

# **Reports of the Corporate Governance Committee Meeting held at 5.30pm on Tuesday, 22 July 2014.**

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## **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 22 July 2014**

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**Present**

His Worship the Mayor, Councillor C Mead  
Councillor S Dobson (Chairperson)  
Councillor F Borg  
Councillor G Greiss  
Councillor P Hawker  
Councillor R Kolkman  
Councillor P Lake  
Acting Director Business Services – Ms C Mears  
Acting Director City Works - Mr K Lynch  
Acting Manager Assets and Supply Services - Mr W Miller  
Acting Manager Business Assurance - Mr C Taylor  
Manager Emergency and Facility Management - Mr R Blair  
Acting Manager Governance and Administration - Mr T Rouen  
Manager Human Resources - Mr B Clarence  
Manager Information Management and Technology - Mrs S Peroumal  
Manager Operational Services - Mr A Davies  
Manager Property Services - Mr J Milicic  
Manager Waste and Recycling Services - Mr P Macdonald  
Policy and Governance Coordinator - Ms J Warner  
Internal Auditor - Ms M Brockwell  
Executive Assistant - Mrs K Peters

**Apology** nil

**Note:** Councillor A Chanthivong has been granted a leave of absence from Council, incorporating all formal Council and Committee meetings until Tuesday 12 August 2014.

**Acknowledgement of Land**

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

**Also in Attendance**

Bruce Hanrahan - Chairperson - Audit Committee

**DECLARATIONS OF INTEREST**

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

**Pecuniary Interests - nil**

**Non Pecuniary – Significant Interests - nil**

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**Non Pecuniary – Less than Significant Interests**

Councillor Hawker - Item 2.1 - Claymore Urban Renewal Project - Council land Stage 1 and 2 - Councillor Hawker advised that he is a panel member of the Joint Regional Planning Panel and that he will leave the room and not take part in debate.

Councillor Lake - Item 2.1 - Claymore Urban Renewal Project - Council land Stage 1 and 2 - Councillor Lake advised that he is a panel member of the Joint Regional Planning Panel and that he will leave the room and not take part in debate.



## **1. GOVERNANCE AND ADMINISTRATION**

### **1.1 Local Government NSW Annual Conference 2014**

#### **Reporting Officer**

Acting Manager Governance and Administration

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#### **Attachments**

Copy of letter from Local Government NSW (contained within this report)

#### **Purpose**

To advise Councillors of the 2014 Local Government NSW Conference and to seek the appointment of Council's ten voting delegates.

#### **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.

The conference is the pre-eminent event of the Local Government event calendar, where Councillors come together to share ideas and debate issues contained within the conference business paper.

Local Government NSW is seeking input from councils to guide the content of the business sessions.

Councils are requested to identify the most important issues which they believe are causing concern to the council and/or the local community and provide these details to the Association prior to Friday 1 August 2014.

Councils should identify issues or motions relating to the following overall categories:

1. Industrial Relations and Employment
  2. Economic
  3. Environmental
  4. Governance/Civic Leadership
  5. Social Policy.
-

Details of what functions or issues fall in each category are set out in the LGNSW Conference Business Submission Form (attachment 1).

In addition to identifying an issue, councils are encouraged to suggest an appropriate solution by including either a motion which could be considered by the conference or notes which might guide delegates to an agreed position.

The association will review all responses received and then identify the top issues as identified overall by member councils. These issues will then be put to the conference for debate and deliberation as part of the business sessions.

Issues identified by councils which fall outside of the selected issues will be considered by the Board prior to the conference and councils will be informed by the President of the outcome of these deliberations.

Council is requested to nominate ten delegates and authorise their attendance at the 2014 Local Government NSW Conference. Councillors Greiss and Hawker are members of the Local Government NSW Board and are entitled to attend the conference in that capacity.

It has been Council's practice to authorise the attendance at the conference of any Councillor interested in attending, but not nominated as a voting delegate.

### **Officer's Recommendation**

1. That Council nominate, and authorise the attendance, of ten voting delegates to the 2014 Local Government NSW Conference.
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.

### **Committee's Recommendation: (Hawker/Lake)**

That the Officer's Recommendation be adopted.

**CARRIED**

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### **Council Meeting 29 July 2014 (Dobson/Greiss)**

That the Officer's Recommendation be adopted.

#### **Amendment (Hawker/Borg)**

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.

### **Council Resolution Minute Number 133**

That the above amendment be adopted.

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## ATTACHMENT 1



Our ref: R13/0029 Out - 22524

29 May 2014

Mr Paul Tosi  
General Manager  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

JUN03'14 08:05:12 RCVD

Dear Mr Tosi

### Local Government NSW Annual Conference

The Local Government NSW Annual Conference will be held at the C.ex Coffs (formerly ExServices Club, the same venue as the 2007 conference) from Sunday 19 October – Tuesday 21 October 2014.

Following the feedback from delegates in 2013 in Sydney, where some delegates requested the discussion of specific motions and others requested the discussion of consolidated overarching issues, the Board has decided to try to balance both. Taking into consideration your concerns, the Board has set the first day of business as the primary time to discuss all issues and motions, and a session time will be put aside to ask you how you wish to deal with motions and issues into the future.

The Association would now like to receive input from Councils to guide the content of the business sessions. Councils are requested to identify the most important issues which they believe are causing concern to the Council and/or the local community and provide these details to the Association prior to **Friday 1 August 2014**.

Councils should identify issues or motions relating to the following overall categories:

1. Industrial relations and employment
2. Economic
3. Environmental
4. Governance/Civic leadership
5. Social Policy

Details of what functions or issues fall in each category are set out in the LGNSW Conference Business Session Submission Form, with a guide attached to this letter.

In addition to identifying an issue, Councils are encouraged to suggest an appropriate solution by including either a motion which could be considered by the Conference or notes which might guide delegates to an agreed position.

The Association will review all responses received and then identify the top issues as identified overall by member councils. These issues will then be put to the Conference for debate and deliberation as part of the business sessions.

LOCAL GOVERNMENT NSW  
GPO BOX 7003 SYDNEY NSW 2001  
L8, 28 MARGARET ST SYDNEY NSW 2000  
T 02 9242 4000 F 02 9242 4111  
LGNSW.ORG.AU LGNSW@LGNSW.ORG.AU  
ABN 49 853 913 882

Issues identified by Councils which fall outside of the issues will be considered by the Board prior to the Conference and your council will be informed by the President of the outcome of these deliberations. A copy of the Draft Program (as at 27 May 2014) is attached for your information.

It would be appreciated if Councils could provide their identified issues and any accompanying notes or motions using the online form which can be found on the Association's website at <http://www.lgnsw.org.au/events-training/local-government-nsw-annual-conference> prior to **Friday 1 August 2014**.

For any further information regarding this matter please contact Peter Coulton, Director Corporate Services on 9242 4030.

Yours sincerely,



Cr Keith Rhoades AFSM  
President

Set out below are the definitions for the issues categories:

#### 1. INDUSTRIAL RELATIONS & EMPLOYMENT

Industrial relations and employment related legislation; industrial awards and rates of pay; WHS and worker compensation compliance; human resources policy, practice and benchmarking; workforce planning and development; staff and councillor training and development; skills shortages; staff attraction, retention and productivity; employment security; workplace change; Code of Conduct; leadership and management capacity; capability framework; council governance.

