

Reports of the Corporate Governance Committee Meeting held at 5.30pm on Tuesday, 7 October 2014.

APOLOGIES

ACKNOWLEDGEMENT OF LAND

DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

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Minutes of the Corporate Governance Committee held on 7 October 2014

Present

- Councillor C Mead (Chairperson)
- Councillor F Borg
- Councillor A Chanthivong
- Councillor S Dobson
- Councillor G Greiss
- Councillor P Hawker
- Councillor R Kolkman
- Director Business Services - Mr M Sewell
- Acting Director City Works - Mr G Mitchell
- Manager Executive Services - Mr N Smolonogov
- Manager Financial Services - Mrs C Mears
- Manager Governance and Risk - Mrs M Dunlop
- Manager Human Resources - Mr B Clarence
- Manager Information Management and Technology - Mrs S Peroumal
- Acting Manager Property Services - Mr M Hingley
- Manager Waste and Recycling Services - Mr P Macdonald
- Corporate Support Coordinator - Mr T Rouen
- Revenue Accountant - Mr A Butcher
- Property Administrator - Mrs A McCarthy
- Executive Assistant - Mrs D Taylor

Apology Nil

Acknowledgement of Land

An Acknowledgement of Land was presented by the Chairperson Councillor Mead.

DECLARATIONS OF INTEREST

Declarations of Interest were made in respect of the following items:

Pecuniary Interests

Nil

Non Pecuniary – Significant Interests

Nil

Non Pecuniary – Less than Significant Interests

Councillor Hawker - Item 2.2 - Airds Bradbury Renewal Project - VPA Land Acquisitions, Transfers and Dedications - Councillor Hawker advised that he is a member of the Joint Regional Planning Panel (JRPP) and that he will leave the room and not take part in debate nor vote on the matter.

Councillor Hawker - Item 2.3 - Claymore Urban Renewal Project - VPA Land Acquisitions, Transfers and Dedications - Councillor Hawker advised that he is a member of the Joint Regional Planning Panel (JRPP) and that he will leave the room and not take part in debate nor vote on the matter.

1. GOVERNANCE AND RISK

1.1 Conduct of the 2016 Local Government Election

Reporting Officer

Manager Governance and Risk

Attachments

Nil

Purpose

The purpose of this report is to discuss the requirement pursuant to section 296 of the *Local Government Act 1993* (the Act), whereby council elections (and, by operation of section 18 of the Act, constitutional referendums and polls) are to be administered by the General Manager of Council. Alternatively, section 296 of the Act provides that Council can enter into an arrangement with the Electoral Commissioner to administer elections of council.

This report explores the options available to Council in the conduct of the 2016 Local Government election.

History

At its meeting on 8 October 2013, Council resolved to defer the decision to engage the New South Wales Electoral Commission (NSWEC) to conduct the 2016 Local Government Election to investigate alternative options and a further report be submitted to Council.

Report

Pursuant to section 296 of the Act, Council elections are to be administered by the General Manager or by entering into an arrangement with the Electoral Commissioner to administer elections of Council.

1. Administration of Council elections by the General Manager

The administration of the 2016 Local Government election by the General Manager of Campbelltown City Council confers ultimate accountability for all issues that arise throughout the administration of the election and any subsequent challenges on the General Manager.

The alternatives available under the General Manager administered model are:

- to conduct the election by tendering out to a private company; or
 - to conduct the election in-house and work collaboratively with a private company; or
 - to conduct the election entirely in-house.
-

An election plan must be developed and submitted to the Minister for Local Government by 10 March 2015, which demonstrates Council's capacity to conduct a successful election. This report should include Council's access to suitably qualified returning officers, as well as possible substitutes.

Council would be required to commence a tender process to outsource the administration of the election to a private contractor.

a. The Australian Election Company

In 2012, 14 councils conducted their own elections. The councils were: Botany Bay, Cessnock, Coffs Harbour, Fairfield, Gunnedah, Kempsey, Lake Macquarie, Lane Cove, Maitland, Newcastle, Penrith, Port Stephens, Shoalhaven and Sutherland.

Of these 14 councils, 13 engaged the services of a private contractor, the Australian Election Company. The services provided by the Australian Election Company varied between councils depending on the contract negotiated.

b. Australian Electoral Commission

The Australian Electoral Commission has a Commercial Election Service division that conducts fee for service elections. Council has approached the Australian Electoral Commission seeking an expression of their interest and availability to conduct the 2016 election. The Australian Electoral Commission has advised that the next Federal Election is expected in 2016, accordingly they are not in a position to consider tendering for the administration of any local government election.

c. In-house run election

The alternative option is for Council to administer the election entirely in-house. The in-house administration of the election is not recommended as Council no longer holds the appropriate depth of experience required in the conduct of elections. The complexity of the above-the-line voting system would require access to an electronic voting system, the engagement of a Returning Officer and the development of all procedural and training material necessary to support the conduct of a lawful election. Additionally, external legal expertise would be engaged to assist with any legal queries. It is unlikely that this course of action would be cost effective.

2012 election comparison

The table below provides a comparison of the 2012 election performance indicators of Campbelltown City Council and the Sydney Region Councils (and Newcastle Council) that administered their own election, with the exception of the uncontested Botany Council election. The information was drawn from each Council's post-election report to the Minister required by section 393A(2) of the *Local Government (General) Regulation 2005*.

Council	2012 Actual Costs	No of electors	Cost per elector	Date of declaration of poll
Campbelltown	\$553,687	97,031	\$5.72	15 September 2012
Fairfield	\$820,024	108,739	\$7.54	22 September 2012
Lane Cove	\$145,992	21,928	\$6.66	13 September 2012
Newcastle	\$681,023	108,806	\$6.26	24 September 2012
Penrith	\$567,000	121,215	\$4.68	18 September 2012
Sutherland	\$607,540	155,644	\$3.90	18 September 2012

With the exception of Penrith and Sutherland Councils (that did not provide detailed costing of staff time taken to coordinate the election process), Campbelltown's cost per elector was lower than the Sydney Region councils that conducted their own elections. Furthermore, apart from Lane Cove Council, which only had 21,928 electors, the Campbelltown City Council poll was the first declared of the group analysed.

2. New South Wales Electoral Commission

The NSWEC conducted the 2012 Local Government Elections in 136 council areas including Campbelltown City Council. This was 91.6% of the total number of NSW councils.

Section 55(3) of the Act provides that a Council need not invite tenders before entering into a contract with the Electoral Commissioner.

The main benefit of the NSWEC administering the election is that the Electoral Commissioner is sufficiently independent to maintain high levels of integrity with the election process and is fully accountable for any issues that arise throughout the administration of the election and any subsequent challenges.

Following the 2012 elections, a key provision under section 296(2) is now operative. This section provides that a council can now enter into an arrangement with the Electoral Commission, by contract or otherwise, for the Electoral Commission to administer elections of the council. If such an arrangement is entered into, the Electoral Commission is to administer elections of the council in accordance with the arrangement. This provision essentially enables Council to enter into an arrangement with the NSWEC and allows Council to negotiate the level of service required by, and fees to be paid to, the NSWEC. This provision is now in effect and provides Council greater control over election costs.

The Joint Standing Committee on Electoral Matters

The Joint Standing Committee on Electoral Matters (the Committee) handed down its report on the Inquiry into the 2012 Local Government Elections in March 2014.

The NSW Government's response to the Committee's report is scheduled to be published on Saturday 27 September 2014. Whilst the Government's response to the inquiry report is not yet enacted in law, it will certainly set out the NSW Government's proposed approach for future local government elections in NSW.

The following provides a brief overview of the recommendations of the Committee as are relevant to the decision required by section 296 of the Act.

- **Report to the Office of Local Government and Department of Premier and Cabinet to demonstrate capacity**

The Committee recommends that each council that resolves to administer its election in-house be required to prepare a report for the Office of Local Government in which it demonstrates its capacity to conduct a successful election. This report should include council's access to suitably qualified returning officers, as well as possible substitutes, and be prepared no later than 15 months prior to the 2016 elections.

The Committee recommends that the Department of Premier and Cabinet takes steps to ensure that all councils not utilising the services of the Electoral Commission, or that are not conducting their elections in-house, have secured contracts with an electoral service provider at least 15 months prior to the 2016 elections.

- **Postal, pre-poll and iVote**

Whilst the Committee viewed the voter turnout at the 2012 election favourably, it made recommendations to remove the eligibility criteria that are required for voters to cast a postal vote or a pre-poll vote.

The Committee also recommended that councils be granted the option to conduct its elections via a postal ballot in lieu of attendance voting on a designated polling day. Universal postal voting proposes to make the process of voting simpler for electors as well as lead to significant savings for those councils who choose to conduct their elections via postal ballot.

In addition, the Committee recommended that technology assisted voting (or iVote) be made available to all electors for the 2016 local government elections.

- **Non-residential rolls**

The Committee recommended that the Government amend the *Local Government Act 1993* to provide for permanency of the non-residential roll across all NSW Councils so that electors are not required to re-apply for inclusion prior to each election. Additionally the Committee recommended amendments to the City of Sydney Act to introduce deeming provisions for non-residential voters in the City of Sydney to ensure that they are enrolled to vote. The Committee also recommended that the Government consider extending applying this model in City Council areas with significant economic centres. The City of Sydney Amendment (Elections) Bill 2014 has recently passed through both houses of the NSW parliament, bringing to effect this recommendation.

Conclusion

Having regard to the success of the 2012 elections and the favourable performance in key indicators against comparative Council's adopting the General Manager administered model, it is recommended that the NSWEC be again retained to conduct the 2016 election for the Campbelltown Local Government Area.

The Commission will safeguard Council by ensuring an independent and impartial election is conducted in accordance with the legislation and accept all responsibility. Furthermore the ability to negotiate the level of service required by, and fees to be paid to NSWEC under section 296(2) provides Council greater control over cost. The Commission's level of expertise, experience and technological advantage will again ensure that the elections are carried out to the satisfaction of all stakeholders.

Officer's Recommendation

1. That Campbelltown City Council resolves:
 - i. pursuant to s.296(2) and (3) of the *Local Government Act 1993* (NSW) that an election arrangement be entered into by contract for the NSW Electoral Commissioner to administer all elections of the Council.
 - ii. pursuant to s.296(2) and (3) of the *Local Government Act 1993* (NSW) that an election arrangement be entered into by contract for the NSW Electoral Commissioner to administer all polls of the Council.
 - iii. pursuant to s.296(2) and (3) of the *Local Government Act 1993* (NSW) that an election arrangement be entered into by contract for the NSW Electoral Commissioner to administer all constitutional referenda of the Council.
2. That the NSW Electoral Commission be advised of Council's decision.

Committee's Recommendation: (Borg/Hawker)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 14 October 2014 (Mead/Hawker)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 198

That the Officer's Recommendation be adopted.

1.2 Outcome of Public Exhibition - Revised Code of Meeting Practice

Reporting Officer

Manager Governance and Risk

Attachments

Revised Code of Meeting Practice (contained within this report)

Purpose

To advise Council of the outcome of the public exhibition of the revised Code of Meeting Practice, and to seek Council's endorsement of the policy.

History

Council at its meeting of 29 July 2014 resolved that the revised Code of Meeting Practice be publically exhibited for a period of not less than 28 days.

Report

The abovementioned revised Code of Meeting Practice has been developed in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.

The revised Code of Meeting Practice was placed on public exhibition from 25 August to 19 September 2014 with written submissions being received up until 3 October 2014. Copies of the revised Code were available for inspection at the Civic Centre, HJ Daley Central Library, Greg Percival Ingleburn Library and on Council's Website.

There were no submissions received during the public exhibition period of the revised Code of Meeting Practice. Additional submissions received after the printing of the business paper will be tabled for the Council's consideration.

Officer's Recommendation

1. That the Code of Meeting Practice shown as the attachment to this report be adopted.
 2. That the review date be set at 30 June 2017.
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Committee's Recommendation: (Kolkman/Mead)

1. That the Code of Meeting Practice shown as the attachment to this report be adopted.
2. That the review date be set at 30 June 2017.
3. That if the Code of Meeting Practice is adopted by Council, a copy be distributed to all Councillors.

CARRIED

Council Meeting 14 October 2014 (Mead/Hawker)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 198

That the Committee's Recommendation be adopted.

ATTACHMENT 1



Campbelltown City Council Code of Meeting Practice

AS AT 3 OCTOBER 2014



Adopted by Council:

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Introduction

The Code of Meeting Practice describes how meetings of Council and Standing Committees of Council are to be convened and conducted.

This Code of Meeting Practice has been prepared in accordance with the provisions of the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*. The Division of Local Government's Meeting Practice Note 16 has also been taken into account in preparing this Code.

The section and clauses referred to in brackets under each heading of the Code, refer to sections of the Act and clauses of the Regulation. Council protocol refers to those practices which are specific to Campbelltown City Council.

The aim of this Code is to help you understand how our meetings are conducted. It can also be used as a reference document for committees and sub committees associated with Council.

The formal review date for this Code is 30 June 2017, however Council may decide to review and adopt an amended Code prior to that date due to changing circumstances as they arise.

Preliminary information

Objectives

The objectives of this Code of Meeting Practice are to:

1. set standards for the calling, conduct and recording of Council and committee meetings, so the public is aware of business to be conducted at all Council and Committee meetings and the results of the Council's determination of those matters
 2. provide clear rules and procedures for the orderly conduct of Council and committee meetings
 3. to incorporate procedures to complement the *Local Government (General) Regulation 2005* Part 9 – Committees, their members and functions
 4. provide practices to ensure that decisions made at Council and committee meetings have legal effect and are in scope within their powers
 5. ensure maximum transparency and openness of all Council and committee meetings.
-

Principles

The principle of this Code is to ensure good and open public decision-making processes are followed as to increase Council's transparency and accountability to its community. Councillors are accountable to their communities for the decisions they make. These decisions should be based on sound and adequate information and carried out with fairness, impartiality, objectivity and consideration of all the issues.

Open decision-making helps achieve this, as well as preventing misunderstanding and unfounded criticisms from the public. Councillors should be prepared to state their views publicly on both controversial and routine issues. Informed voting by electors is best achieved when they can observe the speeches, debate and voting patterns of their Councillors.

The role of the Code of Meeting Practice is to promote open decision-making, affording Councillors the ability to state their views when required as long as they act with good intentions and behave with respect to all other Councillors, staff and community members.

Open decision-making is an important part of Local Government and should be the rule rather than the exception. The ability of the public and media to attend and watch Council and Committee meetings - seeing the deliberations and decisions of elected representatives - is essential for Councillor accountability. This is recognised by the legislation, which encourages open decision-making at Council meetings.

The conduct of effective meetings is an indicator of good governance. Well run meetings reflect an effective partnership and relationship between the governing body of Council and Council administration.

