared paths renewal:**

*The surface condition of shared recreational cycling and walking paths in Sir*

*Joseph Banks Park has become poor.*

*Will Council prioritise renewal of these paths, including creation of an east–west bike route through the park (EW15), as part of the current or next term of capital works planning?”*

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## Response

Each point has been responded to below:

### a) **Network-wide line-marking and wayfinding:**

Council recognises that a consistent on-road line-marking and wayfinding network is an important component of adapting our transport network to better support active transport (walking and cycling) modes. Clear pavement markings for cycle routes and corresponding directional signage help guide people riding, while also reinforcing to drivers that bicycles share the road environment.

The scope of this request covering the entire Bayside road network is very substantial and not a project that Council is currently resourced to undertake. In line with **Action 1.2** of the Bayside Bike Plan, Council will investigate wayfinding and on-road cycleway line-marking and will seek to include this in upcoming programming, once a funding source becomes available. Improvement to line marking and wayfinding will be incremental and staged over a number of years.

### b) **Sydney Gateway connections:**

Following the endorsement of the Sydney Gateway Active Transport Strategy, Council staff have been working closely with Transport for NSW (TfNSW) and Sydney Airport to plan the completion of several remaining missing links in and around the Airport precinct. A recognised gap in the bike network is the western side of O’Riordan Street between Robey Street and the Bourke Street Cycleway. This link is essential for connecting Mascot Town Centre with the Domestic Terminals.

While the shared path on the eastern side of O’Riordan Street is well used, it does not provide a continuous or direct connection to Robey Street or the Severn Street link into the terminal precinct. In line with **Action 3.7** of the Bayside Bike Plan, Council will work with prospective development proposals and TfNSW to prioritise this as we seek to enhance Mascot as a ‘Place for People’ and implement new walking and cycling links.

### **Has Council engaged or is it planning to engage with Transport for NSW regarding missing wayfinding in this area?**

Wayfinding along these corridors has been identified as underdeveloped. The active transport routes in this precinct sit primarily on or beside State roads, however, Council will formally request that TfNSW implement an improved wayfinding and signage strategy across the recently completed and proposed active transport corridors that surround the Airport. This is supported by **Action 1.4** of the Bayside Bike Plan, to improve network signage and wayfinding.

**c) Eastgardens precinct active transport connections:**

The Banks Avenue Active Transport Corridor (ATC) design project is scheduled for commencement in 2025/26, and will move to delivery in subsequent years. This project will provide investigations into the design of a high-quality connection between the General Bridges Cycleway in Daceyville (currently under development) and the Eastgardens precinct, including Pagewood Green and Westfield Shopping Centre. This is in line with **Action 2.5** of the Bayside Bike Plan – Connecting town centres with active transport links.

**d) Sir Joseph Banks Park shared paths renewal:**

The general alignment of the existing path network is expected to remain with the introduction of a legible pathway hierarchy to be consulted upon to ensure that a range of pathway widths are provided within the park including active transport connections to the broader precinct. The project will be reported to a City Works and Assets Committee in 2026.

**Will Council prioritise renewal of these paths, including creation of an east–west bike route through the park (EW15), as part of the current or next term of capital works planning?**

The report to the City Works and Assets Committee within the next 12 months will address the potential costs, funding sources, and staging.

**Attachments**

Nil

## **10 MINUTES AND REPORTS OF COMMITTEES**

### **Extraordinary Council Meeting**

**10/12/2025**

Item No	10.1
Subject	<b>Minutes of the City Planning &amp; Environment Committee Meeting - 3 December 2025</b>
Report by	Richard Sheridan, Director City Performance
File	SF25/8270

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### **Officer Recommendation**

That the Minutes of the City Planning & Environment Committee meeting held on 3 December 2025 be received and the recommendations therein be adopted.

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### **Summary of Substantial Recommendations**

There were no Substantial Policy or Financial Recommendations identified.