#### 2. ECONOMIC

Own source revenue (e.g. rates, fees, charges etc.); intergovernmental fiscal relations (e.g. grants, cost shifting etc.); financial management and governance including long term financial planning and asset management; financial sustainability; economic policy affecting Local Government; local and regional economic development (including tourism); transport (e.g. roads, bridges, airports, pedestrian and cycle facilities, rail); Local Water Utilities; stormwater and floodplain infrastructure; other infrastructure and disaster management and recovery.

#### 3. ENVIRONMENTAL

Land use planning (including environmental, heritage conservation and development planning); ecologically sustainable development; waste management in accordance with the waste hierarchy and extended producer responsibility; natural resource management; protection of local, regional and state natural environments including air quality, rivers and waterways and biodiversity, biosecurity and weeds management; pollution prevention including energy consumption and soil contamination; environmental risk management through reduction of hazards and pollutants and remediation/rehabilitation of degraded environments; climate change mitigation and adaptation; and responsible resource consumption and conservation.

#### 4. GOVERNANCE/CIVIC LEADERSHIP

Local Government legislative and regulatory settings (e.g. Australian and/or NSW Constitutional recognition; Local Government Act review); corporate governance (e.g. role differentiation for Mayors, Councillors, General Managers and senior staff; Codes of Conduct; Political donations); structural reform (e.g. amalgamations and/or boundary changes; shared resources and services); Local Government elections (e.g. financial impact of electoral reforms on councils; impact of electoral reforms); participation (e.g. women's participation rates as councillors; cultural diversity in leadership; other opportunities for citizens to genuinely participate in council processes); and policies and programs of other spheres of government that impact on Local Government governance or citizen involvement in local democracy.

#### 5. SOCIAL POLICY

Social planning, social impact assessment, access, equity and social justice; community development and community cultural development; community halls and neighbourhood centres, ageing and disability services, women's services, youth services and children's care and education services); issues of concern and interest to NSW Aboriginal and Torres Strait Islander Peoples; cultural services (performing and visual arts, art galleries, performing arts centres, museums, public art, community arts, festivals, celebrations, heritage, new media and digital arts); Libraries; Health services (regulatory activities reducing public health risks; promoting healthy lifestyles; immunisation, early childhood health centres or rural medical services); Recreation facilities and services; and crime prevention planning.

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## Local Government NSW Annual Conference 2014

### DRAFT PROGRAM 19 - 21 October, 2014 (as of 29 May 2014)

Main conference venue is C.ex Coffs, 1 Vernon Street, Coffs Harbour

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#### Sunday 19 October

3.00pm – 7.00pm *Registration opens, Upstairs Auditorium Lobby, off Blue Room*

5.00pm – 7.00pm President's Welcome Reception at C.ex Coffs  
Welcome To Country (Performance)  
Welcome from **Cr Denise Knight, Mayor of Coffs Harbour City Council**  
Welcome from **Cr Keith Rhoades AFSM, President, LGNSW**

#### Monday 20 October

##### Business Session Day 1 - chaired by Cr Keith Rhoades AFSM, C.ex Coffs

8.00am – 5.00pm *Registration opens in Trade Expo. Distribution of voting materials and electronic handsets.*

9.00am – 11.00am Opening of the Business session, Adoption of Standing Orders and Consideration of Motions chaired by the President

11.00am – 11.30am *Morning tea in Trade Exhibition*

11.30am – 11.35am Message from Local Government Super

11.35am – 1.00pm Consideration of Conference business continued chaired by the President

1.00pm – 1.50pm *Lunch in Trade Exhibition sponsored by Local Government Super*

1.50pm - 2.00pm Message from sponsor

2.00pm – 2.05pm Short address from the Mining Related Councils (to be invited)

2.05pm - 3.00pm Consideration of Government's response to the Local Government Review Panel's *Revitalising Local Government*

3.00pm – 4.00pm Consideration of Conference Business continued, chaired by the President  
*Collection of all electronic handsets and voting cards*

4.00pm – 5.00pm *Happy hour in Trade Exhibition*

5.00pm – 5.30pm *Delegate transfers back to accommodation for dinner*

7.00pm – 7.30pm *Transfers for delegates arriving at Dinner*

##### Conference Dinner, Bonville Golf Resort, North Bonville Road, Bonville

7.30pm Arrival drinks and canapés  
Entertainment with Soulman O'Gaia

8.15pm Delegates seated and main course served  
Welcome from the President  
Introduction of Major Sponsor Statewide Mutual  
Presentation of Outstanding Service Awards

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8.30pm	Entertainment with Lisa Hunt
9.30pm	Dessert served
10.00pm	First transfers offered
11.00pm	Function finishes, final transfer buses

**Tuesday 21 October**  
**Business Session Day 2, C.ex Coffs**

8.00am – 5.00pm	Registration opens in Trade Expo
8.50am – 9.00am	Introduction by Master of Ceremony, <b>Ellen Fanning</b> (invited)
9.00am – 9.10am	Annual Report and AGM from <b>Cr Keith Rhoades AFSM, President LGNSW</b>
9.10am – 9.20am	Treasurers Report
9.20am – 9.40am	Address from <b>The Hon Mike Baird MP, Premier of New South Wales</b> (invited)
9.40am – 10.00am	Address from <b>The Hon Paul Toole MP, Minister for Local Government</b> (invited)
10.00am – 10.15am	Facilitated Q and A with the <b>Premier of New South Wales/ Minister for Local Government</b>
10.15am – 10.30am	Presentation of the AR Bluett Awards
10.30am – 11.15am	<b>Claire Madden, Research Director, McCrindle Forecasts</b> , Demographic Change, Emerging Generations and the Future
11.15am – 11.35am	Morning tea in Trade Exhibition
11.40am – 11.45am	Message from sponsor
11.45am – 12.30pm	<b>Paul Clitheroe AM, Director Ipac Securities, Chairman Financial Literacy Foundation, Chairman Money Magazine</b> on Business Trends in Australia (invited)
12.30pm – 1.00pm	Address from <b>The Hon Duncan Gay MLC, Minister for Roads and Freight</b> (invited)
1.00pm - 2.00pm	Address from keynote speaker on planning issues (to be confirmed). Planning Panel facilitated by MC, Ellen Fanning, on 'How to make informed decisions about Planning'
2.00pm – 2.15pm	Close of Conference
2.15pm – 3.00pm	Lunch (Conference closing).

This program is correct at the time of printing; speakers and program details may have changed due to unforeseen circumstances.

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## **1.2 Revised Policy - Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors**

### **Reporting Officer**

Acting Manager Governance and Administration

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### **Attachments**

Revised Policy - Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors (contained within this report)

### **Purpose**

1. to review the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors Policy:
  - i) to ensure that it complies with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* the guidelines and circulars issued by the Office of Local Government (OLG) and recommendations from Independent Commission Against Corruption (ICAC) Publications and takes into account best practice and is benchmarked against similar sized councils
  - ii) to ensure that there is clear accountability and transparency of expenses incurred and the provision of facilities provided to Councillors.
2. to seek Council's endorsement in principle of the revised Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors Policy for the purpose of Public Exhibition in accordance with the *Local Government Act 1993*.