Part One - Before the meeting

1.1 Holding meetings

1.1.1 When and where are ordinary Council meetings held?

The Council is required to meet at least 10 times each year, each time in a different month.

(Section 365)

1. Ordinary Council meetings are held on Tuesdays on a four weekly cycle in the Council Chambers starting at 7.00pm. Council may vary meeting dates and times at its discretion provided it gives sufficient notice and it meets at least ten times each year, each time in a different month.
2. Meetings are held at the Council's Civic Centre, 93 Queen Street, Campbelltown. Committee meetings are held in Committee Room 3, Level 3 and the Council Chamber, Level 3 and Council meetings in the Council Chamber, Level 3 unless otherwise advertised.

(Council protocol)

1.1.2 When are standing committee meetings held?

Standing committee meetings are held on Tuesdays on a four weekly cycle, the week before the Council ordinary meeting, in the Council Chambers and Committee Room 3 starting at the following times:

Community Services	5.30pm
Corporate Governance	5.30pm
City Works	7.30pm
Planning and Environment	7.30pm

(Council protocol)

1.1.3 Extra-ordinary meeting

Extra-ordinary meetings are additional meetings to those in the adopted Council meeting cycle. The date and time for extra-ordinary meetings of Council will be determined as and when required.

(Council protocol)

1.1.4 When can Councillors call for an extra-ordinary meeting to be held?

If the Mayor receives a request in writing signed by at least two Councillors, the Mayor must call an extra-ordinary meeting of the Council to be held as soon as practicable but in any event, within 14 days after receipt of the request.

(Section 366)

1.2 Notice of meetings

1.2.1 What notice has to be given to the public of ordinary Council and committee meetings?

1. A Council must give notice to the public of the times and places of its meetings and meetings of those of its committees of which all the members are Councillors.
 2. A Council and each such committee must have available for the public at its offices and at each meeting, copies (for inspection or taking away by any person) of the agenda and the associated business papers (such as correspondence and reports) for the meeting.
-

1.2 Outcome Of Public Exhibition - Revised Code Of Meeting Practice

- 2A. In the case of a meeting whose 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:
- a. the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item)
 - b. the requirements of subsection 1.2.1 (2) with respect to the availability of business papers do not apply to the business papers for that item of business.
3. The copies are to be available to the public as nearly as possible to the time they are available to Councillors.
4. The copies are to be available free of charge.
5. A notice given under this section or a copy of an agenda or of a business paper made available under this section may in addition be given or made available in electronic form.
(Section 9)

The notice must be published in a local newspaper prior to each Ordinary meeting, indicating the date, time and place of the meetings.

(Council protocol)

1.2.2 What notice has to be given to Councillors of ordinary Council and committee meetings?

The General Manager of a Council must send to each Councillor, at least three days before each meeting of the Council, a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting.

(Section 367(1))

1.2.3 What notice has to be given of extra-ordinary Council and committee meetings?

Notice of less than three days may be given of an extra-ordinary meeting called in an emergency.

(Section 367(2))

1.3 Agendas and business papers

1.3.1 What must be in a meeting agenda?

1. The General Manager must ensure that the agenda for a meeting of the Council states:
 - a. all matters to be dealt with arising out of the proceedings of former meetings of the Council
 - b. if the Mayor is the chairperson—any matter or topic that the chairperson proposes, at the time when the agenda is prepared,
 - c. subject to subclause 1.3.1(2), any business of which due notice has been given.
2. 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. 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.

1.2 Outcome Of Public Exhibition - Revised Code Of Meeting Practice

4. The General Manager must ensure that the details of any item of business to which section 9(2A) of the Act applies are included in a business paper for the meeting concerned.
5. Nothing in this clause limits the powers of the chairperson under clause 243.
(Council protocol - refer to Regulation Clause 240)

1.3.2 Timeframe for including notice of motions and rescission motions in to the business paper

The deadline for inclusion of notice of motions and rescission motions in the business paper is 9.00am on the Friday prior to the meeting, however rescission motions must be submitted before the item which is the subject of the rescission motion has been acted on.

(Council protocol)

1.4 Order of business

- 1.4.1 At a meeting of Council (other than an extra-ordinary or special meeting), the general order of business is as fixed by the Council's Code of Meeting Practice and by resolution of Council.

(Regulation Clause 239)

At a meeting of Council, the general order of business will be:

Acknowledgement of the Traditional Owners of the Land
Council Prayer

1. Attendance and Apologies
2. Confirmation of Minutes
3. Declarations of Interest
 - Pecuniary Interest
 - Non Pecuniary Interest - Significant Interests
 - Non Pecuniary Interest - Less than Significant Interests
 - Other Disclosures
4. Mayoral Minute
5. Petitions
6. Correspondence
7. Reports from Committees:
 - 7.1 Planning and Environment
 - 7.2 City Works
 - 7.3 Community Services
 - 7.4 Corporate Governance

Reports from Officers:

8. General Manager
9. Director Business Services
10. Director City Works
11. Director Community Services
12. Director Planning and Environment
13. Questions With Notice
14. Answers to Questions With Notice
15. Rescission Motion
16. Notice of Motion
17. Urgent General Business
18. Presentations by Councillors
19. Confidential.

(Council protocol)

1.4.2 The order of business fixed under subclause (1.4.1) may be altered if a motion to that effect is carried. Such a motion can be moved without notice.

1.4.3 Despite Regulation Clause 250, only the mover of a motion to alter the order of business referred to in subclause (1.4.2) may speak to the motion before it is put.

(Regulation Clause 239)

Part Two – At the meeting

2.1 Coming together

2.1.1 Presence at meetings

A Councillor cannot participate in a meeting of the Council unless personally present at the meeting.

(Regulation Clause 235)

A Councillor who is present at a meeting of a Council but who fails to vote on a motion put to the meeting, is taken to have voted against the motion.

(Regulation Clause 251(1))

1. A Councillor who is not a member of a committee of a Council is entitled to attend, and to speak at, a meeting of the committee.
2. However, the Councillor is not entitled:
 - a. to give notice of business for inclusion in the agenda for the meeting
 - b. to move or second a motion at the meeting
 - c. to vote at the meeting.

(Regulation Clause 263)

If a Councillor is anywhere in the room where the Council/Committee meeting is being held and they have voting rights, they are considered to be present for the purposes of voting. If the Councillor does not wish to vote on a particular matter they must leave the room. If they remain in the room but do not vote on the matter, they will be recorded as having voted in the negative.

Councillors who are non-members will be recorded as 'Also in Attendance' if they attend the meetings.

(Council protocol)

2.1.2 Attendance of the General Manager at meetings

1. The General Manager is entitled to attend, but not vote at, a meeting of Council or a Council committee of which all members are Councillors.
2. 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.
3. However, the General Manager may be excluded from a Council meeting or a committee while the Council or committee deals with a matter relating to the standard of performance or the terms of employment of the General Manager.

(Section 376)

1.2 Outcome Of Public Exhibition - Revised Code Of Meeting Practice

2.1.3 Who presides at meetings of the Council?

1. The Mayor, or at the request of, or in the absence of the Mayor, the deputy Mayor presides at the meetings of the Council.
2. If the Mayor and the deputy Mayor are absent, a Councillor elected to chair the meeting by the Councillors present presides at the meeting.

(Section 369)

An election of a chairperson is to be conducted in accordance with subclause 2.1.3(2) of the Act by the General Manager or his nominee and the vote shall be recorded in the minutes.

If at an election of a chairperson, two 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/draw.

(Council protocol)

2.1.4 Chairperson to have precedence

When the chairperson rises during a Council meeting:

- a. any Councillor then speaking or seeking to speak must, if standing, immediately resume his/her seat
- b. every Councillor present must be silent to enable the chairperson to be heard without interruption.

(Regulation Clause 237)

2.2 Business at Council meetings

2.2.1 Giving notice of business - ordinary meetings

1. A Council must not transact business at a meeting of the Council:
 - a. unless a Councillor has given notice of the business in writing within such time before the meeting as is fixed by the Council's code of meeting practice or (if the Council does not have a code of meeting practice or its code of meeting practice does not fix that time) as is fixed by resolution of the Council
 - b. unless notice of the business has been sent to the Councillors in accordance with section 367 of the Act.
- (Regulation Clause 241)
2. Subclause 2.2.1(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
 - b. is the election of a chairperson to preside at the meeting as provided by Clause 236 (1)
 - c. is a matter or topic put to the meeting by the chairperson in accordance with Clause 243
 - d. is a motion for the adoption of recommendations of a committee of the Council.

1.2 Outcome Of Public Exhibition - Revised Code Of Meeting Practice

3. Despite subclause 2.2.1(1), business may be transacted at a meeting of a Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
 - a. a motion is passed to have the business transacted at the meeting
 - b. the business proposed to be brought forward is ruled by the chairperson to be of great urgency.

Such a motion can be moved without notice.

4. Despite Clause 250, only the mover of a motion referred to in subclause 2.2.1(3) can speak to the motion before it is put.

(Regulation Clause 241)

2.2.2 What business can be discussed at extra-ordinary Council meetings?

1. The General Manager must ensure that the agenda for an extra-ordinary meeting of the Council deal only with the matters stated in the notice of the meeting.
2. Despite subclause 2.2.2(1), business may be transacted at an extra-ordinary meeting of Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
 - a. a motion is passed to have the business transacted at the meeting
 - b. the business proposed to be brought forward is ruled by the chairperson to be of great urgency
 - c. the business notified in the agenda for the meeting has been disposed of.

3. Despite Clause (250), only the mover of a motion referred to in subclause 2.2.2(2) can speak to the motion before it is put.

(Regulation Clause 242)

2.2.3 Questions may be put to staff

1. A Councillor:
 - a. may, through the chairperson, put a question to another Councillor
 - b. may, through the General Manager, put a question to a Council employee.
2. However, 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 documents.
3. The Councillor must put every such question directly, succinctly and without argument.
4. The chairperson must not permit discussion on any reply or refusal to reply to a question put to a Councillor or Council employee under this clause.

(Regulation Clause 249)

2.2.4 Questions With Notice

1. Questions With Notice must be lodged in writing with the General Manager or specified delegate no later than 9.00am on the Friday preceding the meeting of Council at which the Questions With Notice are to be considered.
 2. Questions With Notice must directly relate to the business of Council and must comply with the *Local Government (General) Regulation 2005* which provides at Clause 249 that a 'Councillor must put every such question directly, succinctly and without argument'.
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3. Questions should not contain:
 - a. statements of facts or names of persons unless they are strictly necessary to render the question intelligible and can be authenticated
 - b. argument
 - c. inference
 - d. imputation.
4. The General Manager or specified delegate may exclude from the agenda any Question With Notice which may have the effect of exposing a Councillor, the council or a member of staff, to an action for defamation.
5. Where practicable, an answer to the questions contained in the business paper will be provided verbally at the Council meeting and documented in the minutes. Questions requiring a more detailed response will be provided at the next Ordinary meeting in the Answers to Questions With Notice section of the business paper.

(Council protocol)

2.2.5 Presentations by Councillors

1. Councillors may make a brief presentation regarding matters they believe to be of significant importance to Council or the community.
2. The total time allowed at any one meeting for presentations by any one Councillor shall be two minutes.
3. No debate shall be entered in to in regard to a matter presented in accordance with this clause.
4. No motions may be moved in relation to an item presented in accordance with this clause.
5. Presentations that do not strictly comply with this provisions of this clause shall be ruled out of order by the Chairperson.

(Council protocol)

2.3 Pecuniary and non-pecuniary conflicts of interest

Detailed information regarding pecuniary and non-pecuniary conflicts of interests can be found in part 4 of Council's Code of Conduct.

2.4 Committee of the whole

2.4.1 What is the Committee of the Whole?

The Committee of the Whole is a Committee of Council comprised of all Councillors.
(Council protocol)

Council may resolve itself in to a Committee of the Whole to consider any matter before the Council.
(Section 373)

1. All the provisions of this Regulation relating to meetings of a Council, so far as they are applicable, extend to and govern the proceedings of the Council when in committee of the whole, except the provision limiting the number and duration of speeches.
2. 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 proceedings in committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.
3. 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.
(Regulation Clause 259)

2.5 Mayoral minutes

1. If the Mayor is the chairperson at a meeting of a Council, the chairperson is, by minute signed by the chairperson, entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of the Council or of which the Council has official knowledge.
2. Such a minute, when put to the meeting, takes precedence over all substantive business on the Council's agenda for the meeting. The chairperson (but only if the chairperson is the Mayor) may move the adoption of the minute without the motion being seconded.
3. A recommendation made in a minute of the chairperson (being the Mayor) or in a report made by a Council employee is, so far as adopted by the Council, a resolution of the Council.

(Council protocol - refer to Regulation Clause 243)

2.6 Voting

2.6.1 Voting entitlements

1. Each Councillor is entitled to one vote.
2. However, the person presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote.

(Section 370)

The chairperson, if they choose, is entitled to use their casting vote in the opposite manner to their original vote.

The above section applies equally to Council and Council committee meetings.
(Council protocol)

1.2 Outcome Of Public Exhibition - Revised Code Of Meeting Practice

2.6.2 How is voting conducted?

1. A Councillor who is present at a meeting of Council when the vote is taken but who fails to vote on a motion put to the meeting, is taken to have voted against the motion.
2. If a Councillor who has voted against a motion put at the Council meeting so requests, the General Manager must ensure that the Councillor's dissenting vote is recorded in the minutes.
3. The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and at least two Councillors demand a division.
4. 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 respectively recorded in the minutes.
5. Voting at a Council meeting, including voting in an election at such a meeting, is to be by open means (such as on the voices or by show of hands). However, Council may resolve that the voting in any election by Councillors for Mayor or deputy Mayor is to be by secret ballot.

(Council protocol - refer to Regulation Clause 251)

When a division is called for, the chairperson must request a show of hands of those Councillors voting for the motion and then those Councillors voting against the motion to ensure that the vote is recorded accurately.

(Council protocol)

2.6.3 Recording of voting on planning decisions

Council is required to maintain a register of planning decisions.

1. In this section, 'planning decision' means a decision made in the exercise of a function of a Council under the *Environmental Planning and Assessment Act 1979*:
 - a. including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act
 - b. not including the making of an order under Division 2A of Part 6 of that Act.
2. The General Manager is required to keep a register containing, for each planning decision made at a meeting of the Council or a Council committee, 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.
3. For the purpose of maintaining the register, a division by a show of hands is required to be called whenever a motion for a planning decision is put at a meeting of the Council or a Council committee.
4. 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, and is to include the information required by the regulations.
5. This section extends to a meeting that is closed to the public.

(Council protocol - refer to Section 375A)

2.7 Decisions of Council

2.7.1 What is a decision of Council?

An outcome 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.