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### **Present**

Councillor Scott Morrissey, Chairperson  
Councillor Liz Barlow, Deputy Chairperson  
Councillor Janin Bredehoeft  
Councillor Peter Strong  
Councillor Christina Curry  
Councillor Heidi Lee Douglas  
Councillor Soraya Kassim

### **Also present**

The Mayor, Councillor Edward McDougall (via Audio-Visual Link)  
Meredith Wallace, General Manager  
Peter Barber, Director City Futures  
Helen Tola, Manager Governance & Risk (via Audio-Visual Link)  
David Smith, Manager Strategic Planning  
Darren O'Connell, Lead Governance  
Linda Hackett, Governance Officer  
Wolfgang Gill, IT Service Management Officer

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The Chairperson opened the meeting in the Committee Room, Botany Town Hall at 6:33pm.

## **1 Acknowledgement of Country**

The Chairperson affirmed that Bayside Council acknowledges the Bidjigal Clan, the traditional owners of the land on which we meet and work and acknowledges the Gadigal people of the Eora Nation. Bayside Council pays respects to Elders past and present.

## **2 Apologies, Leave of Absence & Attendance Via Audio-Visual Link**

### **Apologies**

There were no apologies received.

### **Leave of Absence**

There were no applications for Leave of Absence received.

### **Attendance Via Audio-Visual Link**

There were no Committee members in attendance via audio-visual link.

## **3 Disclosures of Interest**

There were no disclosures of interest.

## **4 Minutes of Previous Meetings**

### **[4.1 Minutes of the City Planning & Environment Committee Meeting - 5 November 2025](#)**

#### **Committee Recommendation**

Moved by Councillors Douglas and Bredehoeft

That the Minutes of the City Planning & Environment Committee meeting held on 5 November 2025 be noted.

### **4.2 Business Arising**

The Committee notes that the Minutes of the City Planning & Environment Committee of Wednesday 5 November 2025 were received and the recommendations therein were adopted by the Council at its meeting of 26 November 2025.

## **5 Items by Exception**

There were no Items by Exception

## 6 Public Forum

### **CPE25.038 Proposed Brighton Le Sands and Bay Street Masterplan**

The following person spoke at the meeting:

- Mr Kire Buneski, Affected Neighbour, speaking for the Committee Recommendation.
- Mr Con and Mrs Doris Kousoulas, Affected Neighbour, speaking against the Committee Recommendation.
- Mr Peter Michalos, Affected resident, speaking against the Committee Recommendation.
- Ms Mia Kauppinen, Affected Neighbour, speaking against the Committee Recommendation.

**Note:** The Committee then considered Item CPE25.038 – Proposed Brighton Le Sands and Bay Street Masterplan. Refer to recommendation below.

## 7 Reports

### **CPE25.038 Proposed Brighton Le Sands and Bay Street Masterplan**

**Note:** This item was considered after the Public Forum.

**Note:** A presentation was given by Peter Barber, Director City Futures.

#### **Committee Recommendation**

Moved by Councillors Douglas and Bredehoeft

- 1 That Council endorse the Project Plan for the future Brighton Le Sands and Bay Street Masterplan.
- 2 That a further report be prepared to the City Planning & Environment Committee in February 2026, around the principles of what the differences might be in the rollout of the 'Complete Streets' Project and its integration into the Proposed Brighton Le Sands and Bay Street Masterplan, noting that this is to be independent of the proposed timeline within the Masterplan.
- 3 That the Rockdale School be identified within the Project Plan.
- 4 That the existing Heritage Area be identified within the Project Plan, and an estimate of the number of additional homes that could be facilitated by feasible development be provided before the May 2026 City Planning and Environment Committee Meeting.