### **Background**

This policy is made under sections 252-254 and in accordance with section 23A, of the *Local Government Act 1993* (The Act) and section 403 of the *Local Government (General) Regulation 2005* (The Regulations). The Act requires that the Council must annually adopt a policy concerning the payment of expenses, incurred or, to be incurred by, and the provision of facilities to the Mayor and Councillors in relation to discharging the functions of civic office.

The Act requires Council to review and submit its Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors Policy to the Director General of the OLG within 28 days of adoption by Council, even if it proposes to adopt an unchanged policy. Current policies must be submitted by 30 November each year.

Before amending or adopting this policy, Council must give public notice of its intention, and allow at least 28 days for public submissions. Any public submissions received will be considered and appropriate changes made and reported to Council prior to the adoption of the policy.

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## Report

The abovementioned policy has been developed in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review. This policy was last reviewed and adopted by Council on 26 February 2013.

As part of the review investigations were undertaken to ensure all the requirements from the Act, the Regulations, the OLG and ICAC were incorporated and that the policy supports Council's adopted Code of Conduct. The revised policy has included best practice and is benchmarked against similar sized councils.

It was noted that the OLG in reviewing a significant number of Council's Payment of Expenses and Facilities policies identified low levels of compliance in the areas of monetary limits, policy review requirements, private benefits and Council approval processes. These specific issues identified by OLG have been addressed in the revised policy and the opportunity was also taken to reword and reformat the policy to enhance transparency.

Detailed below are the significant changes to the policy that ensure compliance with all relevant authorities, Acts and Regulations:

- inclusion of a table identifying specific monetary limits/quantities of equipment and facilities available to Councillors during their term of office
- expansion of the policy objectives
- addition of requirements for making and adopting of this policy
- details of the legislative provisions with which the policy must comply
- inclusion of documented approval arrangements processes to ensure expenses are approved by the appropriate level of management and recorded
- inclusion of specific timeframes relating to the reimbursement of expenses
- reviewed protocol for returning of facilities and equipment at the conclusion of the Councillors term of office
- inclusion of a schedule of audit of expenses and facilities
- clarification of spouse and partner expenses
- clarification of travel arrangements and expenses
- clarification of private benefits and loyalty points schemes.

## Conclusion

Should Council be the subject of any enquiry into the Provision of Expenses and Facilities to the Mayor, Deputy Mayor and Councillors, and this policy comes under scrutiny there will be a level of assurance that this policy has fulfilled all expectations of external authorities.

It is recommended that Council endorse the draft Policy on Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors for the purpose of public exhibition.

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### **Officer's Recommendation**

1. That the information contained in this report on the draft Policy on the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors be endorsed in principle.
2. That Council advertise for 28 days a public notice of its intention to adopt the amended Policy on the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors.
3. That a further report be presented to Council at the conclusion of the exhibition period to consider any public submissions received and/or for final adoption of the policy.

### **Committee's Recommendation: (Kolkman/Hawker)**

That a decision in this matter be deferred to the next Corporate Governance Committee meeting.

**CARRIED**

### **Council Meeting 29 July 2014 (Dobson/Greiss)**

That the Committee's Recommendation be adopted.


### **Council Resolution Minute Number 133**

That the Committee's Recommendation be adopted.

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## 1.2 Revised Policy - Payment Of Expenses And Provision Of Facilities To The Mayor, Deputy Mayor And Councillors

### ATTACHMENT 1

 <b>campbelltown</b> city council	<b>POLICY</b>
Policy Title	Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors
Related Documentation	Council's Code of Conduct ICAC Publication – No excuse for Misuse, Preventing the Misuse of Council Resources OLG Guidelines for Payment of Expenses and Provision of Facilities Model Code of Conduct for Local Councils in NSW 2013 OLG Circulars 11/27, 08/03, 08/24, 08/37, 07/22 and 06/57 Councils Internet and Email Usage Authorised Statement Related Policies, Authorised Statements, Procedures or forms to support this policy.
Relevant Legislation/ Corporate Plan	<i>Local Government Act 1993</i> <i>Local Government (General) Regulation 2005</i>
Responsible Officer	Manager Governance and Risk

**Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.**

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## 1.2 Revised Policy - Payment Of Expenses And Provision Of Facilities To The Mayor, Deputy Mayor And Councillors

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13. Effectiveness of this Policy .....	
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## 1.2 Revised Policy - Payment Of Expenses And Provision Of Facilities To The Mayor, Deputy Mayor And Councillors

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### Part 1 - Introduction

#### 1. Purpose of the Policy

The purpose of this Policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors.

The Policy comprises four parts being:

- Part 1 - Introduction – defines key terms and describes the legislative and reporting requirements that describe the policy's purpose, objectives and scope
- Part 2 - Payment of Expenses – describes the general and specific provisions, circumstances and Council procedures related to the payment of allowable expenses
- Part 3 - Provision of Facilities – outlines the general and specific provisions, circumstances concerning Councillor use of Council facilities and resources
- Part 4 - Other Matters – provides guidance on issues related to Councillor acquisition and return of facilities and dispute resolution.

#### 2. Objectives and Coverage of this Policy

The objectives of this Policy are to:

- a) Ensure there is consistency in the application of reimbursement of expenses and provisions of facilities to Councillors in an equitable and non-discriminatory manner.
- b) Assist Councillors to represent the interests of residents and ratepayers of Campbelltown and to facilitate communication between the community and the Council.
- c) Provide Councillors with a level of support which will serve to encourage residents to seek election to civic office.

In absence of clear financial limits being set within the Policy, reference should be made to the table at clause 14 for further guidance.

#### 3. Making and Adoption of this Policy

The *Local Government Act 1993* requires Council to review and submit its policy to the Director General of the Office of Local Government within 28 days of adoption by the Council, even if it proposes to adopt an unchanged policy. Current policies must be submitted by the 30 November each year.

Before adopting or amending this policy, the Council must give public notice of its intention, and allow at least 28 days for public submissions. Any public submissions received will be considered and appropriate changes made prior to the adoption of the policy.

Even if changes that are considered not substantial are proposed, the required annual adoption of this policy must still be subject to the public notification process outlined above.

At any time, other than the required annual adoption of this policy and if the proposed amendment is not substantial the Council is not required to provide public notice. The term "not substantial" should be taken to mean minor changes to the wording of the policy, or changes to monetary provisions or rates that are less than 5%. It also means minor changes to the standard of the provisions of equipment and facilities. Any new category of expenses, facilities and equipment included in the policy will require public notice.

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## 1.2 Revised Policy - Payment Of Expenses And Provision Of Facilities To The Mayor, Deputy Mayor And Councillors

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### 4. Reporting Requirements

Council is required by Section 428 of the *Local Government Act 1993* to include in their annual report:

- A copy of this policy
- The total amount of money expended during the year on providing these facilities and payment of these expenses
- Additional information as required by the *Local Government (General) Regulation 2005*.

### 5. Legislative Provisions

Under Section 252(5) of the *Local Government Act 1993* this policy must comply with guidelines issued by the Department of Local Government for the Payment of Expenses and the Provision of Facilities to the Mayor and Councillors for Local Councils in NSW.

“A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.”