(Council protocol - refer to Section 371)

2.7.2 Do certain circumstances invalidate Council decisions?

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

- a. a vacancy in a civic office
- b. a failure to give notice of the meeting to any Councillor or committee member
- c. any defect in the election or appointment of a Councillor or committee member
- d. a failure of a Councillor or a committee member to disclose a pecuniary 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 section 451
- e. a failure to comply with the Code of Meeting Practice.

(Section 374)

2.8 Audio or visual recording of meetings

1. A person may not transmit or use an electronic recording device to record the proceedings of a meeting of a council or a committee of a council.
2. A person may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a council or a committee of a council for transmitting or having used an electronic recording device in contravention of this clause.
3. If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.

(Council protocol - refer to Regulation Clause 273)

Part Three – Quorum and Attendance

3.1 Quorum

3.1.1 What is a quorum?

A quorum for a meeting of the Council is a majority of the Councillors who currently hold office and who are not suspended from office.

(Section 368(1))

1. A meeting of the Council must be adjourned if a quorum is not present:
 - a. within half an hour after the time designated for the holding of the meeting
 - b. at any time during the meeting.

2. In either case, the meeting must be adjourned to a time, date and place fixed:
 - a. by the chairperson
 - b. in his or her absence - by the majority of the Councillors present
 - c. failing that, by the General Manager.
3. 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.

(Regulation Clause 233)

3.2 Adjourning meetings

3.2.1 What is an adjourned meeting?

1. A meeting may be adjourned if it cannot be held, for example a quorum is not present, and will be postponed to a new date or time. An adjourned meeting is a continuation of the same meeting, not a new meeting.
2. Council may resolve at any time to adjourn its meeting. Debate shall not be permitted on any motion for adjournment on a meeting of Council.
3. If a motion for adjournment is lost, the business of the meeting shall proceed, and a motion of adjournment cannot be moved within half an hour of the previous motion for adjournment being lost.

(Meeting Practice Note 4.3)

3.2.2 What notice should be given of an adjourned meeting?

If a meeting has been adjourned to a different date or time, each Councillor and the public should be notified of the new date or time as soon as practicable by way of a memo or email to Councillors, and advertising in the local papers (if practicable) and Council's website for the general public.

(Council protocol)

3.2.3 What business can be conducted at a meeting that has been adjourned?

As an adjourned meeting is a continuation of the same meeting, Council does not need to issue a new agenda and business papers. The agenda and business paper already issued would be the proper documents from which Council would work.

(Meeting Practice Note 4.3.3)

3.3 Leave of absence

3.3.1 Leave of absence

1. A Councillor's application for leave of absence from Council meetings should, if practicable, identify the meetings from which the Councillor intends to be absent.
 2. A Councillor who intends to attend a Council meeting despite having been granted leave of absence should, if practicable, give the General Manager at least two days notice of his or her intention to attend.

(Regulation Clause 235A)
 3. For the purposes of subclause 3.3.1(1), a Councillor applying for a leave absence does not need to make the application in person and the Council may grant such leave in the absence of that Councillor.
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4. If a Councillor attends a Council meeting despite having been granted leave of absence, the leave of absence is taken to have been rescinded in regards to any future Council meetings.
5. Subclause 3.3.1(4) does not prevent Council from granting further leaves of absence in respect of any future Council meeting.

(Section 234(2,3,4))

Part Four – Motions and amendments

4.1 Motions

A motion is a proposal put forward by a Councillor calling for a specific action to be taken or a decision to be made on a particular matter at the meeting.

(Council protocol)

4.1.1 Do motions need to be seconded?

A motion or an amendment cannot be debated unless or until it has been seconded. This clause is subject to Clauses 243(2) and 250(5) of the *Local Government (General) Regulation*.

(Regulation Clause 246)

4.1.2 Limitation as to number of speeches

1. A Councillor who, during a debate at a Council meeting, moves an original motion has the right of general reply to all observations that are made by another Councillor in relation to the motion and to any amendment to it, as well as the right to speak on any such amendment.
2. 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.
3. A Councillor must not, without the consent of Council, speak more than once on a motion or an amendment, or for longer than five minutes at any one time. However, 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 minutes to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
4. Despite subclauses 4.1.2(1) and (2), 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
 - b. if at least two Councillors have spoken in favour of the motion or amendment and at least two Councillors have spoken against it.
5. The chairperson must immediately put to the vote, without debate, a motion moved under subclause 4.1.2(4). A seconder is not required for such a motion.
6. 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 his or her right of reply under subclause 4.1.2(1).
7. If a motion that the original motion or an amendment be now put is rejected, the chairperson must allow the debate on the original motion or the amendment to be resumed.

(Regulation Clause 250)

4.1.3 Point of order

1. A Councillor may draw the attention of the chairperson to some irregularity in the meeting proceedings by raising a point of order.
2. A Councillor must stand, call a point of order and the current speaker must cease talking and be seated.
3. A point of order does not require a seconder and must be dealt with immediately.
4. The chairperson must suspend business before the meeting to allow the Councillor raising the point of order to state the meeting procedure/s they believe have been infringed.
5. The chairperson will subsequently either uphold the point of order or overrule it and the business before the meeting can then continue.

(Council protocol)

4.1.4 Motions of dissent

1. A Councillor can, without notice, move to dissent from the ruling of the chairperson on a point of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
2. 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 discharged as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
3. Despite Regulation Clause 250 (which refers to the limitations as to the number of speeches), 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.

(Regulation Clause 248)

4.1.5 Notice of motion - absence of mover

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 move the motion at the meeting
- b. the chairperson may defer the motion until the next meeting of the Council at which the motion can be considered.

(Regulation Clause 245)

4.1.6 Chairperson's duty with respect to motions

1. It is the duty of the chairperson at a Council meeting to receive and put to the meeting any lawful motion that is brought before the meeting.
2. The chairperson must rule out of order, any motion that he or she believes is unlawful or the implementation of which would be unlawful.
3. Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been rejected.

(Regulation Clause 238)

The chairperson is to ensure that motions and amendments are clearly stated for the benefit of all present and may request a Councillor to repeat the motion or amendment if unclear or inaudible.

(Council protocol)

4.1.7 Varying a motion/amendment

1. A Councillor may seek to vary a motion by:
 - a. obtaining the consent of the mover and seconder of the motion
 - b. proposing an amendment to the motion.
2. If a Councillor proposes a variation to a motion, the chairperson shall seek the consent of the mover and seconder of the motion to have the variation included in the motion. If there is no objection, the proposed variation is adopted into the motion and the mover and seconder's names remain unchanged. Councillors that propose the variation/s will have their name/s and variation/s recorded in the minutes as a note/s.
3. If there is an objection, the proposed variation must be dealt with as an amendment and voted on accordingly.

(Council protocol)

4.2 Amendments

An amendment is a change to the motion before Council (the initial motion), and is moved while the initial motion is being debated.

(Council protocol)

4.2.1 Moving an amendment to a motion

A motion or an amendment cannot be debated unless or until it has been seconded. This clause is subject to Regulation Clauses 243(2) and 250(5).

(Regulation Clause 246)

The amendment must be dealt with before voting on the main motion takes place. Debate is only allowed in relation to the amendment and not the main motion, which is suspended while the amendment is being considered.

(Meeting Practice Note 5.3.1)

4.2.2 How subsequent amendments may be moved

If an amendment has been rejected, a further amendment can be moved to the motion to which the rejected amendment was moved, and so on, but no more than one motion and one proposed amendment can be before the Council at any one time.

(Regulation Clause 247)

If during discussions one motion and one amendment are already before Council, any further amendments can only be foreshadowed and cannot be considered by the Council until the amendment has been determined.

(Council protocol)

4.2.3 Foreshadowed Motions and Foreshadowed Amendments

1. a. Foreshadowed Amendments - once an amendment has been moved and seconded, during debate, a Councillor member may 'foreshadow' an amendment, without a seconder, proposed to be moved following consideration of the first amendment.

There is no limit to the number of foreshadowed amendments before Council at any one time. However, no discussion on foreshadowed amendments can take place until the previous amendment has been dealt with.

- b. Foreshadowed Motions (a direct negative to the original motion) - a foreshadowed motion can be proposed by a Councillor, without a seconder, during debate on the original motion. The foreshadowed motion will only be considered if the original motion is lost or withdrawn and once moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
2. Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they were notified however foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

(Council protocol)

Part Five – Rescission motions

5.1 Rescinding or altering resolutions

1. A resolution passed by a Council may not be altered or rescinded except by a motion to that effect of which notice has been duly given in accordance with regulations made under Section 360 and, if applicable, the Council's Code of Meeting Practice.
2. If 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.
3. If a motion has been negated by a Council, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with the Council's code of meeting practice.
4. 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 negated by the Council, must be signed by three Councillors if less than three months has elapsed since the resolution was passed, or the motion was negated, as the case may be.
5. If a motion to alter or rescind a resolution has been negated, or if a motion which has the same effect as a previously negated motion, is negated, no similar motion may be brought forward within three months. This subsection may not be evaded by substituting a motion differently worded, but in principle the same.
6. A motion to which this section applies 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.
7. The provisions of this section concerning negated motions do not apply to motions of adjournment.

(Section 372)

Rescission motions must be submitted in writing to the General Manager who will ensure, as soon as practicable, that all Councillors are advised that a rescission motion has been lodged.

A rescission motion will be ruled out of order if Council has already given effect to the original motion the rescission motion seeks to rescind.

(Council protocol)

Part Six – Closed parts of the meeting

6.1 Closure of meetings to the public

6.1.1 Attendance of media and public

There is nothing in the Act or Regulation to limit public attendance at closed parts of meetings if invited by the Council. However, the non-disclosure provisions of section 664 of the Act would apply to a person attending a closed part of a meeting.

Similarly, there does not appear to be any direct breach of the Model Code, although such invitations may affect a Council's appearance of impartiality and proper conduct in a matter. The better practice would be to invite only those people whose presence at the meeting is necessary for the provision of advice, such as Council's solicitor.

(Meeting Practice Note 7.3.5)

6.1.2 Exclusion of media and public

1. A Council, or a committee of the Council of which all the members are Councillors, may close to the public so much of its meeting as comprises:

- a. the discussion of any of the matters listed in subclause 6.1.3(2)
- b. the receipt or discussion of any of the information so listed.

(Section 10A(1))

6.1.3 Grounds to close a meeting or part of a meeting

2. The matters and information as referred to in Section 10A(1) are the following:

- 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
 - ii. confer a commercial advantage on a competitor of the Council
 - 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 any code of conduct requirements applicable under section 440.

3. A Council, or a committee of the Council of which all the members are Councillors, 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.

4. A Council, or a committee of a 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.

(Section 10A(2,3 and 4))

6.1.4 Confidential matters not to be disclosed

In particular, if part of a meeting of a Council or a committee of a Council is closed to the public in accordance with section 10A(1), a person must not, without the authority of the Council or the committee, disclose (otherwise than to the Council or a Councillor of the Council) information with respect to the discussion at, or the business of, the meeting.

(Section 664(1A))

6.1.5 Closing parts of meetings in urgent cases

Part of a meeting of a Council, or of a committee of the Council of which all the members are Councillors, 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 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 section 10A(2)
- b. the Council or committee, after considering any representations made under section 10A(4), resolves that further discussion of the matter:
 - i. should not be deferred (because of the urgency of the matter)
 - ii. should take place in a part of the meeting that is closed to the public.

(Section 10C)

6.1.6 Specifying reasons for closing part of a meeting

1. 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.
2. The grounds must specify the following:
 - a. the relevant provision of section 10A(2)
 - 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.

(Section 10D)

Part Seven – Order at meetings

7.1 Conduct at meetings

Council's Code of Conduct also provides standards for appropriate behaviour and sanctions for misbehaviour at meetings. Councillors should also be aware of the provisions of the Code of Conduct in regard to these matters.

7.2 Questions of order

1. 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.
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1.2 Outcome Of Public Exhibition - Revised Code Of Meeting Practice

2. 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.
3. 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.
4. The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

(Regulation Clause 255)

7.3 Acts of disorder

1. A Councillor commits an act of disorder if the Councillor, at a Council meeting or a Council committee:
 - a. contravenes the *Local Government Act 1993* or any regulation in force under the *Local Government Act 1993*
 - b. assaults or threatens to assault another Councillor or person present at the meeting
 - 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 Council or the committee, or addresses or attempts to address Council or the committee on such a motion, amendment or matter
 - d. insults or makes personal reflections on or imputes improper motives to any other Councillor
 - e. says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring Council or the committee into contempt.
2. The chairperson may require a Councillor:
 - a. to apologise without reservation for an act of disorder referred to in subclause 7.3(1)(a) or (b)
 - b. to withdraw a motion or an amendment referred to in subclause 7.3(1)(c) and, where appropriate, to apologise without reservation
 - c. to retract and apologise for an act of disorder referred to in subclause 7.3(1)(d) or (e).
3. A Councillor may, as provided by section 10(2)(A) or (B) of the Act, be expelled from a Council meeting for having failed to comply with a requirement under subclause 7.3(2). 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.

(Regulation Clause 256)

7.4 How disorder at a meeting may be dealt with

1. If disorder occurs at a Council meeting or Council committee, the chairperson may adjourn the meeting for a period of not more than 15 minutes and leave the chair. The Council, on reassembling, must, on a question put from the chair, decide without debate whether the business is to be proceeded with or not. This subclause applies to disorder arising from the conduct of members of the public, as well as disorder arising from the conduct of Councillors.
2. A member of the public may, as provided by section 10(2)(A) or (B) of the Act, be expelled from a Council meeting for engaging in or having engaged in disorderly conduct at the meeting.

(Regulation Clause 257)

7.5 Power to remove persons from meeting after expulsion resolution

If a Councillor or a member of the public fails to leave the place where a meeting of Council or Council committee is being held:

- a. immediately after the Council has passed a resolution expelling the Councillor or member of the public from the meeting
- b. where the Council has authorised the person presiding at the meeting to exercise the power of expulsion, immediately after being directed by the person presiding to leave the meeting

a police officer, or any person authorised for the purpose by Council or person presiding, may, by using only such force as is necessary, remove the Councillor or member of the public from that place and, if necessary, restrain the Councillor or member from re-entering that place.

(Council protocol - refer to Regulation Clause 258)

Part Eight – Committees, their members and functions

8.1 Council may establish committees

1. Council may, by resolution, establish such committees as it considers necessary.
2. A committee is to consist of the Mayor and such other Councillors as are elected by the Councillors or appointed by the Council.
3. The quorum for a meeting of a committee is to be
 - a. such number of members as the Council decides
 - b. if the Council has not decided a number, a majority of the members of the committee.

(Regulation Clause 260)

8.2 Functions of committees

Council must specify the functions of each of its committees when the committee is established, but may from time to time, amend those functions.