**CPE25.039 Proposal to Expand Future Park - Meriton, Bunnerong Road, Eastgardens**

**Note:** That a presentation was given by Peter Barber, Director City Futures.

**Committee Recommendation**

Moved by Councillors Curry and Morrissey

- 1 That Council endorse the proposal to realign the kerb adjacent to 134-136 Bunnerong Road Eastgardens, to expand the area of the future park by approximately 750 square metres.
- 2 That Council endorse the works being undertaken by Meriton in conjunction with their already required works to construct, embellish and dedicate land owned by Meriton to create the new park, on the basis that this will be the most practical and cost effective delivery path.
- 3 That Council endorse the proposed park expansion works being funded through an internal loan, and recouped from Council's new Developer Contributions Plan (currently under preparation) by adding this project to the Plan's Work Schedule.

The next meeting will be held in the Committee Room, Botany Town Hall at 6:30pm on Wednesday, 4 February 2026.

The Chairperson closed the meeting at 7:30pm.

**Attachments**

Nil

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## Extraordinary Council Meeting

10/12/2025

Item No	10.2
Subject	<b>Minutes of the City Works &amp; Assets Committee Meeting - 3 December 2025</b>
Report by	Richard Sheridan, Director City Performance
File	SF25/8270

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### Officer Recommendation

That the Minutes of the City Works & Assets Committee meeting held on 3 December 2025 be received and the recommendations therein be adopted.

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### Summary of Substantial Recommendations

There were no Substantial Policy or Financial Recommendations identified.

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### Present

Councillor Heidi Lee Douglas, Deputy Mayor, Chairperson  
Councillor Liz Barlow, Deputy Chairperson  
Councillor Soraya Kassim  
Councillor Peter Strong  
Councillor Scott Morrissey  
Councillor Christina Curry

### Also present

Councillor Janin Bredehoeft  
Councillor Fiona Douskou (via Audio-Visual Link)  
Meredith Wallace, General Manager  
Peter Barber, Director City Futures  
Helen Tola, Manager Governance & Risk (Via Audio-Visual Link)  
Mariam Fares, Acting Manager City Projects  
Patrick Cremin, Arts and Culture Specialist  
Pedro De Alamedia, Senior Curator, C3West  
Darren O'Connell, Lead Governance  
Linda Hackett, Governance Officer  
Wolfgang Gill, IT Service Management Officer

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The Chairperson opened the meeting in the Committee Room, Botany Town Hall, at 7:31pm.

## 1 Acknowledgement of Country

The Chairperson affirmed that Bayside Council acknowledges the Bidjigal Clan, the traditional owners of the land on which we meet and work and acknowledges the

Gadigal people of the Eora Nation. Bayside Council pays respects to Elders past and present.

## **2 Apologies, Leave of Absence & Attendance Via Audio-Visual Link**

### **Apologies**

#### **Committee Recommendation**

Moved by Councillors Strong and Kassim

That the apology from Councillor Poulos be received and leave of absence granted.

### **Leave of Absence**

There were no applications for Leave of Absence received.

### **Attendance Via Audio-Visual Link**

There were no Committee members in attendance via audio-visual link.

## **3 Disclosures of Interest**

There were no disclosures of interest.

## **4 Minutes of Previous Meetings**

### **[4.1 Minutes of the City Works & Assets Committee Meeting - 5 November 2025](#)**

#### **Committee Recommendation**

Moved by Councillors Barlow and Kassim

That the Minutes of the City Works & Assets Committee meeting held on 5 November 2025 be noted.

### **4.2 Business Arising**

The Committee notes that the Minutes of the City Works & Assets Committee of Wednesday 5 November 2025 were received and the recommendations therein were adopted by the Council at its meeting of 26 November 2025.

## **5 Items by Exception**

There were no Items by Exception.

## **6 Public Forum**

### **CWA25.057 Sporting Field Feasibility Study**

The following person spoke at the meeting:

- Mr Edward Yazbeck, President Bexley North Football Club, speaking against the Committee Recommendation.
- Ms Antonia Gregoriou, interested citizen/resident, speaking against the Committee Recommendation.
- Mr Theo Angelopolous, Vice President of Bexley North Football Club, speaking against the Committee Recommendation.
- Mr James Mavroudis, affected neighbour, speaking against the Committee Recommendation.
- Miss Eleni Angelopolous, interested citizen/resident, speaking against the Committee Recommendation.
- Mr Daniel Levitt, interested citizen/resident, speaking for the Committee Recommendation.