### 6. Other NSW Government Policy Provisions

This policy is consistent with the Model Code of Conduct for Local Councils in NSW, Office of Local Government – March 2013 and the Campbelltown Council Code of Conduct. The following parts of the Code are particularly relevant to s252 policies:

Use of Council resources:

- You must use Council resources ethically, effectively, efficiently and carefully in the course of your public or professional duties, and must not use them for private purposes (except where supplied as part of a contract of employment) unless this use is lawfully authorised and proper payment is made where appropriate
  - You must be scrupulous in your use of Council property including intellectual property, official services and facilities and should not permit their misuse by any other person or body
  - You must avoid any action or situation which could create the impression that Council property, official services or public facilities are being improperly used for your own or any other person or body's private benefit or gain
  - You must not use Council resources, property or facilities for the purpose of assisting your election campaign or the election campaign of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility
  - You must not convert any property of the Council to your own use unless properly authorised.
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## 1.2 Revised Policy - Payment Of Expenses And Provision Of Facilities To The Mayor, Deputy Mayor And Councillors

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### 7. Approval Arrangements

Various approval arrangements are indicated throughout this policy and vary from Full Council resolution approval to Mayor (or Deputy Mayor in the case of a claim for the Mayor) and General Manager's approval.

The Manager Executive Services will assist Councillors with respect to seeking reimbursement of expenses incurred in their role as a Councillor, coordinating travel and accommodation arrangements, attendance at civic events, training and education, and the provision of facilities under this policy.

All claims for reimbursement must be made within three months of the date of the receipt and on the appropriate "Claim for reimbursement of expenses by Mayor, Deputy Mayor and Councillors Form" (appendix A).

Any claim will be reconciled with the receipts and authorised as follows:

1. Authorised by the General Manager and Mayor (or Deputy Mayor where claim is made by the Mayor) for spouse and partner expenses, advance payments, travel, accommodation, childcare and carer fees.
2. Authorised by two of the following positions, if the particular expense category does not require General Manager and Mayor (or Deputy Mayor in the case of a claim by the Mayor) approval. The General Manager, Mayor, Director of Business Services, Manager of Executive Services and Manager of Governance and Risk.

## Part 2 - Payment of Expenses

### 8. General Provisions

#### General Allowance

In accordance with the *Local Government Act 1993*, Council will not permit the payment of an allowance to any Councillor that may be considered a general expense or allowance.

#### Annual fees

##### Mayor

Council will determine annually the fee to be paid to the Mayor in accordance with Section 249 of the *Local Government Act 1993*. This fee will be in addition to the Councillor's fee. This fee will be paid to the Mayor monthly in arrears as provided by Section 250 of the Act.

In the event that the Mayor stands aside, is incapacitated or voluntarily ceases to perform the functions of the Mayor for any reason, the Council may, by resolution, pay an additional fee to the Deputy Mayor for that period (on a pro rata basis) while he/she carries out the duties and responsibilities on behalf of the Mayor. This fee will be in addition to the Councillor's fee and will be deducted from the Mayoral fee. This fee will be paid to Councillors monthly in arrears as provided by Section 250 of the Act.

##### Deputy Mayor and Councillors

Council will determine annually the fee to be paid to the Councillors in accordance with Section 248 of the *Local Government Act 1993*. This fee will be paid to Councillors monthly in arrears as provided by Section 250 of the Act.

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## 1.2 Revised Policy - Payment Of Expenses And Provision Of Facilities To The Mayor, Deputy Mayor And Councillors

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### **Advanced payment of expenses**

This Policy allows for any Councillor to request advance payment of anticipated expenses covered by this Policy likely to be incurred attending any service or facility.

However Councillors must completely reconcile all actual expenses against the cost of the advance within three months of incurring that expense.

### **Spouse and Partner expenses**

Where the Councillor is accompanied by his or her spouse/partner, costs incurred for the spouse/partner (including travel, sustenance, registration and partner's program) will be borne by the Councillor. Council will not be responsible for any costs incurred by other members of a Councillor's family.

However where a Councillor is accompanied by his or her spouse/partner to the annual Local Government Association Conference Council will meet the cost of the official dinner for the spouse/partner. Any additional travel and accommodation expenses will be the personal responsibility of the Councillor.

### **Specific expenses for Mayors and Councillors**

#### **Seminars and Conferences**

Councillor attendance at conferences requiring overnight accommodation or air travel will be determined in open Council. The report to Council must detail the purpose of the trip, expected benefits, duration, itinerary, approximate costs.

The use of a Mayoral minute to obtain Council approval for travel is not appropriate as it is not consistent with the principles of openness and transparency.

Where approval at a meeting of Council is not possible, Councillor's attendance will be determined by the Mayor and the General Manager.

A request submitted by the Mayor will be determined by the Deputy Mayor and the General Manager.

Following the event a written report should be provided to Council on the aspects of the conference relevant to Council's business and/or the local community.

Attendance at seminars, training and skills development sessions and the like that do not require overnight travel may be approved by the General Manager.

#### **Who may attend conferences and seminars**

Any interested Councillor may attend conferences, seminars and similar functions nominated by the Council. The Mayor may nominate a substitute attendee in his or her stead for functions within the Council area, or general Sydney metropolitan area, on those occasions where the Mayor is unable to be present.

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## 1.2 Revised Policy - Payment Of Expenses And Provision Of Facilities To The Mayor, Deputy Mayor And Councillors

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### **Conference costs**

The Council will pay all normal registration costs charged by organisers, including the costs of related official luncheons, dinners and tours that are relevant to the interests of the Council or assist Councillors to discharge the functions of their civic office.

### **Travel arrangements and Expenses**

Councillors using their private vehicles to attend meetings of the Council or its Committees, Sub-Committees, Working Parties, Council briefings, Community Consultations or the like organised or authorised by the Council will be paid the kilometre rate set by the Local Government (State) Award but subject to any such payment not exceeding the amount noted below for when approval is given for a Councillor to use their private vehicle.

Councillors are to lodge claims for travelling expenses within a period of three months after which the expenses was incurred.

Where Councillors are attending any meeting conference, seminar or function outside the Local Government Area where practical, travel to and from the venue will be in a Council vehicle. Should travel in a Council vehicle be impractical, then the Councillor will make a request to the Mayor or General Manager (or the General Managers nominee) to authorise travel by flights, rail or in special circumstances private vehicle. All travel should be via the most direct route. Council will meet the cost of either the return first class travel by rail or return economy class airfare.

If approval is given for a Councillor to use their private motor vehicle to travel to a meeting, conference, seminar or function outside the Local Government Area a Councillor is able to receive the lesser of the cost of an economy airfare plus transfers to and from airports or the travel allowance based on the kilometre rate set by the Local Government (State) Award.

The Councillor is personally responsible for all traffic or parking infringements incurred while travelling in private or council vehicles on council business.

Councillors may be issued with Cab Charge vouchers for taxi fares that are incurred while attending conferences and other Council related functions. All unused Cab Charges shall be returned to the Manager Executive Services within 15 days of the function. The General Manager shall have the right to reject any unauthorised Cab Charges.

### **Interstate Travel**

Council resolution approval is required prior to any interstate travel being undertaken by Councillors (excluding travel to ACT which may be authorised by Mayor and General Manager approval). The report to Council should include all details of the travel, including itinerary, expected costs and expected benefits.

### **Overseas Travel**

Councillors wishing to undertake overseas travel must do so at their own cost.