(Regulations Clause 261)

8.3 Notice of committee meetings

1. The General Manager of a Council must send to each Councillor, at least three days before each meeting of the committee, a notice specifying:
 - a. the time and place at which and the date on which the meeting is to be held
 - b. the business proposed to be transacted at the meeting.
2. However, notice of less than three days may be given of a committee meeting called in an emergency.

(Regulation Clause 262)

8.4 Non-member entitled to attend committee meetings

1. A Councillor who is not a member of a committee of a Council is entitled to attend, and to speak at, a meeting of the committee.
2. However, the Councillor is not entitled:
 - a. to give notice of business for inclusion in the agenda for the meeting
 - b. to move or second a motion at the meeting
 - c. to vote at the meeting.

(Regulation Clause 263)

Non-members will be recorded in 'Also in Attendance' if they attend the meetings.

(Council protocol)

8.5 Procedures in Council committee meetings

Council committees will operate within the provisions as outlined in this Code of Meeting Practice.

(Council protocol)

8.6 Procedures in sub committee meetings

Each committee of Council will operate within the sub committee guidelines and this Code of Meeting Practice as set down by Council.

(Council protocol)

8.7 Chairperson and deputy chairperson of Council committees

1. The chairperson of each committee of the Council must be:
 - a. the Mayor
 - b. if the Mayor does not wish to be the chairperson of a committee - a member of the committee elected by the Council
 - c. if the Council does not elect such a member - a member of the committee elected by the committee.
2. A 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.
3. If neither the chairperson nor the deputy chairperson of a committee of a 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.
4. The chairperson is to preside at a meeting of a committee of a Council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

(Regulation Clause 267)

8.8 Absence from committee meetings

1. A member (other than the Mayor) ceases to be a member of a committee if the member:
 - a. has been absent from three consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences
 - b. has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
2. Subclause 8.8(1) does not apply in respect of a committee that consists of all of the members of the Council.

(Regulation Clause 268)

8.9 Reports of committees

1. If in a report of a committee of the Council distinct recommendations are made, the decision of Council may be made separately on each recommendation.
2. The recommendations of a committee of the Council are, so far as adopted by the Council, they become resolutions of the Council.
3. If a committee of a Council passes a resolution, or makes a recommendation, during a meeting, or part of the meeting that is closed to the public, the chairperson must:
 - a. make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended
 - b. report the resolution or recommendation to the next meeting of the Council.

(Regulation Clause 269)

8.10 Chairperson's role in presenting the committees recommendations to Council

When the chairperson presents the reports of the standing committees, they will move all the recommendations of the standing committee with the exception of any item that they have personally declared an interest in. In this instance, another member of the standing committee should move the particular item in question.

(Council protocol)

8.11 Chairperson's role in advising community members of meeting procedure

The chairperson should at the beginning of each committee meeting advise members of the gallery that he/she will present the recommendations of the committee to the full Council meeting which is held the following Tuesday.

Members of the gallery should also be advised that the committee's recommendation may be endorsed or amended by the full Council, or it may be referred back to the committee for further consideration.

In items where there is significant interest by members of the gallery the chairperson should at the conclusion of debate on that particular item advise all those present of the committee's decision.

(Council protocol)

Part Nine – Minutes

9.1 Contents of minutes

9.1.1 What must be recorded in the minutes?

1. The Council must ensure that full and accurate minutes are kept of the proceedings of a meeting of the Council.
2. The minutes must, when they have been confirmed at a subsequent meeting of the Council, be signed by the person presiding at that subsequent meeting.

(Section 375)

The General Manager is required to keep a register containing, for each planning decision made at a meeting of the Council or a Council committee, 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.

(Section 375A(2))

The General Manager must ensure that the following matters are recorded in the Council's minutes:

- a. details of each motion moved at a Council meeting and of any amendments and variations moved to it
- b. the names of the mover and seconder of the motion or amendment
- c. whether the motion or amendment is passed or lost.

(Regulation Clause 254)

A disclosure made at a meeting of a Council or Council committee must be recorded in the minutes of the meeting.

(Section 453)

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.

(Regulation Clause 233(3))

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.

(Regulation Clause 251(2))

If a Councillor who has voted for a motion put at a Council meeting so requests, the General Manager must ensure that the Councillor's vote is recorded in the Council's minutes.

(Council protocol)

The General Manager must ensure that details of Councillor attendance and apologies are recorded in Council's minutes.

The items detailed above should also be recorded in Council standing committee minutes.

(Council protocol)

9.1.2 Minutes for closed meetings

Any person is entitled to inspect the minutes containing resolutions or recommendations from the closed parts of meetings. While Council cannot keep its decisions confidential, it is possible to discuss matters in the minutes in such a way as to not reveal confidential details.

(Meeting Practice Note 7.3.2)

1.2 Outcome Of Public Exhibition - Revised Code Of Meeting Practice

9.1.3 Inspection of the minutes of Council or Council committee

1. An inspection of the minutes of a Council or committee of a Council is to be carried out under the supervision of the General Manager or an employee of the Council designated by the General Manager to supervise inspections of those minutes.
2. The General Manager must ensure that the minutes of the Council and any minutes of a committee of the Council are kept secure and in safe custody and that no unauthorised person is allowed to interfere with them.

(Regulation Clause 272)

1.3 Proposed operating hours during the Christmas holiday period 2014-2015

Reporting Officer

Manager Governance and Risk

Attachments

Nil

Purpose

1. To advise Council of the proposed operating hours over the 2014-2015 Christmas and New Year holiday period.
2. To seek Council's agreement to make a contribution to both the Indoor and Outdoor Staff Christmas functions.

Report

Council employees are employed under the Local Government (State) Award 2014 with additional benefits being provided through Authorised Statements relating to flexible working arrangements. Under Clause 21D(v) of the Award, Council may direct an employee to take annual leave by giving at least four weeks prior notification in a period of annual close-down of up to and including four weeks.

In line with previously adopted practice, it is proposed that Council offices will close at 1.00pm on Wednesday 24 December 2014 and will reopen at 8.30am on Monday 29 December 2014.

The Council offices will also close at 1.00pm on Wednesday 31 December 2014 and reopen at 8.30am on Monday 5 January 2015. Staff will be required to take annual leave or flexi leave on Friday 2 January 2015.

Campbelltown Visitor Information Centre

It is proposed that the hours of operation for the Campbelltown Visitor Information Centre be as follows:

24 December 2014	8.30am – 1.00pm
Christmas Day 25 December 2014	Closed
Boxing Day 26 December 2014	Closed
27-31 December 2014	10.00am – 2.00pm
New Year's Day 1 January 2015	Closed
2 January 2015	Closed
3-4 January 2015	10.00am – 2.00pm

1.3 Proposed Operating Hours During The Christmas Holiday Period 2014-2015

Education and Care Services

Service	Closure Date	Opening Date
All Long Day Care Centres	Close 6:00pm 19 December 2014	6 January 2015
Ingleburn Occasional Care Centre	Close of business 17 December 2014. (The centre is not funded to operate during school holidays periods.)	28 January 2015
Family Day Care	Family Day Care Office – close of business 23 December 2014.	Family Day Care Office reopens on 5 January 2015. Care continues to be available every day of the year, i.e. care is available on public holidays, overnight and at weekends
Before and After School Care	17 December 2014	28 January 2015
Campbelltown City School Holiday Care	This service will operate from 18 to 23 December and 5 to 27 January 2015	
Eagle Vale School Holiday Care	This school holiday care service will operate from 5 January to 23 January 2015	

As is past practice, all Long Day Care and Occasional Care Centres will have one child free day before the children return to allow staff time to prepare and plan for the year.

Leisure Services

Centre	Closure Date	Opening Date
Minto Indoor Sports Centre	22 December 2014 at 11.00pm	6 January 2015 at 11.00am
The Gordon Fetterplace Aquatic Centre	24 December 2014 at 6.00pm	27 December 2014 at 8.00am
	31 December 2014 at 6.00pm	1 January 2015 at 9.30am
Macquarie Fields Swimming Centre	24 December 2014 at 6.00pm	26 December 2014 at 9.30am
	31 December 2014 at 6.00pm	1 January 2015 at 9.30am
Eagle Vale Central	24 December 2014 at 6.00pm	27 December 2014 at 8.00am
	31 December 2014 at 6.00pm	1 January 2015 at 9.30am
Macquarie Fields Indoor Sports Centre	24 December 2014 at 6.00pm	27 December 2014 at 8.00am
	31 December 2014 at 6.00pm	2 January 2015 at 8.00am
Bicycle Education Centre	23 December 2014 at 3.00pm	2 January 2015 at 10.00am

Council's fees and charges for the Leisure Centres identifies that the centres are closed for Christmas and Boxing Day each year. However Council at its meeting of 14 April 2009 resolved to open either The Gordon Fetterplace Aquatic Centre or the Macquarie Fields Swimming Centre on Boxing Day public holidays on an alternate basis. Accordingly, this year Macquarie Fields Leisure Centre will reopen on Friday 26 December 2014 at 9.30am.

Healthy Lifestyles records indicate that a small number of patrons use the centres on Christmas Eve and New Year's Eve, therefore it is recommended that the centres close earlier on these days.

The Gordon Fetterplace Aquatic Centre and Eagle Vale Central will operate under normal opening hours on Saturday 27 December 2014.

1.3 Proposed Operating Hours During The Christmas Holiday Period 2014-2015

The Bicycle Education Centre will close Tuesday 23 December 2014 and reopen on Friday 2 January 2015. The centre will then open Sunday to Friday of the school holidays (closed on Saturdays) until Tuesday 27 January 2015 inclusive. Entry will be free.

Swimming clubs, swim coaching squads, learn to swim, gymnastics and fitness classes are in recess during this period at all centres.

Library Services

Library	Closure Date	Opening Date
HJ Daley Library Glenquarie Library Greg Percival Library, Ingleburn Eagle Vale Library	24 December 2014 at 1.00pm	29 December 2014 at 9.30am

Library	Closure Date	Opening Date
HJ Daley Library Glenquarie Library Greg Percival Library, Ingleburn Eagle Vale Library	31 December 2014 at 1.00pm	3 January 2015 at 9.00am

Library usage records indicate that a relatively small number of customers use library services during the Christmas/New Year period. This is particularly evident during evening opening after 5.00pm. In order to provide a more flexible service during the Christmas/New Year period it is recommended that all libraries operate from 9.30am – 5.00pm from Monday 22 December 2014, resuming standard night shift pattern from Monday 5 January 2015.

The Home Library Service, which operates as a fortnightly service and consists of twelve delivery runs by volunteers and library staff to household clients will cease operation from Friday 19 December 2014 and resume Monday 2 February 2015.

As in previous years it is proposed that library customers and users of Home Library will be allowed to borrow an increased number of items for extended loan periods throughout the holiday period from 15 December 2014, returning to normal loan periods and limits from 23 January 2015, for the start of the academic year.

Customers wishing to return material may do so using the return chutes, which are available at all library branches.

Campbelltown Arts Centre

Closure Date	Opening Date
Monday 22 December 2014	Sunday 4 January 2015

In previous years, Campbelltown Arts Centre has been closed between the Christmas/New Year period as usage records indicate low attendance rates during this time.

Staff Christmas Function

It has been normal practice for Council to contribute to the cost of the staff Christmas parties. In previous years Council has contributed \$2200 to both the Indoor and Outdoor Staff Christmas Parties. It is proposed that Council make a donation of \$2200 to each of the functions.

Officer's Recommendation

1. That Council Offices and the Works Depot close on Wednesday 24 December 2014 and Wednesday 31 December 2014 at 1.00pm.
2. That Council Offices and the Works Depot close on Friday 2 January 2015 with staff taking annual or flexi leave for this day.
3. That the holiday opening hours for the Campbelltown Visitor Information Centre, Education and Care Services, Leisure Services, Library Services and the Campbelltown Arts Centre be approved and advertised in local papers, on Council's website and at the relevant centres and services.
4. That Council make a contribution of \$2200 to both the Indoor and Outdoor Staff Christmas Functions.

Committee's Recommendation: (Kolkman/Borg)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 14 October 2014 (Mead/Hawker)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 198

That the Officer's Recommendation be adopted.

1.4 Local Government NSW Annual Conference 2014 Update

Reporting Officer

Manager Governance and Risk

Attachments

Nil

Purpose

To advise Councillors of the unavailability of three delegates to the 2014 Local Government NSW Conference and to seek the appointment of three alternate voting delegates.

History

Council at its meeting held 29 July 2014 resolved:

1. That the following Councillors be appointed as delegates to the 2014 Local Government NSW Conference: Councillor Rowell, Councillor Matheson, Councillor Greiss, Councillor Thompson, Councillor Dobson, Councillor Lake, Councillor Lound, Councillor Kolkman, Councillor Mead and Councillor Oates.
2. That other interested Councillors, the General Manager, Manager Executive Services and the Corporate Support Coordinator also be authorised to attend the 2014 Local Government NSW Conference.
3. That the registration fees and associated expenses be met in accordance with Council's Policy.

Report

The 2014 Local Government NSW Conference will be held in Coffs Harbour from Sunday 19 October to Tuesday 21 October 2014.

The conference is the annual policy making event for councils. Councils work together with Local Government NSW to promote Local Government and advocate on behalf of their communities for local democracy, informed decision making and good governance.

Due to unforeseen circumstances, three of Council's nominated delegates, Councillor Dobson, Councillor Matheson and Councillor Rowell, are unable to attend the conference. As such, Council is requested to nominate three alternate delegates and authorise their attendance at the 2014 Local Government NSW Conference.

Officer's Recommendation

1. That Council nominate, and authorise the attendance, of three alternate voting delegates to the 2014 Local Government NSW Conference.
2. That the registration fees and associated expenses be met in accordance with Council's Policy.

Committee's Recommendation: (Kolkman/Hawker)

1. That Council nominate, and authorise the attendance of Councillors Borg, Glynn and Hawker as the replacement voting delegates to the 2014 Local Government NSW Conference.
2. That the registration fees and associated expenses be met in accordance with Council's Policy.

CARRIED

Council Meeting 14 October 2014 (Mead/Hawker)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 198

That the Committee's Recommendation be adopted.

2. PROPERTY SERVICES

2.1 Walkway Closure Application - Grandview Drive and Meehan Place, Campbelltown

Reporting Officer

Acting Manager Property Services

Attachments

1. Locality Plan (contained within this report)
2. Copies of letters supporting the closure (to be tabled – confidential due to privacy)
3. Copies of letters objecting to the closure (to be tabled – confidential due to privacy)

Purpose

To seek Council approval for the closure of the walkway situated between Grandview Drive and Meehan Place, Campbelltown.