**Note:** The Committee then considered Item CWA25.057 – Sporting Field Feasibility Study. Refer to recommendation below.

### **SUSPENSION OF STANDING ORDERS**

#### **Committee Recommendation**

Moved by Councillors Curry and Morrissey)

That Standing Orders be suspended in order to deal with Item CWA25.057 – Sporting Field Feasibility Study, time being 7:51pm.

**CWA25.057 Sporting Field Feasability Study**

**Note:** This item was considered after the Public Forum

**Note:** A presenetation was given by Mariam Fares, Manage City Projects

**Committee Recommendation**

Moved by Councillors Curry and Morrissey

- 1 That the Committee endorses a North/South re-orientated all weather field at Jellicoe Park, Pagewood, adjacent to the eastern amenities building.
- 2 That a report be prepared for the City Works & Assets Committee in Februrary 2026 detailing the cost estimate including all engineering costs for an all-weather field at L'Estrange Park and Kingsgrove Avenue Reserve, Bexley.
- 3 That a report be prepared for the City Works & Assets Committee in February 2026 detailing the life-time cost estimates for all weather fields, with comparatives with hybrid (synthestic and natural) upgrade.
- 4 That the Committee request an information session on all surface turf management options including captial and maintenance costs.

**RESUMPTION OF STANDING ORDERS**

**Committee Recommendation**

Moved by Councillor Morrissey)

That Standing Orders be resumed, time being 8:35pm

**7 Reports**

**CWA25.055 King Street Mall playspace renewal - project update and community engagement outcomes**

**Note:** That a presentation was given by Mariam Fares, Acting Manager City Projects.

**Committee Recommendation**

Moved by Councillors Kassim and Morrissey

That the 'King Street Mall Play Space Renewal - Project Update and Community Engagement Outcomes' report be received and noted.

**CWA25.056 Gardiner Park Banksia, Playspace Renewal - Outcomes of Community Engagement**

**Note:** That a presentation was given by Mariam Fares, Acting Manager City Projects.

**Committee Recommendation**

Moved by Councillors Morrissey and Curry

- 1 That the Gardiner Park Banksia, play space Renewal - Outcomes of Community Engagement report be received and noted.
- 2 That the Committee recommends the project proceeds to detail design finalisation and procurement of a works contractor.

**8 Confidential Reports / Matters**

In accordance with Council's Code of Meeting Practice, the Chairperson invited members of the public to make representations as to whether this part of the meeting should be closed to the public.

There were no representations.

**CWA25.058 Affordable Housing Portfolio - Refurbishment Works**

**Committee Recommendation**

Moved by Councillors Morrissey and Curry

That Council Approves the allocation of funds from the Affordable Housing Reserve for works as detailed in this report up to the value of \$140,000.

The next meeting will be held in the Committee Room, Botany Town Hall at 6:30pm on Wednesday, 4 February 2026.

The Chairperson closed the meeting at 8:43pm.

**Attachments**

Nil

## **Extraordinary Council Meeting**

**10/12/2025**

Item No	10.3
Subject	<b>Minutes of the City Services Committee Meeting - 3 December 2025</b>
Report by	Richard Sheridan, Director City Performance
File	SF25/8270

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## **Officer Recommendation**

That the Minutes of the City Services Committee meeting held on 3 December 2025 be received and the recommendations therein be adopted.

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## **Summary of Substantial Recommendations**

There were no Substantial Policy or Financial Recommendations identified.