Where the Mayor has been invited to officially represent Campbelltown overseas, a detailed report outlining the purpose of the trip, expected benefits, duration, itinerary and approximate costs, will be furnished to the Council as part of the Council Business Paper. Council must approve the international travel and payment of expenses relating to such travel.

If the visit is to be sponsored by private enterprise, ICAC guidelines and reporting structures should be followed and this should form part of the community reporting process.

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## 1.2 Revised Policy - Payment Of Expenses And Provision Of Facilities To The Mayor, Deputy Mayor And Councillors

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Retrospective reimbursement of overseas travel expenses is not allowed unless prior authorisation of the travel has been obtained.

After returning from overseas, a detailed report will be provided to a meeting of the Council on the aspects of the trip relevant to council business and/or the local community.

A detailed report should be given in the Annual Report for the year in which the visit took place, outlining how the objectives were met and what quantifiable benefits will flow to the community.

### **Loyalty points schemes**

Councillors shall not be entitled to claim frequent flyer points relating to air travel authorised by this Policy. In circumstances where the Councillor has no option but to pay for air travel and frequent flyer points are accrued to his/her personal account, the Councillor will surrender the points to the airline upon reimbursement of the airfare by Council.

### **Accommodation**

Council will meet the cost of accommodation for Councillors attending to Council business, inspections, meetings, conferences or functions outside the Council area which are authorised by the Council. Where approval at a meeting of Council is not possible, Councillor's attendance will be determined by the Mayor and the General Manager.

When travelling by motor vehicle to conferences or seminars Council will meet the accommodation and meal expenses of the Councillor for a maximum of two nights per trip when journeying to and from the conference or seminar venue. These expenses must be consistent with the Tax Determination 2013/16 or any determinations or policies of the Australian Tax Office that supersede it.

### **Sustenance**

Council will meet the cost of reasonable sustenance and incidental expenses for Councillors attending to Council business, inspections, meetings, conferences, seminars or functions which are authorised by the Council, Mayor or General Manager in accordance with Australian Taxation Office's (ATO) Tax Determination 2013/16.

### **Stationary and postage**

Stationery, business cards, christmas cards, diary, filing cabinet and briefcase, together with postage expenses will be determined as outlined in clause 14 of this policy.

### **Subscriptions**

Subject to the approval of the General Manager annual subscriptions of periodicals up to the value outlined in clause 14 of this policy.

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## 1.2 Revised Policy - Payment Of Expenses And Provision Of Facilities To The Mayor, Deputy Mayor And Councillors

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### **Training and Educational expenses**

Councillors will be provided with any necessary training / education in the use of equipment supplied by the Council or in sessions relating to the Councillors civic functions and responsibilities or a recommendation that has been made by an external Agency for specific training to occur for a Councillor(s) by the OLG, the NSW Ombudsman or a Conduct Reviewer, or compulsory training as required by legislation.

Subject to Council resolution or approval under delegated authority by the Mayor or General Manager, Council will meet the full cost of attendance of Councillors at any of these sessions in the same manner as applicable to a Councillor's attendance at Conferences.

### **Carer and other related expenses**

Council will meet reasonable cost of care arrangements including child care expenses and the care of elderly, disabled and/or sick immediate family members of Councillors to allow them to attend Council, Committee and Sub Committee Meetings, Council Briefings and Working parties at a maximum rate as negotiated with the General Manager. Carer costs will be paid to cover the period 30 minutes prior to the scheduled commencement time of the meeting and one hour after the conclusion of the meeting. Limits on reimbursement will be determined as outlined in clause 14 of this policy.

Reimbursement of carer expenses to Councillors will only be made upon the production of appropriate receipts and tax invoices, and the completion of the required claim forms within three months of the carer expense being incurred.

### **Insurance expenses and obligations**

Councillors will receive the benefit of insurance cover to the limit in Council's insurance policies for the following:

**Personal injury** – Personal injury or death whilst on Council business covering bodily injury caused by accidental, violent, external and visible means. Personal injury insurance also provides specified benefits for lost income and other expenses arising from permanent disablement, temporary total disability and temporary partial disability. The cover does not include medical expenses.

**Professional indemnity** – Applies in relation to claims arising out of the Councillor's (alleged) negligent performance of civic duties or exercise of their functions as Councillors provided the performance or exercise of the relevant civic duty or function is in the opinion of council bona fide and/or proper. This is subject to any limitations or conditions set out in the policy of insurance that is taken out at the direction of Council.

**Public liability** – Applies in relation to claims arising out of the Councillor's (alleged) negligent performance of civic duties or exercise of functions as Councillors. This is subject to any limitations or conditions set out in the policy of insurance that is taken out at the direction of Council.

**Councillors and Officers liability** – Applies to cover expenses incurred by Councillors in respect of claims made against them for any alleged wrongful acts arising out of their official capacities (but excludes cover for statutory penalties).

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## 1.2 Revised Policy - Payment Of Expenses And Provision Of Facilities To The Mayor, Deputy Mayor And Councillors

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### Legal expenses and obligations

Legal assistance will be provided to Councillors in the event of an enquiry, investigation or hearing, into the conduct of a Councillor by the:

- Independent Commission Against Corruption
- Office of the NSW Ombudsman
- Department of Premier and Cabinet's Office of Local Government
- NSW Police Force
- Director of Public Prosecutions
- Local Government Pecuniary Interest and Disciplinary Tribunal
- Council's Code of Conduct Reviewer.

Legal assistance will be provided to Councillors in respect to legal proceedings being taken by or against a Councillor in the Local, District or Supreme Courts, arising out of or in connection with the Councillor's performance of his or her civic duties or exercise of his or her functions as a Councillor. This is provided that the subject of the inquiry, investigation or hearing arises from the performance in good faith of a Councillor's function under the *Local Government Act 1993* and the matter before the investigative or review body has proceeded past any initial assessment phase to formal investigation and review.

In the case of a conduct complaint made against a Councillor, legal costs should only be made available where a matter has been referred by the General Manager to a conduct reviewer to make formal enquiries into that matter in accordance with the procedures in the Code of Conduct. In the case of pecuniary interest or misbehaviour matter legal costs should only be made available where a formal investigation has been commenced by the Office of Local Government.

Council shall reimburse such Councillor, after the conclusion of the enquiry, investigation, hearing or proceeding, for all legal expenses properly and reasonably incurred, given the nature of the enquiry, investigation, hearing or proceeding, on a solicitor/client basis.

Legal assistance will be provided subject to the following conditions:

- approval of the General Manager is sought and gained prior to legal expenses being incurred
- the outcome of the legal proceedings is favourable to the Councillor or where an investigatory or review body makes a finding that is not substantially unfavourable to the Councillor
- the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis
- the Councillor's exercise of his or her function, was in the opinion of Council bona fide and/or proper; and as a Councillor
- the amount of legal expense reimbursement shall be paid at a rate equivalent to the average hourly partner rate charged by Council's Panel Solicitors.

Council will not meet the legal costs of legal proceedings instigated by a councillor under any circumstance, nor will Council meet the legal costs of a councillor seeking advice in respect that possible defamation, or in seeking a non-litigious remedy for possible defamation. Council will not assist in the legal costs for legal proceedings that do not involve a Councillor performing their role as a Councillor.