Report

Early subdivisions within the Campbelltown area provided a network of walkways which assisted pedestrian movements through the neighbourhood. Conversely the walkways can result in anti-social behaviour together with being used as escape routes associated with crime. Council understands the benefits and burdens of the walkway network and from time to time receives requests for the closure of walkways which are considered on their merits.

Council has received a request, from an adjoining owner, for the closure of the walkway located between Grandview Drive and Meehan Place, Campbelltown. Information relating to the walkway closure application process and associated fees has been provided to all owners adjoining the walkway.

Council's walkway closure application fee has been received and two of the four adjoining owners have confirmed their willingness to purchase half of the walkway land each and advised their acceptance of the terms, conditions and fees associated with such process.

In accordance with Council's adopted procedures a trial closure of the subject walkway was conducted for a period of three weeks from 28 July to 15 August 2014. Council advertised the proposed closure in the local newspapers, posted notices in the subject walkway, sent letters to utility authorities, local bus companies, local police and 58 residents surrounding the subject walkway seeking written submissions.

During the trial closure period Council received two letters of support with one containing six names and six individual letters of objection were also received.

2.1 Walkway Closure Application - Grandview Drive And Meehan Place, Campbelltown

The concerns raised by Council staff in respect to the proposed closure are:

- the walkway serves as an overland flow path
- should the walkway be closed a drainage easement will be required in favour of Council
- any proposed changes to the shape of the land within the existing walkway must be approved by Council prior to any works being undertaken
- any fences across the line of the easement must be designed to allow floodwaters to pass unrestricted
- any proposed landscaping within this parcel of walkway land shall not cause any restriction to flows and shall not be of a non-erodible nature
- no permanent structures are to be built over the easement and no materials are to be stored in the easement that will restrict the overland flow path or access to the easement
- the existing junction pit located within the walkway is to remain unchanged and unobstructed at all times
- the owner will be responsible for the safety of any persons or animals in proximity to the easement during a flood event
- under the terms of the easement should Council require access to the easement at any time in the future the owner must remove and restore the fence, if requested
- repairs required due to damage done to the fences constructed across the easement as a result of overland flow of water will be at the expense of the owner.

These concerns were outlined in Council's information package and letter to the two adjoining owners wishing to purchase the subject walkway land. Upon agreeing to proceed with the proposed closure they accepted the conditions and restrictions that would be placed on the subject land if it was closed.

Public Submissions

Support

The submissions in favour of the closure from the correspondents mention the following concerns in support of the closure application:

- anti-social behaviour
 - graffiti
 - crime related to people jumping fence from walkway
 - vandalism to fence and vehicles
 - remnants of alcohol and drug use thrown into an adjoining owner's yard
 - trail bikes using walkway.
-

Objections

There were six letters received objecting to the closure with the following concerns mentioned in objection to the closure:

- walkway used by resident returning from shift work
- long-time residents purchased properties with view of using walkway to provide a shorter walking distance with quick and direct access to bus stop, shops and facilities
- student and other residents use walkway to access bus stop in Hoddle Avenue
- residents use walkway to access work at Campbelltown Hospital and Park Central
- residents use walkway to access local facilities such as The Gordon Fetterplace Aquatic Centre, medical services at Park Central and Macarthur Square
- purchased property in area due to convenience of accessing facilities made easier with the use of the walkway
- no bus service in Grandview Drive
- it is believed the original intent of walkway was to provide pedestrian friendly access to local facilities and public transport
- resident who does not have a licence uses the walkway to access Campbelltown Mall, Hoddle Avenue shops, Event Cinemas and Macarthur Square.

Summary

It should be noted that no written correspondence was received from either the local police or bus company in respect to the proposed closure.

It is noted that residents who utilise the walkway will be required to take an alternate route, however, taking into consideration the anti-social behaviour experienced by the adjoining owners it is recommended that Council support the closure of the subject walkway.

It is proposed that the owners at 7 Meehan Place and 21 Grandview Drive will purchase their half of the walkway land, should Council resolve to close the walkway. It will be necessary to take measures to protect the drainage function of the walkway.

Such protective measures will include registering an easement on title and noting a Restriction as to User which will prevent modification of surface levels. The purchasers will also be required to erect fencing of a nature that will not restrict water flow.

Officer's Recommendation

1. That Council support the closure of the walkway connecting Grandview Drive and Meehan Place, Campbelltown.
2. That all persons having written to Council be advised of Council's decision.
3. That the applicants wishing to purchase the subject walkway be advised that a drainage easement will be required over the full width of the walkway with a Restriction as to User to prevent alteration of the surface levels.
4. That an application be made to NSW Trade and Investment, Crown Lands for approval to close the subject walkway.
5. That following approval from Crown Lands and upon closure of the walkway, the land be classified as operational land in accordance with Section 31(2) of the *Local Government Act 1993*, as amended.
6. That subject to NSW Trade and Investment, Crown Lands' approval to close the subject walkway, that Council approve the sale and creation of any necessary easements to allow the transfer of the walkway land.
7. That all documentation associated with the proposed walkway closure be executed under the Common Seal of Council.

Committee Note: Mr Barrass addressed the Committee in support of the Officer's Recommendation.

Committee's Recommendation: (Kolkman/Borg)

That the Officer's Recommendation be adopted.

CARRIED**Council Meeting 14 October 2014 (Mead/Hawker)**

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 198

That the Officer's Recommendation be adopted.

ATTACHMENT 1



2.2 Airds Bradbury Renewal Project - VPA Land Acquisitions, Transfers and Dedications

Reporting Officer

Acting Manager Property Services

Attachments

1. Plan outlining existing open space land in Council title (contained within this report)
2. Plan outlining proposed open space land to be dedicated and titled to Council (contained within this report)
3. Plan outlining existing open space land in Council title and NSWLHC title to be compulsorily acquired by NSWLHC (contained within this report)

Purpose

To advise Council of the land acquisitions/transfers required by NSW Land and Housing Corporation (NSWLHC) to facilitate the Airds Bradbury Renewal Project (ABRP) as identified in the draft Voluntary Planning Agreement (VPA) for this project and the land proposed to be dedicated to Council.

A resolution is sought that Council has no objection to NSWLHC compulsorily acquiring Council owned open space land and sections of public road as identified within the VPA for nil cost subject to any public infrastructure as identified in the VPA being delivered at no cost to Council.

In addition to the proposed compulsory acquisition of Council owned and titled land, NSWLHC is also seeking a resolution that Council has no objection to NSWLHC compulsorily acquiring the land in its title as identified in attachment 2 on the same terms.

Council approval is also sought to accept the transfer/dedication of land/infrastructure from NSWLHC and UrbanGrowth as identified within the VPA.

History

The redevelopment of the Airds Bradbury Public Housing area is being undertaken in accordance with the Urban Renewal Concept Plan Approval.

Council has previously resolved to support the Concept Plan (13 December 2011 and 3 July 2012) given the broad social and environmental benefits that will flow from the project. Importantly, the Concept Plan provides clear terms of approval for the future redevelopment of the area, including staging of development applications, design guidelines for residential subdivision and future housing, ecological conservation measures and infrastructure delivery.

A further resolution was also passed by Council at its meeting on 10 December 2013 endorsing the draft ABRP VPA and draft Infrastructure Service Delivery Plan (ISDP) for the purpose of public notification/exhibition.

Council has also recently resolved at its meeting held 6 May 2014 to provide a permit of entry to NSWLHC to access and undertake preparation works on Council land required for the Stage 1 and Stage 2 development of ABRP with any land acquisitions/transfers being subject to the VPA being adopted.

In addition to the above and previous resolutions passed by Council, at its Ordinary meeting of 16 September 2014, Council reaffirmed its strong support and commitment to the ABRP and resolved that an urgent report be presented to Council to finalise the Voluntary Planning Agreement and statutory land transfer arrangements, as a matter of the highest priority.

Report

Council has previously received a request from NSWLHC seeking approval for the compulsory acquisition of the Council land identified and roads as required for the ABRP for nil compensation.

The proposal submitted to Council as identified in the draft VPA and ISDP identified the existing owned open space in Council title within the ABRP and the proposed open space which would be dedicated in title to Council on completion of the project.

Table 1 – Existing Open Space in Council title

Open Space	Lot/DP	Area (m2)	Zoning
A	22/716139	10,470	2(b) residential
	42/866527	216.4	2(b) residential
B	2/1056582	1,029	2(b) residential
C	24/716139	11,300	2(b) residential
D	100/716319	1,316	2(b) residential
E	11/700045	6,652	2(b) residential
F	106/716138	643	6(a) open space
G	104/716138	24,420	6(a) open space
I	202/1043192	2,972	2(b) residential
J	4/1062960	136.6	2(b) residential
K	2/1062960	60,500 (66,500.0)	2(b) residential
N	650/1110645	1,646	2(b) residential
O	8080/1063276	17,575.7	6(a) open space & part 2(b) residential
P	383/1056580	6,762	2(b) residential
Q	H/31302	9,049	6(a) open space
R	37/228276	6,886	6(a) open space
TOTAL		167,573.7	

In reference to Item K in Table 1 above which refers to the existing Kevin Wheatley Reserve it should be noted that Council has previously resolved to lease approximately 6000 square metres of the reserve to the Tharawal Aboriginal Corporation. Upon registration of the lease an area of approximately six hectares will remain which is intended to be acquired by NSWLHC as part of the renewal project.

On this basis the total amount of existing open space currently in Council title within the ABRP is approximately 16.75 hectares. Councils open space land is classified as community land and would require compulsory acquisition by NSWLHC for it to obtain title to the land.

Accordingly NSWLHC proposes to compulsorily acquire the subject properties identified in Table 1 and any necessary roads and walkways required to facilitate the ABRP in accordance with the approved concept plan.

Table 2 –Land proposed to be dedicated and titled to Council for open space

Open Space	Area (m2)	Zoning
A	28,100	6(a) Open Space
B	70,200	6(a) Open Space
C	3400	6(a) Open Space
D	23,700	6(a) Open Space
E	7400	6(a) Open Space
F	8700	6(a) Open Space
G	9400	6(a) Open Space
I	25,400	6(a) Open Space
J	3800	6(a) Open Space
K	9000	6(a) Open Space
L	2800	6(a) Open Space
TOTAL	189,100	

NSWLHC has identified that the areas as identified in the plan outlining proposed open space land to be dedicated and titled to Council (annexure 2) would be dedicated and titled to Council, based on the staging of the project. The final areas would be subject to survey however based on the existing open space area and the area proposed to be dedicated and titled, Council will receive approximately 18.9 hectares of open space land by the end of the project, which is an additional 2.15 hectares above the amount of open space currently in Councils title.

In reference to Baden Powell Reserve it should be noted that the reserve is held in both the ownership of Council and NSWLHC. The collective land area of Baden Powell Reserve is approximately 21,000 square metres of which 9000 square metres is in Council ownership with the balance of 12,000 square metres in the ownership of NSWLHC.

The original draft VPA detailed an area of approximately 5000 square metres to be dedicated back to Council at Baden Powell Reserve which resulted in a net loss of 4000 square metres of the Council owned portion of Baden Powell Reserve. Following further negotiations with NSWLHC (pursuant to Item 3.5 – Planning and Environment Committee report 27 May 2014), NSWLHC has since offered to increase the size of Baden Powell Reserve to approximately 9000 square metres, and that land being dedicated to Council.

In this respect although the configuration of the new Baden Powell Reserve will be slightly different to allow for an amended residential lot design associated with the adjoining NSWLHC development, the offer by NSWLHC ensures that there will be no net loss to the size of the land at Baden Powell Reserve currently owned by the Council.

Valuation

As part of the VPA/ISDP preparation process a valuation was obtained by UrbanGrowth on behalf of NSWLHC and Council which is the basis of the values contained in the draft VPA/ISDP. This valuation as at 25 July 2013 identified a value of \$11.98m for the existing open space in Council title and a value of \$11.36m for the proposed open space to be dedicated and titled to Council (this represents a reduction in value of approximately \$0.62m).

Council also obtained a separate independent valuation as at 1 May 2014. Based on this valuation and allowing for minor adjustments to changes in the areas a value of \$14.43m would be attributable for the existing open space land in Council title and a value of \$11.86m would be attributable for the open space proposed to be dedicated and titled to Council (this represents a reduction in value of approximately \$2.57m).

The variation in the values appears to primarily result from the date of valuation and the zoning adopted for councils existing open space land. At the time of adoption of the ABRP Concept Plan councils land was all zoned 6(a) open space however the majority of the land has subsequently been rezoned as residential in accordance with the Concept Plan approval.

In considering the VPA/ISDP for councils land and roads proposed to be compulsorily acquired by NSWLHC it should be noted that no monetary transaction will occur in respect to the land, as NSWLHC has sought Councils approval to compulsorily acquire councils land/roads required for the project, at nil value. The offset to Council is the capital value of the public infrastructure and embellishment of open space that will be made and dedicated to Council as part of the project as identified in the draft VPA/ISDP.

On this basis the draft VPA/ISDP identify that public infrastructure works (road construction/intersection upgrades, water cycle management, bushland regeneration, open space and landscape works to the value of \$18.62m will be provided by the developer which will be dedicated to Council). There is also provision for a potential additional \$2.77m (\$2.63m for construction of a new 7000 square metre community facility and provision of \$140,000 for demolition of existing facilities) of community facility infrastructure to be provided subject to Councils decision on whether it will retain the existing community assets (Amarina Child Care Centre and Airs Neighbourhood Centre) or whether a new multi-purpose community facility will be constructed.

Land dedication

Council currently has approximately 16.75ha of existing open space in its title with additional public land expected to be created as part of the redevelopment process. Whilst this existing open space in Council title will be incorporated in to the redevelopment an amount of approximately 18.90ha of open space is intended to be dedicated in the title of Council by the end of the project.

There are three types of land proposed to be dedicated to Council upon the completion of the works identified in the draft VPA/ISDP. These are:

- public roads (in accordance with the provisions of the *Roads Act 1993*)
- community land for the use as Parks and Open Space (in accordance with the provisions of the *Local Government Act 1993*)
- operational land to be used for community facilities (in accordance with the provisions of the *Local Government Act 1993*).

All costs associated with the proposed acquisition or dedication of land to Council for the purposes of roads and public open space are to be at no cost to Council.

Following the completion of construction and embellishment works in accordance with the draft VPA/ISDP, all public roads, open space areas and any community facilities shall be dedicated to Council as part of the relevant subdivision certificate process for that stage of development.

Furthermore any dedication of land or roads to Council associated with the infrastructure identified in the VPA/ISDP is also to be at no cost to Council.

Public roads

In order to facilitate the construction of new road connections and intersections, the proposed redevelopment will require that some of the existing public roads within the development site be closed or partially closed and new public roads built and dedicated in accordance with the new planning layout.