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## **Present**

Councillor Edward McDougall, Mayor (via Audio-Visual Link)  
Councillor Soraya Kassim, Chairperson  
Councillor Peter Strong  
Councillor Janin Bredehoeft  
Councillor Christina Curry

## **Also present**

Councillor Liz Barlow  
Councillor Heidi Lee Douglas, Deputy Mayor  
Councillor Scott Morrissey  
Meredith Wallace, General Manager  
Phoebe Mikhie, Acting Director City Life  
Louise Farrell, Acting Manager City Infrastructure  
Rani Param, Manager Community Life (via Audio-Visual Link)  
Patrick Cremin, Arts and Culture Specialist  
Pedro de Almeida, Senior Curator, C3West  
Helen Tola, Manager Governance & Risk (via Audio-Visual link)  
Linda Hackett, Governance Officer  
Darren O'Connell, Acting Lead Governance  
Wolfgang Gill, IT Service Management Officer

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The Chairperson opened the meeting in the Committee Room, Botany Town Hall at 8:46pm.

## **1 Acknowledgement of Country**

The Chairperson affirmed that Bayside Council acknowledges the Bidjigal Clan, the traditional owners of the land on which we meet and work and acknowledges the Gadigal people of the Eora Nation. Bayside Council pays respects to Elders past and present.

## **2 Apologies, Leave of Absence & Attendance Via Audio-Visual Link**

### **Apologies**

#### **Committee Recommendation**

Moved by Councillors Curry and Bredehoeft

That the apology from Councillors Awada and Poulos be received and leave of absence granted.

### **Leave of Absence**

There were no applications for Leave of Absence received.

### **Attendance Via Audio-Visual Link**

#### **Committee Recommendation**

Moved by Councillors Bredehoeft and Bredehoeft

That Councillors McDougall attendance at tonight's meeting via audio-visual link be granted.

## **3 Disclosures of Interest**

There were no disclosures of interest.

## **4 Minutes of Previous Meetings**

### **[4.1 Minutes of the City Services Committee Meeting - 12 November 2025](#)**

#### **Committee Recommendation**

Moved by Councillors Bredehoeft and Curry

That the Minutes of the City Services Committee meeting held on 12 November 2025 be noted.

## **4.2 Business Arising**

The Committee notes that the Minutes of the City Services Committee of Wednesday 12 November 2025 were received and the recommendations therein were adopted by the Council at its meeting of 26 November 2025.

## **5 Items by Exception**

There were no Items by Exception.

## **6 Public Forum**

There were no speakers for Public Forum.

## **7 Reports**

### **CS25.041 Response to Notice of Motion: Investigating expansion of children's services**

**Note:** A verbal update was given by Debra Dawson, Director City Life.

#### **Committee Recommendation**

Moved by Councillors Bredehoeft and Strong

That Council note the Response to Notice of Motion: Investigating expansion of children's services.

### **CS25.042 Response to Notice of Motion: Degasification and Electrification in New Development**

**Note:** A verbal update was given by Debra Dawson, Director City Life.

#### **Committee Recommendation**

Moved by Councillors Strong and Bredehoeft

- 1 That Council commences community consultation on electrification and degasification in new residential developments in early 2026.
- 2 That Council receives a report on the planning mechanisms available to implement this change if it is supported by the community.

**CS25.043 Museum of Contemporary Art: C3 West. Proposal of artwork location**

**Note:** A presentation was given by Patrick Cremin, Arts and Culture Specialist.

**Committee Recommendation**

Moved by Councillors Bredehoeft and Strong

That Council endorse the placement of the C3 West Temporary Public Artwork in Ramsgate Carpark from Thursday 9 April 2026 to 14 June 2026.

The Chairperson closed the meeting at 9:03pm.

The next meeting will be held in the Committee Room, Botany Town Hall at 6:30pm on Wednesday, 11 February 2026.

**Attachments**

Nil

## 11 NOTICES OF MOTION

### Extraordinary Council Meeting

10/12/2025

Item No	11.1
Subject	<b>Rescission Motion - Notice of Motion - Revoking Interim Heritage Order - 116 Villiers Street, Rockdale</b>
Submitted by	Councillors Ron Bezic, Jerome Boutelet and Fiona Douskou
File	SF25/7283

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### Summary

This Rescission Motion was submitted by Councillors Bezic, Boutelet and Douskou.