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## 1.2 Revised Policy - Payment Of Expenses And Provision Of Facilities To The Mayor, Deputy Mayor And Councillors

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### **Part 3 - Provision of facilities**

#### **9. Mayor**

**Accommodation** – A furnished office suite located on the Third Floor of the Administration Building including a facsimile machine and personal computer in the Mayor's office, fully serviced and maintained by Council. The ownership of this equipment is retained by Council.

**Staff** – A Personal Secretary on a shared basis with the General Manager.

**Meals** – Meals and beverages in conjunction with Council and Committee Meetings and Inspections.

**Refreshments** – Food and beverages in conjunction with civic functions and hosting meetings involving community groups and representatives. Beverage service in the Councillors' Lounge.

**Insignia of Office** – Mayoral Chain, badge and name plate indicating office held. Mayoral Chain remains the property of the Council.

#### **Communication systems**

A mobile telephone approved by the General Manager. A personal computer or laptop and iPad.

A combined printer, copier, scanner and facsimile machine, along with a four drawer filing cabinet will be provided in the Mayor's home and be fully serviced and maintained by Council within business hours. Call and data expenses will be determined as outlined in clause 14 of this policy.

When conducting business through Council's email account or accessing the internet using Council allocated resources the Mayor will need to comply with Council's Code of Conduct and be aware of the Internet and Email Usage Authorised Statement.

**Motor vehicle parking space** – A permanent parking space in the basement of the Administration Building.

**Council vehicle** – A Council vehicle to the value as outlined in clause 14 of this policy and approved by the General Manager together with a fuel card for official and associated use.

#### **10. Deputy Mayor and Councillors**

**Office space** – The provision of a lounge area, and the use of Committee Rooms and three offices on the Third Floor of the Administration Building to be pre-booked and used by Councillors in the conduct of their duties of office.

**Meals** – Meals and beverages in conjunction with Council and Committee Meetings and Inspections.

**Refreshments** – Beverage service in the Councillors' Lounge.

**Insignia of Office** – Badge and name plates provided to Councillors and partner to be worn at civic functions.

**Insignia of Office (Deputy Mayor)** – Medallion, badge and name plate indicating office held. Medallion remains the property of the Council.

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## 1.2 Revised Policy - Payment Of Expenses And Provision Of Facilities To The Mayor, Deputy Mayor And Councillors

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### **Communication system**

A mobile telephone approved by the General Manager. A personal computer or laptop and an iPad.

A combined printer, copier, scanner and facsimile machine, along with a four drawer filing cabinet will be provided in the Councillors' home and be fully serviced and maintained by Council within business hours. Call and data expenses will be determined as outlined in clause 14 of this policy.

When conducting business through Council's email account or accessing the internet using Council allocated resources the Councillors will need to comply with Council's Code of Conduct and be aware of the Internet and Email Usage Authorised Statement.

**Office equipment** – The provision of a photocopier, telephone facilities and a personal computer in the work area adjacent to the Councillors' offices, fully serviced and available for the use of all Councillors.

**Council vehicle** – If available, and subject to approval by the Mayor and General Manager, the use of a Council vehicle on authorised Council business.

### **11. Private use of Equipment and Facilities**

Councillors should not generally obtain private benefit from the provision of equipment and facilities. However, it is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment.

In the event that private benefit that is not of an incidental nature does occur, the Mayor (or if the Councillor in question is the Mayor, then the Deputy Mayor) and the General Manager may request the Councillor to reimburse Council for the determined cost of the private benefit.

## **Part 4 - Other Matters**

### **12. Returning of Facilities and Equipment by Councillors**

The ownership of all equipment and consumables provided to Councillors is retained by Council. On completion of the term of office, or at the cessation of civic duties, Councillors are required to return all equipment and unused consumables issued by the Council within 28 days or seek the approval of the General Manager to acquire the equipment/consumables at the current market value based on the current depreciation rate and depending on the condition of the equipment.

Any call and data allowance provided under this policy is only applicable up until the last month of term of office held by a Councillor.

### **13. Effectiveness of this Policy**

This Policy, once adopted, is to remain in force until 30 November 2015 unless it is reviewed beforehand by the Council in accordance with the provisions of Sections 253 and 254 of the Local Government Act 1993. The principles outlined in this policy will be audited on a three yearly basis with this audit frequency being increased to yearly if any unsatisfactory findings are identified in any audit review.

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## 1.2 Revised Policy - Payment Of Expenses And Provision Of Facilities To The Mayor, Deputy Mayor And Councillors

### 14. Summary of the limits to specific expenses (all fees GST inclusive)

#### Limits on Expenditure Table

The monetary limits prescribed in this policy set out the maximum amount that is payable in respect of any facility or expense. Any additional cost incurred by a Councillor in excess of any limit set shall be considered a personal expense that is the responsibility of the Councillors. In the case of special circumstances where it is impractical for the strict terms of this Policy to be applied the General Manager may authorise a one-off variation to the Policy to meet those special circumstances. One of variations to the Policy should then be reported to Council. The provision of equipment will be reviewed by the General Manager to ensure access to current technology.

Clause	Expenses/Facility	Maximum Amount to be claimed	Frequency per Councillor
	Stationary (including Business Cards)	\$600	Per year
	Postage expenses	\$50	Per year
	Christmas Cards (postage paid by Council)	300 units	Per year
	Diary	\$100	Per term
	4 Drawer Filing Cabinet *	\$400	Per term
	Briefcase*	\$200	Per term
	Cab charge expenses	\$500	Per year
	Carers expenses	\$4000	Per year
	2 Subscriptions to resource materials	\$1000	Per year
	PC/Laptop computer with MS Office and Antivirus *	\$1800	Per term
	IPad*	\$900	Per term
	Data sim for IPad	\$30	Per month
	Fax/phone/printer/copier/scanner *	\$300	Per term
	Mobile phone *	\$2500	Per term
	Mobile phone call / data costs	\$350	Per month
	ADSL	\$70	Per month
	Printer consumables	\$500	Per year
	Seminars/conferences	\$150	Per day
	Mayoral Vehicle *	\$50 000	Per car

\* supplied by Council

**END OF POLICY STATEMENT**



## **1.3 Revised Code of Meeting Practice**

### **Reporting Officer**

Acting Manager Governance and Administration

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### **Attachments**

Revised Code of Meeting Practice (contained within this report)

### **Purpose**

To review Council's Code of Meeting Practice to ensure it is consistent with the *Local Government Act 1993*.

### **Report**

Sound meeting procedures contribute to good decision making and increase Council's transparency and accountability to its community. While legislation sets out certain procedures that must be followed in Council and Committee meetings, the Code of Meeting Practice sets out the standards for decision making and behaviour expected by the community.

Council's Code of Meeting Practice has been reviewed in accordance with Council's Records Management Policy. The review incorporated three briefing evenings to Council where on two occasions Council's Legal Advisor was in attendance.

The Code of Meeting Practice addresses the format, method and conduct of meetings of Council, its Standing Committees and its Sub Committees. Council's current Code of Meeting Practice was adopted on 1 September 2009.

In reviewing the Code of Meeting Practice, reference has been made to the provisions of the *Local Government Act 1993*, *Local Government (General) Regulation 2005*, the Division of Local Government Meeting Practice Note No 16 and consultation undertaken with Council's legal representatives. The revised Code of Meeting Practice has also been reformatted to a style similar to that of the Division of Local Government's model code.