Closure or partial closure of the existing public roads will be carried out by compulsory acquisition by NSWLHC under the *Housing Act 2001* and *Land Acquisition (Just Terms Compensation) Act 1991*. Compulsory acquisition of public roads from Council would have the effect of closing the roads.

NSWLHC would be responsible for any liability associated with the sections of roads compulsorily acquired until any new or replacement roads are dedicated to Council as public road.

Parks and open space

During the redevelopment process, the location and shape of existing open space may need to be changed to accommodate the new road and lot layouts and so it will be necessary for NSWLHC to acquire part or all of the existing open space from Council under the *Land Acquisition (Just Terms Compensation) Act 1991*.

The existing and new open space areas will also be enhanced and redeveloped prior to dedication back to Council as public open space.

Accordingly it is recommended that Council resolves that it has no objection to NSWLHC undertaking the compulsory acquisition of the land as identified in Table 1 within this report (including any necessary sections of road/laneways) for nil compensation at no cost to Council in association with the VPA/ISDP (which requires NSWLHC/Developer to deliver a minimum of \$18.62m of public infrastructure works).

It is also recommended that Council also accepts dedication and title of the land identified in Table 2 (proposed open space to be dedicated and titled to Council) subject to the infrastructure meeting Council standards and the provisions identified in the VPA/ISDP ultimately agreed to by Council.

On this basis NSWLHC/the Developer will be required to pay all costs associated with the proposed compulsory acquisitions with any public infrastructure as identified in the VPA/ISDP to be delivered at no cost to Council.

Council approval is also sought to waive the standard proposed acquisition notice period (90 days) associated with the compulsory acquisition of the identified Council land and any roads/laneways required to be acquired to facilitate the ABRP. This has been requested in order to progress the necessary creation and transfer of titles to provide certainty to NSWLHC in committing to a construction program.

NSWLHC title compulsory acquisitions

NSWLHC has identified the following parcels of land in its title which were previously subject to gazette notices to dedicate the land to Council but remain in its title. NSWLHC has been responsible for the maintenance and liability of this land as title had not been transferred to Council.

In order to obtain clear title and avoid any issues upon registration NSWLHC have identified that it intends to compulsorily acquire the subject properties. As the properties have been subject to previous gazettal notices NSWLHC has requested that no objection be provided to NSWLHC compulsorily acquiring the land for nil cost and also waiving the standard acquisition notice period (90 days). This has been requested in order to allow NSWLHC to progress the compulsory acquisition process to obtain clear title over any Council and NSWLHC titled land in order to provide certainty to committing to a construction program.

Table 3 - Open space land Gazetted to Council in NSWLHC title to be compulsorily acquired by NSWLHC

	Lot/DP	Area (m2)	Zoning
1	133/253937 (Pt Baden Powell Reserve)	12,000	2(b) residential
2	131/253937 (Creigan Reserve)	10,100	6(a) open space
3	129/253937 (Croft Reserve)	925	2(b) residential
4	69/255809 (Brindley Park)	6340	2(b) residential
5	72/255809 (Ryeland Park)	2649	2(b) residential
TOTAL		32,014	

Officer's Recommendation

1. That Council resolves that it has no objection to NSW Land and Housing Corporation compulsorily acquiring the Council land as identified in Table 1 and any necessary roads/laneways for nil compensation as outlined in the body of this report subject to entering into a Voluntary Planning Agreement.
2. That Council resolves that it has no objection to NSW Land and Housing Corporation compulsorily acquiring the land in NSW Land and Housing Corporation title as identified in Table 3 which was subject to previous gazettal notices at nil cost.
3. That NSW Land and Housing Corporation pay all costs associated with the proposed compulsory acquisitions with any public infrastructure identified in the draft Voluntary Planning Agreement/Infrastructure Service Delivery Program for the Airds Bradbury Renewal Project to be delivered at no cost to Council.
4. That Council also resolves that it waives the standard acquisition notice period associated with the compulsory acquisition of Councils land and roads/laneways as identified in this report.
5. That Council approves to accept the dedication of the open space, infrastructure and roads identified in the draft Voluntary Planning Agreement/Infrastructure Service Delivery Program at no cost to Council.
6. That all documentation associated with the dedication and transfer of land to Council be executed under the Common Seal of Council, if required.

Having declared an interest in regard to Items 2.2 and 2.3, Councillor Hawker left the room and did not take part in debate nor vote on these items.

Committee Note: Mr Smithers and Ms Jones addressed the Committee in opposition to the Officer's Recommendation.

Committee's Recommendation: (Borg/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 14 October 2014

This item was moved forward and dealt with in conjunction with Planning and Environment Item 3.5 - Final Endorsement of Planning Agreement for Airds Bradbury Renewal Project.

ATTACHMENT 1



Sheet A1 SHEET

2.2 Airds Bradbury Renewal Project - VPA Land Acquisitions, Transfers And Dedications

ATTACHMENT 2



ATTACHMENT 3



2.3 Claymore Urban Renewal Project - VPA Land Acquisitions, Transfers and Dedications

Reporting Officer

Acting Manager Property Services

Attachments

Plan identifying existing open space land in Council title and Council owned footpaths/roads as being required for compulsorily acquisition by NSW Land and Housing Corporation for Stage 1 and Stage 2 of the Claymore Urban Renewal Project (contained within this report)

Purpose

To advise Council of the land acquisitions/transfers required by NSW Land and Housing Corporation (NSWLHC) as part of Stage 1 and Stage 2 of the Claymore Urban Renewal Project (CURP).

A resolution is sought that Council approve the compulsorily acquisition of Council owned open space land and sections of public road/walkways by NSWLHC, identified as being required for Stage 1 and Stage 2 of the CURP.

History

The redevelopment of the Claymore Public Housing area is being undertaken in accordance with the urban renewal concept plan approval. Concept plan approval was granted on 24 May 2013 by the Minister for Planning.

The original concept plan approval identified the need for the proponent (NSWLHC) to enter in to a voluntary planning agreement (VPA) (in accordance with the Statement of Commitments which provides details of the works and contributions to be provided and the relevant staging) with Council prior to the determination of any application for subdivision.

NSWLHC sought an amendment through a modification request to the NSW Department of Planning seeking to defer execution of the VPA until prior to the lodgement of a development application for subdivision of Stage 3, as the lodgement of an application for Stages 1 and 2 was imminent whilst the preparation of the planning agreement was still being undertaken. It was identified that by deferring the timing of the execution of the VPA it would allow the project to proceed whilst still ensuring that all community items could be legally secured prior to the carrying out of any Stage 3 works.

Report

Council has received an approach from NSWLHC seeking that Council confirm that it has no objection to the compulsory acquisition of Council owned open space land and sections of public road/walkways situated within Stages 1 and 2 of the CURP for nil cost.

Council Land

The total area of Council owned land required as part of Stage 1 and Stage 2 of the CURP is approximately 1,596sqm.

- **Lots 19, 23 and 28 DP 258940** – dedicated as public reserves and vested in Council by the NSWLHC, under the provisions of the *Housing Act 1976*, by notice dated 25 May 1988.

A small part of Lot 19 would become part residential Lot in Stage 1 (156sqm), and part would become part of a public road (714sqm). The area of Lot 19 affected by Stage 1 and 2 is 870sqm.

A small part of Lot 23 would become public road in Stage 2 (64sqm), and part would become part of residential lot (49sqm), the area of Lot 23 affected by Stage 1 and stage 2 is 113sqm.

A small part of Lot 28 would become public road in several locations and part of the proposed residential lots within Stage 1 having an area of approximately 613sqm.

There are two additional portions of Council land also forming part of Stage 1 and 2, however these lots would remain as public road and would not be required to be compulsorily acquired.

- **Lot 905 DP 259322** – transferred from the Minister Administering the *Environmental Planning and Assessment Act 1979* and the NSWLHC to Council for \$1 on 26 July 2000.

Part of this Lot would become public road. On this basis approval is sought to carry out the necessary road works (which can be undertaken under a Permit of Entry) but the Lot would not be acquired by NSWLHC. The remainder of Lot 905 would remain as road reserve.

- **Lot 906 DP 259322** – transferred from the Minister Administering the *Environmental Planning and Assessment Act 1979* to Council for \$1 on 26 July 2000.

All of this Lot would remain as road reserve and would not need to be acquired by NSWLHC.

Adjoining Roads/Walkways

In order to achieve the development identified in the concept plan and proposed lot subdivision layouts, NSWLHC may also need to compulsorily acquire sections of public road/walkways situated within the proposed Stage 1 and Stage 2 development areas.

It should be noted that if any sections of existing road/walkways are to be impacted, NSWLHC will be responsible for the construction and dedication of the new roads at no cost to Council.

Land to be dedicated to Council

As part of the Stage 1 and 2 subdivision it is proposed that NSWLHC would dedicate the new Lot 1072 (Badgally Reserve) to Council. This has an area of approximately 5839sqm which would provide a net increase of 4243sqm of land which Council would receive within Stage 1 and Stage 2 of the proposed development.

Compulsory Acquisition

As outlined, Council has received an approach from NSWLHC seeking that Council confirm it has no objection to the compulsory acquisition of Council owned open space land and sections of public road/walkways situated within Stage 1 and Stage 2 of the CURP for nil cost. The land is shown in attachment 1 and described Table 1.

Table 1 – Existing Open Space in Council Title

Description (Lot/DP)	Area (m2)
19/258940	156 – residential lot 714 – public road
23/258940	49 – residential lot 64 – public road
28/258940	613 – public road and residential lot

Council's land is classified as 'community' land and as such the appropriate method to affect the transfer of land to NSWLHC is compulsory acquisition. The compulsory acquisition process enables NSWLHC to obtain clear title over the land compulsorily acquired. Receipt of Council approval to the compulsory acquisition inherently provides NSWLHC certainty to commit to the construction program for Stages 1 and 2 of the CURP.

It is noted that the land situated within Stage 1 and 2 of the CURP is predominantly vacant land ready for the provision of new housing stock.

Regard is also given to the approved modification of the concept plan where the execution of the VPA has been deferred until prior to the determination of the development application for Stage 3 of the CURP. By deferring the timing of the execution of the planning agreement it would allow the project to proceed whilst still ensuring that all community items could be legally secured prior to the carrying out of any Stage 3 works.

In this respect and in order to assist and encourage the NSW Government to proceed and achieve the planned redevelopment of the community of Claymore, it is recommended that Council resolve to approve the compulsory acquisition of the portions of its land as described in Table 1 together with any necessary roads/laneways as outlined in attachment 1 required for the Stage 1 and Stage 2 development of the CURP subject to the JRPP approving the Development Application for Stage 1 and Stage 2. It is also recommended that Council waive the standard acquisition notice period (90 days).

It should be noted that a further report will be submitted to Council once a draft VPA/Infrastructure Services Delivery Plan (ISDP) have been finalised which will deal with the compulsory acquisition/land transfer issues concerning the whole of the CURP. That report will specifically identify the relevant areas of land, values and embellishment works to be undertaken.

Officer's Recommendation

1. That Council resolves that it has no objection to NSW Land and Housing Corporation compulsorily acquiring the portions of Council land as described in Table 1 together with any necessary roads/laneways as outlined in attachment 1 required for the Stage 1 and Stage 2 development of the Claymore Urban Renewal Project subject to the Sydney West Joint Regional Planning Panel approving the development application for Stage 1 and Stage 2.
2. That NSW Land and Housing Corporation pay all costs associated with the compulsory acquisition of Council land required for the Stage 1 and Stage 2 development of the CURP with any public infrastructure or land identified in Stages 1 and 2 of Claymore Urban Renewal Project be delivered and dedicated at no cost to Council.
3. That Council also resolves that it waives the standard acquisition notice period associated with the compulsory acquisition of Councils land and roads/laneways as identified in this report as being required for the Stage 1 and Stage 2 development of the Claymore Urban Renewal Project.
4. That a further report will be submitted to Council once a draft VPA/Infrastructure Services Delivery Plan (ISDP) have been finalised which will deal with the compulsory acquisition/land transfer issues concerning the whole of the Claymore Urban Renewal Project.
5. That all documentation associated with the compulsory acquisition of Council land required for the Stage 1 and Stage 2 development of the Claymore Urban Renewal Project as outlined in the body of the report be executed under the Common Seal of Council, if required.

Committee's Recommendation: (Kolkman/Borg)

That the Officer's Recommendation be adopted.

CARRIED

At the conclusion of the discussion regarding Items 2.2 and 2.3, Councillor Hawker returned to the room for the remainder of the meeting.

Council Meeting 14 October 2014

Having declared an interest in regard to Item 2.3, Councillor Hawker left the Chamber and did not take part in debate nor vote on this item.

Council Meeting 14 October 2014 (Mead/Oates)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 199

That the Officer's Recommendation be adopted.

Councillor Dobson asked that her name be recorded in opposition to the resolution regarding Item 2.3 - Claymore Urban Renewal Project - VPA Land Acquisitions, Transfers and Dedications.

At the conclusion of the discussion regarding Item 2.3, Councillor Hawker returned to the Chamber for the remainder of the meeting.

ATTACHMENT 1



3. FINANCIAL SERVICES

3.1 Investment report - August 2014

Reporting Officer

Manager Financial Services

Attachments

Investment portfolio performance as at 31 August 2014 (contained within this report)

Purpose

To provide a report outlining Council's investment portfolio performance for the month of August 2014.

Report

Council invests any surplus funds that become available through the financial instrument designated by the Ministerial Order from the Office of Local Government. The *Local Government Act 1993* and the *Local Government (General) Regulation 2005* require a monthly investment report be presented to Council.

Council's Investment Portfolio as at 31 August 2014 stood at approximately \$90m. Funds are currently being managed both by Council staff and Fund Managers and are in accordance with the *Local Government Act 1993*, *Local Government (General) Regulation 2005* and Council's Investment Policy.

Portfolio Performance

Directly managed investments show an outperformance of the 90 day bank bill index benchmark by more than 100 basis points for the reporting period.

Monthly annualised return	August
Council Managed Funds	3.81%
Benchmark: 90 Day Bank Bill Index	2.72%

Investment returns can fluctuate during any one reporting period based on market perceptions, or as in the case of funds under management, changes in asset classes. As such, any measurement of performance is better reflected over a rolling 12 month period to average out any fluctuations in monthly performance. Council's total investment portfolio has outperformed the benchmark on average over the last 12 months.

Rolling year to date return	August
Council Managed Funds	4.02%
Benchmark: 90 Day Bank Bill Index	2.62%

Council's portfolio as at 31 August 2014 is diversified with 72% in term deposits of varying lengths of maturity which are managed in accordance with market expectations and Council's investment strategy, 20% in floating rate deposits which gives Council a set margin above either 30 or 90 day bank bills, 7% in fixed rate bonds, 1% in funds in a short term at call account.