This Rescission Motion proposes to rescind the resolution relating to Item 13.7 adopted at the Council Meeting held on 26 November 2025.

Should the Rescission Motion be adopted, an alternative Motion is proposed separately in this Agenda.

### Motion

That Council rescinds the following Council resolution relating to Item 13.7 adopted at the Council Meeting held on 26 November 2025:

*Minute No. 2025/001*

*Resolved on the motion of Councillors Saravinovski and Kassim*

- 1 That the Council notes the consideration of the heritage significance of 116 Villiers Street, Rockdale NSW 2216 prepared by Zoltan Kovacs Architect dated November 2025 (Heritage Report).*
  - 2 That Council defers this matter to complete a heritage assessment and seek external legal advice to advise Council in relation to the whole process on the lead up to the Interim Heritage Order (IHO) and seeks advice on the liability on Council in relation to the issue of the Section 10.7 certificate.*
  - 3 That an Extraordinary Council meeting be called for this matter, once the heritage assessment has been completed in 2026.*
-

## Background

The above Rescission Motion has been lodged by Councillors Bezic, Boutelet and Douskou in accordance with Section 372 of the *Local Government Act 1993* and the Council's Code of Meeting Practice.

In the event of this Rescission Motion being adopted the Councillors have given notice that it is their intention to move the following Motion listed separately in the Agenda:

1. That the Council notes the consideration of the heritage significance of 116 Villiers Street, Rockdale NSW 2216 prepared by Zoltan Kovacs Architect dated November 2025 (Heritage Report).
2. That the Council accepts the Heritage Report stating that 116 Villiers Street, Rockdale NSW 2216 does not meet the threshold for heritage listing under one or more of the NSW heritage assessment criteria as a local heritage item under Schedule 5 of the Bayside Local Environmental Plan 2021.
3. That the Council revokes the Interim Heritage Order in accordance with s29(4) Heritage Act 1977 and revoke the Interim Heritage Order No.1 dated 23 October 2025 applying to 116 Villiers Street, Rockdale NSW.

### Comment by General Manager:

This Rescission Notice of Motion is in order and can be dealt with.

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## Attachments

Nil

## Extraordinary Council Meeting

10/12/2025

Item No	11.2
Subject	<b>Notice of Motion - Revoking Interim Heritage Order - 116 Villiers Street, Rockdale</b>
Submitted by	Councillors Ron Bezic, Jerome Boutelet and Fiona Douskou
File	SF25/7283

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### Summary

This Motion was submitted by Councillors Bezic, Boutelet and Douskou.

This item will be considered if the Rescission Motion, considered earlier in this meeting, is adopted.

### Motion

- 1 That the Council notes the consideration of the heritage significance of 116 Villiers Street, Rockdale NSW 2216 prepared by Zoltan Kovacs Architect dated November 2025 (Heritage Report).
  - 2 That the Council accepts the Heritage Report stating that 116 Villiers Street, Rockdale NSW 2216 does not meet the threshold for heritage listing under one or more of the NSW heritage assessment criteria as a local heritage item under Schedule 5 of the Bayside Local Environmental Plan 2021.
  - 3 That the Council revokes the Interim Heritage Order in accordance with s29(4) Heritage Act 1977 and revoke the Interim Heritage Order No.1 dated 23 October 2025 applying to 116 Villiers Street, Rockdale NSW.
- 

### Background

#### Supporting Statement by Councillors

Councillors Bezic, Boutelet and Douskou have foreshadowed that they intend to move the above Motion should the Rescission Motion (in relation to Item 13.7 adopted at the Council Meeting held on 26 November) be adopted.

#### Comment by General Manager:

This Notice of Motion is in order and can be dealt with.

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### Attachments

Nil

**12 CONFIDENTIAL REPORTS / MATTERS**

Nil

**13 CONCLUSION OF THE MEETING**