The emphasis of the review was not only to ensure that the code complied with legislative requirements, but to provide Council with clear procedures to ensure that meetings are run effectively. To achieve this, the Code of Meeting Practice was presented to Councillors on two separate briefing evenings where Councillors had the opportunity to ask questions and seek clarification from Council's legal representative. Following each briefing evening any agreed changes were incorporated into the revised Code of Meeting Practice currently before Council. A further briefing evening was held on 16 July 2014 where a number of further minor changes were agreed to. Highlighted in the attachment are the items raised at the March 2014 briefing, the Corporate Governance Committee meeting held 24 June 2014 and the briefing evening held 16 July 2014.

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It is recommended that Council endorse the revised Code of Meeting Practice, and that in accordance with the *Local Government Act 1993*, the Draft Code of Meeting Practice be placed on public exhibition for a period of 28 days, during which submissions may be made up until 42 days after the date on which the revised code is placed on public exhibition.

After considering all submissions received, Council may decide:

- a. to amend those provisions of its draft code that supplement the regulations made for the purposes of Section 360
- b. to adopt the draft code as its Code of Meeting Practice.

### **Officer's Recommendation**

1. That the Draft Code of Meeting Practice be placed on public exhibition for a period of not less than 28 days.
2. That following the exhibition period a further report be presented to Council.

### **Committee's Recommendation: (Borg/Lake)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 29 July 2014 (Dobson/Greiss)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 133**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1



# Campbelltown City Council Code of Meeting Practice

AS AT 15 JULY 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.

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## 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.



- 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.
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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)

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- 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)

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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.
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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.

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## 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)

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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)

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## 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)

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#### 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)

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#### 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 negatived 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 negatived 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 negatived, as the case may be.
5. If a motion to alter or rescind a resolution has been negatived, or if a motion which has the same effect as a previously negatived motion, is negatived, 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 negatived 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)

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## 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))

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#### 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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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)

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#### 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)

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#### 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)

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## 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)

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## 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)

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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)

DRAFT

## **1.4 Audit Committee Update**

### **Reporting Officer**

General Manager

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### **Attachments**

Audit Committee Meeting Minutes – 24 June 2014 (contained within this report)

### **Purpose**

To provide an update on the outcomes from the 24 June 2014 Audit Committee meeting.

### **History**

Council approved the establishment of an Audit Committee consisting of two independent members, the Mayor, the Deputy Mayor and the Chairperson or a member of the Corporate Governance Committee in October 2010.

The Audit Committee was formed and meets three times per year in accordance with its Charter.

### **Report**

Detailed below are the recommendations of the Audit Committee. Council officers have reviewed the recommendations which are now presented for the consideration of Council. There are no recommendations that require an individual resolution of Council.

#### **Audit Committee Meeting Minutes – 24 June 2014**

The minutes of the Audit Committee meeting held 24 June 2014 are attached and the following were considered.

#### **4.1 Asset Management – Plant and Equipment – Audit Status Update**

##### **Committee's Recommendation: (Rofe/Lake)**

That the Committee notes the information contained in the Asset Management – Plant and Equipment – Audit Status Update report.

**CARRIED**

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#### **4.2 Internal Audit Actions Log**

##### **Committee's Recommendation: (Rofe/Mead)**

That the Committee notes the information contained in the Actions Log.

**CARRIED**

#### **4.3 Status of Internal Audit Plan**

##### **Committee's Recommendation: (Lake/Rofe)**

That the Committee notes the status of the Internal Audit Plan.

**CARRIED**

#### **4.4 2014-2017 Strategic Internal Audit Plan**

##### **Committee's Recommendation: (Lake/Rofe)**

That 2014-2017 Strategic Internal Audit Plan be approved subject to the amended order of audits to be conducted in 2015-2016 as follows:

1. Council resolutions
2. Payment of Expenses and the Provision of Facilities to Councillors
3. contract management
4. purchase cards
5. property sales and acquisitions
6. pool fence inspection program
7. records management
8. site inspections.

**CARRIED**

#### **4.5 External Audit Update**

##### **Committee's Recommendation: (Mead/Lake)**

That the Committee notes the information contained in the External Audit Update report.

**CARRIED**

#### **4.6 Draft 2013 - 2014 Audit Committee and Internal Audit Annual Report**

##### **Committee's Recommendation: (Hanrahan/Lake)**

That the Committee approves:

1. That the draft Audit Committee and Internal Audit Annual Report for the year ended 30 June 2014 be approved.
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2. That the Independent Chair of the Audit Committee be delegated to approve the final Audit Committee and Internal Audit Annual Report for submission to the Corporate Governance Committee.

**CARRIED**

#### **4.7 Business Continuity Planning**

**Committee's Recommendation: (Rofe/Hanrahan)**

That the Committee notes the information contained in the Business Continuity Planning report.

**CARRIED**

#### **4.8 Other Requirements of the Audit Committee Charter**

**Committee's Recommendation: (Hanrahan/Lake)**

That the Committee notes the information contained in the Other requirements of the Audit Committee Charter report.

**CARRIED**

#### **4.9 Other Internal Audit Activities**

**Committee's Recommendation: (Hanrahan/Lake)**

That the Committee notes the information contained in the Other Internal Audit Activities report.

**CARRIED**

#### **Officer's Recommendation**

That Council adopt the Audit Committee meeting minutes of 24 June 2014.

**Committee Note:** Mr B Hanrahan presented the report to the Committee.

**Committee's Recommendation: (Hawker/Kolkman)**

That the Officer's Recommendation be adopted.

**CARRIED**

#### **Council Meeting 29 July 2014 (Dobson/Greiss)**

That the Officer's Recommendation be adopted.

#### **Council Resolution Minute Number 133**

That the Officer's Recommendation be adopted.

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## **ATTACHMENT 1**

### **Minutes of the Audit Committee Meeting**

**Held Tuesday 24 June 2014 in Committee Room 2**

Meeting commenced: 4.30pm.

#### **1. Attendance and Apologies**

**Attendance:** Bruce Hanrahan - Chairperson  
Robert Rofe - Independent member  
Councillor Clinton Mead - Mayor  
Councillor Paul Lake - Deputy Mayor  
Councillor Sue Dobson - Chairperson Corporate Governance Committee

**Also in Attendance:** Michael Sewell - Director Business Services  
Cliff Taylor - Acting Manager Business Assurance  
Michelle Brockwell - Internal Auditor  
Deborah Taylor - Executive Support

**Apology:** Paul Tosi - General Manager

#### **Committee's Recommendation (Lake/Dobson)**

That the above apology be accepted.

**CARRIED**

#### **2. Declarations of Interest**

There were no Declarations of Interest made at this meeting.

#### **3. Minutes of the Previous Meeting**

##### **Purpose**

To confirm the minutes of the 25 February 2014 Audit Committee meeting.

##### **Report**

The minutes of the previous Audit Committee meeting held on 25 February 2014 were circulated to all members post meeting and are attached for confirmation that they are an accurate record of the meetings proceedings.

##### **Officer's Recommendation**

That the minutes be approved.

##### **Committee's Recommendation (Rofe/Lake)**

That the minutes be approved.

**CARRIED**

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#### **4. Reports**

##### **4.1 Asset Management – Plant and Equipment – Audit Status Update**

###### **Purpose**

To provide the Audit Committee with an update on the status of the Asset Management – Plant and Equipment audit.