Maturity profile	31 August
Short term at call	\$1,208,117
0 – 3 months	\$36,634,207
3 – 6 months	\$23,540,184
6 – 12 months	\$14,335,603
12 months +	\$14,500,000

All investments are placed with approved deposit taking institutions. No funds are placed with any unrated institutions.

Credit exposure	31 August
AAA to AA-	75%
A+ to A-	20%
BBB+ to BBB-	5%
Other approved deposit taking institutions	0%

Economic outlook

The Reserve Bank of Australia (RBA) Board left the cash rate unchanged at the present level of 2.5% at its meeting held on 2 September, which was widely anticipated by most economists. The accompanying statement to this decision was relatively unchanged from previous months and reiterated that present indications suggest a period of stability in interest rates. The RBA was however more explicit in implying the Australian Dollar was overvalued and not offering the assistance required in achieving balanced growth in the economy.

Summary

Council's investment portfolio continues to outperform the benchmark of the 90 day bank bill index. The Local Government Investment Guideline leaves little scope for the enhancement of Council's investment portfolio with the various investment products being offered. However, to enhance the portfolio, advantage is taken on the length of maturity of the investment given the rating of the institution, as well as reviewing any new investment products offered in consultation with Council's financial advisor, Spectra Financial Services.

Regular liaison with Council's external financial advisor assists in monitoring all of the risk factors to maximise Council's return on the investment portfolio, while minimising the risk associated with this strategy.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Hawker/Borg)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 14 October 2014 (Mead/Hawker)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 198

That the Officer's Recommendation be adopted.

ATTACHMENT 1

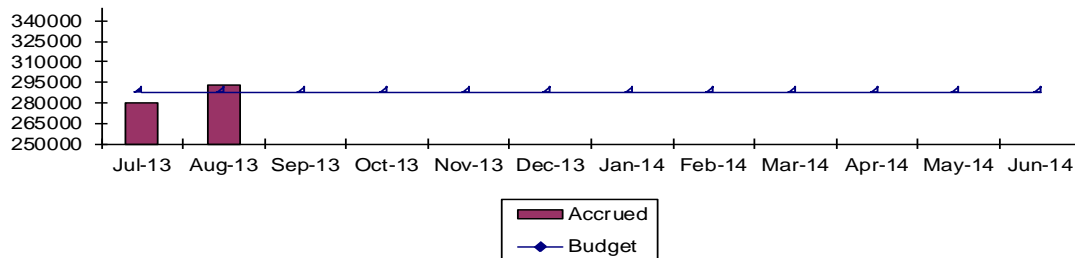
CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO Summary August 2014

Benchmark UBS Warburg 90 Day Bank Bill Index
 Portfolio Balance \$90,218,111.42

Monthly Performance	Return (mth)	Return (pa)
UBSW 90 Bank Bill Index	0.23%	2.72%
Total Portfolio	0.32%	3.80%
<i>Performance to Benchmark</i>	+ 0.09%	+ 1.08%
Portfolio - Direct Investments	0.32%	3.81%
<i>Performance to Benchmark</i>	+ 0.09%	+ 1.10%
Short Term Call Account	0.25%	2.90%

□

Monthly Interest Accrued

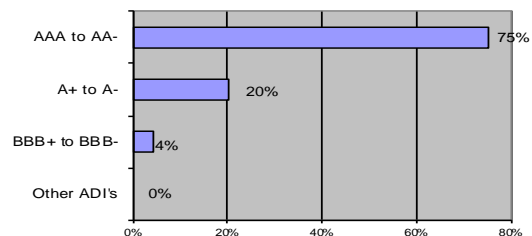


Year to Date Performance

Credit Exposure

Rolling 12 Month Period
 4.02% Council Managed Funds
 2.62% Benchmark

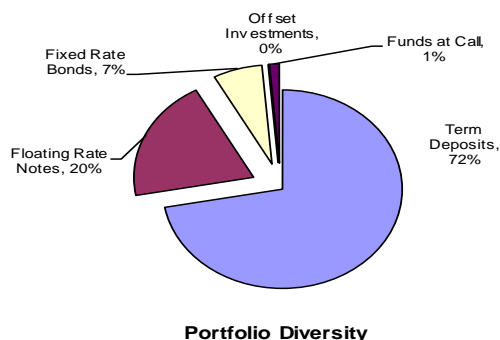
Interest Budget to Actual \$575,000
 Average Budget to Period \$572,909
 Actual Accrued to Period



Securities

Institutions

□



	Amount Invested	% Portfolio
Funds at Call	\$ 1,208,117.24	1%
NSW Treasury	\$ 2,225,000.00	2%
National Australia Bank	\$33,672,954.10	37%
ANZ Bank	\$ 3,500,000.00	4%
Westpac Bank	\$11,062,183.77	12%
St George Bank	\$ 3,541,863.69	4%
Commonwealth Bank	\$ 6,500,000.00	7%
Bank Western Australia	\$ 6,271,493.27	7%
AMP Bank	\$ 3,000,000.00	3%
Suncorp Metway	\$ 5,236,499.35	6%
ING Bank	\$ 4,000,000.00	4%
Rural Bank	\$ 2,000,000.00	2%
Bank of Queensland	\$ 4,000,000.00	4%
ME Bank	\$ 4,000,000.00	4%
Total	\$90,218,111.42	100%

3.2 Monthly Rates Summary - August 2014

Reporting Officer

Manager Financial Services

Attachments

1. Monthly rates summary (contained within this report)
2. Actual to budget result (contained within this report)
3. Rates statistics (contained within this report)

Purpose

To provide details of the 2014-2015 Rates and Charges Levy and cash collections for the period ending 31 August 2014.

Report

Rates and Charges levied for the period 31 August 2014 totalled \$92,980,546 representing 99.8% of the estimated annual budget amount.

Receipts collected to the end of August totalled \$19,948,420.37. This amount represents 21.1% of all rates and charges due to be paid. In comparison, the amount collected in the same period last year was 22.1%. The first instalment due date was a Sunday, however payments made on the Monday were received as paid on time and without any penalties applied. Council records show a large number of receipts were received on the Monday which represented a correction to the current shortfall.

The preferred method of payment is BPay via phone and internet bank account payments with 46% of all payments made this way. Payments over the counter at Australia Post offices or agencies represent 31% and 11% by credit card over the phone or internet.

Debt recovery action during the month involved the issue of 34 Statements of Claim and 39 Writs. All formal recovery action taken prior to the August instalment is in relation to arrears carried forward from 30 June 2014.

Ratepayers who have purchased property and have a balance unpaid since the annual notices were issued will receive a 'Notice to New Owner' letter. This letter advises ratepayers the annual amount levied and any balance unpaid since their settlement occurred. During August, 86 of these notices were sent to ratepayers.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Hawker/Mead)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 14 October 2014 (Mead/Hawker)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 198

That the Officer's Recommendation be adopted.

ATTACHMENT 1

RATES SUMMARY

STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2014	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,229,478.24	52,281,734.62	1,346,240.27	123,084.65	53,288,057.24	11,045,473.32	42,242,583.92	373,374.60	42,615,958.52
BUSINESS	505,760.07	17,420,385.90		13,486.89	17,939,632.86	3,853,207.72	14,086,425.14		14,086,425.14
BUSINESS - IND	2,596.47	0.00		19.15	2,615.62	2,712.15	-96.53		-96.53
FARMLAND	9,799.71	722,268.05	887.10	2.88	731,183.54	55,678.99	675,504.55	142,810.97	818,315.52
MINING	0.00	6,937.17		0.00	6,937.17	6,937.17	0.00		0.00
LOAN	221,327.81	-331.70		1,233.01	222,229.12	80,559.34	141,669.78	38,970.59	180,640.37
INFRASTRUCTURE	0.00	5,480,888.29		0.00	5,480,888.29	1,076,557.27	4,404,331.02	9,291.42	4,413,622.44
F5 ACCESS RAMPS	719.65	0.00		2.88	722.53	334.23	388.30		388.30
TOTAL	\$2,969,681.95	\$75,911,882.33	\$1,347,127.37	\$137,829.46	\$77,672,266.37	\$16,121,460.19	\$61,550,806.18	\$564,447.58	\$62,115,253.76
GARBAGE	672,970.21	17,070,379.95	803,294.74	5,053.48	16,945,108.90	3,603,480.36	13,341,628.54		13,341,628.54
STORMWATER	48,658.95	1,031,210.09		95.40	1,079,964.44	223,479.82	856,484.62		856,484.62
GRAND TOTAL	\$3,691,311.11	\$94,013,472.37	\$2,150,422.11	\$142,978.34	\$95,697,339.71	\$19,948,420.37	\$75,748,919.34	\$564,447.58	\$76,313,366.92

Total from Rates Financial Transaction Summary	76,071,408.86
Overpayments	-241,958.06
Difference	0.00

ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	388,320.94
Rate accounts greater than 12 months less than 18 months in arrears	221,989.00
Rate accounts greater than 18 months in arrears	41,081.87
TOTAL rates and charges under instruction with Council's agents	\$651,391.81

ATTACHMENT 2

COMPARISON OF BUDGET TO ACTUAL

DESCRIPTION	ORIGINAL BUDGET	REVISED BUDGET	ACTUAL	BALANCE STILL REQD.	% RAISED
RESIDENTIAL	51,874,900	51,874,900	52,281,735	(406,835)	100.78%
BUSINESS	17,321,100	17,321,100	17,420,386	(99,286)	100.57%
FARMLAND	407,200	407,200	722,268	(315,068)	177.37%
MINING	15,200	15,200	6,937	8,263	45.64%
INFRASTRUCTURE	5,414,300	5,414,300	5,480,888	(66,588)	101.23%
TOTALS	75,032,700	75,032,700	75,912,214	(879,514)	101.17%
INTEREST CHARGES	348,200	348,200	21,109	327,091	6.06%
LEGAL COSTS RECOVERED	840,000	840,000	115,812	724,188	13.79%
PENSIONERS - Sec 575	(1,774,400)	(1,774,400)	(1,782,260)	7,860	100.44%
PENSIONERS - Sec 582	(370,000)	(370,000)	(368,163)	(1,838)	0.00%
PENSIONERS SUBSIDY	975,920	975,920	980,243	(4,323)	100.44%
SUB TOTAL	75,052,420	75,052,420	74,878,956	173,464	99.77%
DOMESTIC WASTE CHARGES	16,805,600	16,805,600	16,644,142	161,458	99.04%
COMMERCIAL WASTE CHARGES	372,600	372,600	426,238	(53,638)	114.40%
STORMWATER MNGMNT	897,000	897,000	1,031,210	(134,210)	114.96%
GRAND TOTALS	93,127,620	93,127,620	92,980,546	147,074	99.84%

COLLECTIONS AS A % OF:	TOTAL RECEIVABLE	TOTAL LEVIED	TOTAL RECEIVABLE	TOTAL LEVIED
RESIDENTIAL	20.73%	21.13%	RATES	21.24%
BUSINESS	21.48%	22.12%	WASTE	21.11%
FARMLAND	7.61%	7.71%	STORMWATER	21.67%
INFRASTRUCTURE	19.64%	19.64%	TOTAL RATES & CHARGES	21.48%
ALL RATES	20.76%	21.24%	21.10%	21.48%

3.3 Sundry Debtors Report - August 2014

Reporting Officer

Manager Financial Services

Attachments

1. Debtors summary to 31 August 2014 (contained within this report)
2. Ageing of sundry debts to 31 August 2014 (contained within this report)

Purpose

To provide a report detailing the amount outstanding by type and age for sundry and miscellaneous debts for the period ending 31 August 2014.

Report

Debts outstanding to Council as at 31 August 2014 are \$930,766, reflecting a decrease of \$1,201,705 since July 2014. The ratio of outstanding debts to current invoices has increased from 20% in July to the current level of 38%. This debtor management ratio is a measure of the effectiveness of recovery efforts, however is impacted by Council policies as well as economic and social conditions.

Invoices raised – August 2014

During the month, 616 invoices were raised totalling \$509,204. The majority of these are paid within a 30 day period, however those that remain unpaid from previous periods for longer than 90 days are detailed at the end of this report. The most significant invoices raised during the month have been in the following areas:

Land and Building Rentals – \$118,096 – the main invoices relate to:

Nuvezo Pty Ltd - monthly rental Dumaresq Street Cinema	\$23,283
Aldi Stores - monthly rental Macquarie Fields	\$22,517
Glenquarie Hotel Pty Ltd - monthly rental Macquarie Fields	\$20,438
Caltex Oil Australia Pty Ltd - monthly rental Macquarie Fields	\$15,062
Mycorp Group Pty Ltd - monthly rental Macquarie Fields	\$13,696
McDonalds Australia Limited - monthly rental Macquarie Fields	\$7,565
Macarthur Community Options - monthly rental Campbelltown	\$5,958

Waste Collection Services – \$104,612 – the main invoices relate to:

G & G Waste Services - effluent removal for June and July	\$51,744
Remondis Australia Pty Ltd - effluent removal for June and July	\$49,661

Sportsground and Field Hire – \$98,175 – the main invoices relate to:

Total Event & Management Service Pty Ltd - commission on sales from stadium events	\$25,499
West Tigers Football Club - hire of sports stadium and commission on ticket sales	\$24,569
Sydney South West School Sport Association - hire of sports stadium	\$4,633

Various Sundry Items – \$42,699 – the main invoices relate to:

Australian Rail Track Corporation - deed of consent for encroachment - Padmount Transformer, Farrow Road and legal costs	\$14,087
Greater Sydney Tourism Inc - reimbursement for 2014 Discovery Sydney Publication	\$8,993
Camden Council - contribution to cost of legal advice from Sparke Helmore Lawyers regarding South West Sydney Councils Resource Recovery Project and half share of Sydney Retirement and Lifestyle Expo 2015	\$5,380
Wingecarribee Shire Council - contribution to costs of legal advice from Sparke Helmore Lawyers in relation to the South West Sydney Councils Resource Recovery Project	\$3,620
Wollondilly Shire Council - contribution to costs of legal advice from Sparke Helmore Lawyers in relation to the South West Sydney Councils Resource Recovery Project	\$3,620
Macarthur Rams Football Club Inc - corporate box at Sydney FC versus Macarthur Rams trial match held at Campbelltown Sports Stadium	\$3,000

Receipts to the value of \$1,711,438 have been received during the period, the most notable in the following areas:

Government and other Grants	\$1,019,150
Corporate Administration	\$214,288
Sportsground and Field Hire	\$114,743
Land and Building Rentals	\$108,843
Road and Footpath Restoration	\$65,174

Sundry debts outstanding – 31 August 2014

Debts exceeding 90 days of age totalled \$223,327 as at 31 August 2014. The major invoices relating to this balance include:

Description	Date Invoiced	Balance
Debtor 68316.9 - retaining wall between Lot 1451 DP 703487, 2 and 4 Brownlow Place, Ambarvale. Debtor is maintaining arrangement to pay \$450 per month as approved by Council	09/06/10	\$12,407
Imperium Projects Pty Ltd - Road Restoration at 25 Blaxland Rd Campbelltown. Matter has been referred to Council's agents Executive Collections. Statement of Liquidated Claim was issued to debtor on 04/06/14. Payment arrangement of \$600 per month commencing June 2014	03/01/14	\$1,773
Debtor 67532.2 - Compliance Service Administration fees and contractor fees to reduce overgrown vegetation. Property owners are bankrupt and a Trustee has been appointed. As this is a property related debt, the account will be paid when the property is sold	08/05/09 to 14/09/11	\$6,320
Caspers Baseball Club - electricity charges. Club is experiencing financial difficulty, unable to commit to structural payment plan but have been making irregular payments to reduce the debt	17/12/12 to 14/03/14	\$8,127
West's Tigers Football Club - hire of athletics centre and commission on ticket sales. Arrangement to pay \$5,000 per week is being maintained	18/06/13 to 19/05/14	\$3,943
Wise Consulting Services Pty Ltd - hire of sports stadium by Chinese Football Association AFC Asian Cup for training 29 December 2014 to 5 January 2015. Payment is expected in December 2014 once visa's issued	15/05/14	\$12,500
Telstra Corporation Limited - access deed fees for Campbelltown Showground for April 2012, 2013 and 2014. Payment is expected early October 2014	07/05/14	\$45,878
JPG Exhibition Pty Ltd - refund of exhibit fees for 'Baby Boomers and Retiree Expo 2012' paid by Council which was cancelled. Legal action commenced however debtor declared bankrupt - proposed write off as can not pursue further	15/11/11	\$3,641
Minto Cobras JRLFC - electricity charges and hire fees relating to usage of Benham Oval. Administrator has been appointed by Western Suburbs District Junior Rugby League Limited, outcome expected by early October	15/05/12	\$5,280
MPS Plumbing Services - debt relates to road restoration works at Victoria Road, Macquarie Fields. Legal action commenced June 2014, Statement of Liquidated Claim issued, payment arrangement entered into with debt to be finalised by September, however debtor defaulted on arrangement. Judgment obtained August 2014	18/03/13	\$4,733
Caltex Oil Australia Pty Ltd - dispute over market review, this amount is subject to independent assessment	08/02/13	\$5,528

Debt recovery action is undertaken in accordance with Council's Sundry Debtor Recovery Procedures Policy and commences with the issue of a tax invoice. A person or entity may be issued any number of invoices during the calendar month for any business, services or activities provided by Council. At the conclusion of each calendar month, a statement of transactions is provided with details of all invoices due and how payments or credit notes have been apportioned. Once an invoice is paid, it no longer appears on any subsequent statement.

All debts that age by 60 days or more are charged a statement administration fee of \$5.50 per statement. Debtors are contacted by telephone, email or in writing to make suitable arrangements for payment of the overdue debt. Where a suitable arrangement is not achieved or not maintained as agreed, a seven day letter is issued referencing referral to Council's debt recovery agents.

Matters referred to Council's recovery agent are conducted in accordance with relevant legislation and the *Civil Procedures Act 2001*. Formal legal recovery commences with a letter of demand (or letter of intent) providing debtors with at least 14 days to respond. In the event that no response is received, instructions are given to proceed to Statement of Claim allowing a further 28 days to pay or defend the action. Failing this, the matter will automatically proceed to judgment and continue through the *Civil Procedures Act 2001* process.

All costs associated with formal legal recovery are payable by the debtor and staff continue to make every effort to assist debtors to resolve their outstanding debt before escalating it through the local court.

During the month, seven accounts were issued a letter of demand on Council's letterhead, advising that if the account was not settled or an appropriate arrangement was not made, the account will escalate to formal legal action through Council's agents.

The first stage of formal legal recovery action commenced on 36 accounts. The defaulting debtors were issued a letter of demand by Council's agents Executive Collections, advising that if the account was not settled or an appropriate arrangement was not made the account may be escalated to a Statement of Liquidated Claim.

Council's agents were instructed to proceed with three Statements of Claim, for unpaid licence fees and one Judgment for unpaid road restoration.

Council officers continue to provide assistance to debtors experiencing difficulties in paying their accounts. Debtors are encouraged to clear their outstanding debts through regular payments where possible, to avoid any further recovery action.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Kolkman/Mead)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 14 October 2014 (Mead/Hawker)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 198

That the Officer's Recommendation be adopted.

ATTACHMENT 1

DEBTORS SUMMARY 1 August 2014 to 31 August 2014

DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/07/2014	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 31/08/2014	% DEBT RATIO
Corporate Administration	240,823	31,718	214,288	58,252	6.26%
Abandoned Items	8,944	0	0	8,944	0.96%
Education and Care Services	18,710	0	0	18,710	2.01%
Community Bus	143	442	56	528	0.06%
Sportsground and Field Hire	209,725	98,175	114,743	193,156	20.75%
Government and other Grants	1,101,838	0	1,019,150	82,688	8.88%
Public Hall Hire	19,414	51,016	52,612	17,818	1.91%
Health Services	350	0	0	350	0.04%
Land and Building Rentals	62,961	118,096	108,843	72,214	7.76%
Healthy Lifestyles	3,094	4,602	1,702	5,993	0.64%
Library Fines and Costs	178,869	0	529	178,869	19.22%
Licence Fees	56,263	11,135	24,050	43,348	4.66%
Pool Hire	7,522	15,041	7,061	15,502	1.67%
Private Works	22,606	0	450	22,156	2.38%
Road and Footpath Restoration	99,011	5,295	65,174	39,132	4.20%
Shop and Office Rentals	22,377	26,374	25,207	23,544	2.53%
Various Sundry Items	119,258	42,699	30,577	131,380	14.12%
Waste Collection Services	0	104,612	46,996	57,616	6.19%
	2,132,471	509,204	1,711,438	930,766	100%

ATTACHMENT 2

AGEING OF SUNDRY DEBTOR ACCOUNTS - 31 August 2014

Description	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	24,445	2,185	5,558	26,064	58,252	25,171
Abandoned Items	0	0	0	8,944	8,944	8,944
Education and Care Services	18,710	0	0	0	18,710	0
Community Bus	475	0	54	0	528	0
Sportsground and Field Hire	87,794	45,303	13,754	46,305	193,156	63,604
Government and other Grants	0	0	62,731	19,957	82,688	7,700
Public Hall Hire	2,831	9,751	1,529	3,707	17,818	2,433
Health Services	0	0	0	350	350	350
Land and Building Rentals	0	64,830	1,230	6,153	72,214	5,625
Healthy Lifestyles	4,644	282	900	168	5,993	269
Library Fines and Costs	178,869	0	0	0	178,869	0
Licence Fees	9,672	5,905	5,605	22,166	43,348	25,871
Pool Hire	12,114	1,846	0	1,542	15,502	1,978
Private Works	0	0	0	22,156	22,156	21,867
Road and Footpath Restoration	5,295	4,575	22,909	6,354	39,132	26,837
Shop and Office Rentals	0	18,486	5,057	0	23,544	71
Various Sundry Items	37,765	18,345	15,808	59,463	131,380	14,102
Waste Collection Services	57,616	0	0	0	57,616	0
	400,795	171,509	135,135	223,327	930,766	204,822

3.4 Pensioner Rebates

Reporting Officer

Manager Financial Services

Attachments

1. Pensioner average rates summary (contained within this report)
2. Pensioner average rates 10 year estimate (contained within this report)

Purpose

To provide information to Council on the rates and charges paid by eligible pensioners and the financial impact on Council's budget to increase the voluntary rebate.

History

Council at the meeting held on 16 September 2014, Ordinary Meeting Item 7.4 Minutes of the Corporate Governance Committee requested two items be submitted by report in regards to Pension Rebate Concessions.

1. That a report be presented to Council comparing the Council rates paid by pensioners in the local government area under normal IPART indexation and the recent 11% rate rise in the next 10 years.
2. That the report also include the financial impact on this Council to increase the pensioner rebate to offset the 11% rate rise.

Report

In accordance with the *Local Government Act 1993*, Council is required to provide eligible pensioners with a rebate of 50% capped at \$250 on any ordinary rate and annual domestic waste management charges levied each year. This rebate concession is referred to as the statutory rebate and is subject to strict compliance auditing processes as 55% of the amounts written off are reimbursed by the State Government.

In addition to the statutory rebate, a council may elect to increase the rebate amount through a voluntary rebate concession. The legislation is prescriptive in allowing this rebate that may only be applied to eligible pensioners who meet the defined criteria. Council currently provides all eligible pensioners with a voluntary rebate of \$50. The whole voluntary rebate is a cost to Council's budget without any reimbursement from the State Government, the current budget for this expenditure is \$370,000.

In April 2013, Council resolved to include a voluntary rebate of \$50 to be included in the 2013-2014 budgetary process and the additional rebate be included in the suite of Integrated Planning and Reporting Framework documents. Accordingly, the additional rebate has been included in the 2013-2023 Long Term Financial Plan and Revenue Pricing Policy within the 2014-2015 Operational Plan.

An eligible pensioner is defined in the *Local Government (General) Regulation 2005* as a person entitled to a pensioner concession card or in receipt of Department of Veterans' Affairs pension. To be considered eligible, the recipient of a pension must be liable to pay rates and charges and occupy the subject property.

Currently Council provides 7379 eligible pensioners with a rebate concession. The total value of these rebate concessions is \$2,150,423, reduced by the State Government subsidy of \$980,243 to result in a total cost to the budget of \$1,170,180.

The current rebate calculation process is based on criteria determined by the *Local Government Act 1993* and the *Local Government (General) Regulation 2005* with the rebate applied proportionately to the Residential or Farmland rate and Domestic Waste Management charges.

The table identified as attachment 1 shows the average rates payable by ratepayers categorised Residential and Farmland. Of the 7379 pensioners, 391 pay the equivalent to the average and 748 pay the minimum.

The analysis has revealed an increase to the average pensioner rebate of \$99.12 would be required to offset the additional 8.7% rate increase. The financial impact on Council's annual budget is estimated to be \$733,500 in addition to the current \$370,000 resulting in a total voluntary rebate of \$1,103,500. The total impact on Council's budget in providing a total subsidy plus the existing pensioner rebate will be \$1,903,680.

As rates are calculated on a perpetual scale based on the land value for each rateable parcel and domestic waste is a fixed annual charge the rebate amount would need to be calculated separately for each rateable assessment. The analysis shows that pensioners have been affected by the additional 8.7% by amounts of between \$54 and \$403 per annum. To formulate a robust offset for all eligible pensioners, the additional voluntary rebate would need to be calculated individually.

The table identified as attachment 2 contains details of the average rates and charges payable by pensioners. This table compares the possible outcome on the average rate-paying pensioner over the next ten years, item 1 represents the current structure and item 2 represents estimates based on normal IPART indexation. Item 3 shows the difference in the average residential ratepayer account and possible future impact each year.

All future years are estimates of the average pensioner's rates and may be influenced by changes in the land valuations used for rating and the impact of changes in costs for the provision of domestic waste management charges.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Hawker/Greiss)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 14 October 2014 (Mead/Hawker)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 198

That the Officer's Recommendation be adopted.

ATTACHMENT 1

2015		Average	Minimum	Max
Residential	Residential rates	1,011.37	651.30	5,955.04
	Special Rate - Infrastructure	89.86	7.23	546.00
	Domestic Waste & Stormwater	330.38	321.40	331.40
	Less: Pensioner Rebate	(300.00)	(300.00)	(300.00)
TOTAL		1,131.62	679.93	6,532.44
	Number	391	748	1
Farmland	Farmland rate	2,462.39	1,448.11	3,802.30
	Special Rate - Infrastructure	319.59	187.95	325.50
	Less: Pensioner Rebate	(300.00)	(300.00)	(300.00)
	TOTAL	2,481.99	1,336.06	3,827.80

ATTACHMENT 2

	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	TOTAL
1. Average - current structure	3.6%	3.4%	11%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%
Average pensioner rate account	993.78	1,002.54	1,131.62	1,174.56	1,218.80	1,264.37	1,311.30	1,359.63	1,409.42	1,460.71	1,513.53	1,567.93	15,679.3
2. Average - Ratepeg only	3.6%	3.4%	2.3%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
Average pensioner rate account	993.78	1,002.54	1,032.49	1,072.47	1,113.64	1,156.05	1,199.73	1,244.73	1,291.07	1,338.80	1,387.96	1,438.60	14,386.0
3. Difference - SRV to Ratepeg			(99.12)	(102.09)	(105.16)	(108.31)	(111.56)	(114.91)	(118.36)	(121.91)	(125.56)	(129.33)	(1,136.31)
Voluntary Rebate (\$50)	364,000	1,103,497	1,125,502	1,148,167	1,171,512	1,195,558	1,220,324	1,245,834	1,272,109	1,299,172	1,327,048	1,357,048	13,270,48
Statutory Rebate (\$250)	1,816,269	1,870,757	1,926,880	1,984,686	2,044,227	2,105,554	2,168,720	2,233,782	2,300,795	2,369,819	2,440,914	2,514,914	24,409,14
Rebate subsidy (55%)		(998,948)	(1,028,916)	(1,059,784)	(1,091,577)	(1,124,325)	(1,158,054)	(1,192,796)	(1,228,580)	(1,265,437)	(1,303,400)	(1,342,503)	(13,425,03)
TOTAL	1,181,321	1,945,338	1,992,598	2,041,276	2,091,414	2,143,057	2,196,248	2,251,036	2,307,467	2,365,591	2,425,459	2,485,459	24,254,59

4. HUMAN RESOURCES

No reports this round

5. INFORMATION MANAGEMENT AND TECHNOLOGY

No reports this round

6. GENERAL BUSINESS

6.1 Development Application Process

Committee's Recommendation: (Mead/Greiss)

1. That a report be presented on the development application process, particularly as it relates to residential and small business, regarding:
 - (i) DA approval times – including a comparison to Camden and the councils that fall within the Group 7 Metropolitan Fringe category of the Office of Local Government's Comparative Data publication.
 - (ii) The types of developments which require approval in Campbelltown but do not require approval in other similar councils (e.g. Group 7 councils and Camden).
2. That Council contact the NSW Business Chamber and the local Chambers of Commerce and report on their suggestions regarding:
 - (i) How Council could streamline the DA process for small business.
 - (ii) Any developments currently requiring approval which they believe would be appropriate to be made exempt.

CARRIED

Council Meeting 14 October 2014 (Mead/Hawker)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 198

That the Committee's Recommendation be adopted.

21. CONFIDENTIAL ITEMS

No reports this round

There being no further business the meeting closed at 6.33pm.

C Mead
CHAIRPERSON