###### **History**

The 2012-2013 Internal Audit Plan was approved at the May 2012 Audit Committee meeting and included the audit of Asset Management – Plant and Equipment.

###### **Report**

The audit of Asset Management – Plant and Equipment, was undertaken to assess the key processes and controls around the acquisition, recording and disposal of Council's plant and equipment.

The audit is currently in progress and has been delayed for a number of reasons including logistic complexity of the audit and a need to increase the scope of the audit as a result of some potential issues identified.

The audit included the physical sighting of a number of assets recorded in Council's asset management system (Conquest) and its tool tracking system (Tool Trakka).

Sights visited to date include the Depot (including stores, civil works, horticulture and open spaces), Arts Centre, five Early Learning Centres, Animal Care Facility, rangers, two leisure centres, one library and some offsite storage areas used by City Cleansing and the Depot. In addition, a number of sections within the Civic Centre have been reviewed. Sighting is still underway for some Civic Centre based sections and some Depot units (for example the Workshop).

Work to date has identified a number of issues that have been discussed via progress meetings with Financial Services. These will be reported in detail via the internal audit report presented to the next Committee meeting. Some of the key issues identified to date include:

- There is no annual stocktake of plant and equipment conducted therefore giving uncertainty to the existence of some plant and equipment recorded in Council's asset register
- With the exception of Tool Trakka used for Depot power tools, there is no formal register of 'attractive' items maintained. As a result, there is a lack of appropriate monitoring of valuable items such as ipads and other electronic gadgets, and some tools and other equipment
- Both Tool Trakka and Conquest appear to include items Council no longer owns. This seems to be the result of disposed items not being accurately recorded on the asset or tool tracking systems. Note that for testing performed, this plant and equipment tended to be fully depreciated and hence this will not impact Council's asset values in the Balance Sheet
- There is no adequate policy or procedure for the disposal of plant and equipment.

Internal Audit will work with Financial Services, Operational Services and other relevant sections of Council to develop an action plan to address the issues identified.

###### **Officer's Recommendation**

That the Committee notes the report.

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#### **Committee's Recommendation (Rofe/Lake)**

That the Committee notes the information contained in the Asset Management - Plant and Equipment - Audit Status Update.

**CARRIED**

#### **4.2 Internal Audit Actions Log**

##### **Purpose**

The Actions Log is a report on the status of Management's progress in implementing the recommendations from previous internal audits.

##### **History**

Internal audits are conducted in accordance with the approved annual Internal Audit Plan each year. The findings from each internal audit are reported to the Audit Committee in the form of a concise report.

A detailed audit report is also prepared for each audit. The detailed report advises the individual issues identified and their implications; recommendations for improvement; agreed target dates for implementation; and the staff member assigned responsibility for implementation.

##### **Report**

The attached Action Log is Management's status update on the implementation of recommendations made in internal audits performed to date. It includes a summary table showing the number of recommendations already implemented and a detailed progress update on recommendations that are outstanding.

#### **Officer's Recommendation**

That the Committee notes the Actions Log.

#### **Committee's Recommendation (Rofe/Mead)**

That the Committee notes the information contained in the Actions Log.

**CARRIED**

#### **4.3 Status of Internal Audit Plan**

##### **Purpose**

To provide an update to the Audit Committee on the current status of internal audit work undertaken in accordance with the approved 2012-2013 Annual Internal Audit Plan and year one of the 2013-2016 Strategic Audit Plan.

##### **History**

The Audit Committee approved the 2012-2013 Annual Internal Audit Plan in May 2012 and an amendment to the Plan in May 2013. The Audit Committee approved the 2013-2016 Strategic Audit Plan in June 2013.

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### **Report**

The attached report outlines the status of individual audits approved as part of the Internal Audit Plan for 2012-2013 and the first year of the 2013-2016 Strategic Audit Plan.

As indicated to the Committee at previous meetings the Customer Service Cash Handling audit, Application of Fees and Charges audit and Development Applications audit are complete.

The Asset Management audit is nearing completion. There have been a number of delays in completing the audit including some issues identified resulting in an increased audit scope. Namely, an extensive review of purchase card purchases was undertaken as it was identified that equipment was sometimes purchased using purchase cards. The audit also involved sighting plant and equipment at many sites across Council's facilities and was as a result, logistically time consuming.

It is anticipated that the Asset Management audit report will be presented to the next Audit Committee meeting.

The Inventory Management audit is in progress and it is anticipated that the audit report will be provided to the next Audit Committee meeting.

Remaining audits from the 2013-2014 Internal Audit Plan have been rolled forward into the next 2014-2017 Strategic Audit Plan. The 2014-2017 Strategic Audit Plan is discussed and recommended for approval by the Committee at item 4.4.

### **Officer's Recommendation**

That the Committee note the status of the Internal Audit Plan.

### **Committee's Recommendation (Lake/Rofe)**

That the Committee note the status of the Internal Audit Plan.

### **CARRIED**

## **4.4 2014-2017 Strategic Internal Audit Plan**

### **Purpose**

The draft 2014-2017 Strategic Internal Audit Plan outlines the planned focus for the internal audit function over the next three years and includes a rolling program of audits to be conducted over the period.

### **History**

The Audit Committee approved the 2013-2016 Strategic Internal Audit Plan at its June 2013 meeting. The plan incorporates a three year rolling program of audits that was developed after consideration of industry risks and risks identified at meetings held individually with each Section Manager and the Executive.

The Plan is to be reviewed and updated annually after considering any changes in risks and priorities impacting Council.

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### **Report**

The draft 2014-2017 Strategic Internal Audit Plan is a three year rolling audit plan that has been revised after considering whether there has been any changes in the risks and priorities impacting Council since the initial plan was developed.

The assessment of any changes in risks and priorities included risk identification meetings held with the Executive and the consideration of industry wide risks. The Plan has been revised to reflect this assessment.

The following audits have been added to the Plan as a result of this review:

- Procurement exception reports review
- Implementation of Council resolutions
- Purchase cards
- Waste Reconciliations and Human Resources recruitment.

There have also been some amendments to the timing of the audits. No audits have been removed from the Plan; however, the ability to complete some of the audits is dependent on whether additional funding becomes available to employ an additional audit resource. This impacts the second and third year of the Plan and will therefore be considered as part of the next annual review.

### **Officer's Recommendation**

That 2014-2017 Strategic Internal Audit Plan be approved.

**Committee Note:** The Audit Committee noted the need for an additional resource to assist the audit section in the near future.

### **Committee's Recommendation (Lake/Rofe)**

That 2014-2017 Strategic Internal Audit Plan be approved subject to the amended order of audits to be conducted in 2015-2016 as follows:

1. Council resolutions
2. Payment of Expenses and the Provision of Facilities to Councillors
3. contract management
4. purchase cards
5. property sales and acquisitions
6. pool fence inspection program
7. records management
8. site inspections.

**CARRIED**

## **4.5 External Audit Update**

### **Purpose**

To provide the Committee with an update on external audit activity for the year ended 30 June 2014.

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### **Report**

Council's external auditors, Intentus Chartered Accountants, provided their Audit Engagement Letter for the external audit of Council's financial statements in March 2014. This attached letter provides an understanding, in accordance with the Auditing Standards, of the extent of external audit activities to be conducted by Intentus. The Engagement Letter is signed off by the General Manager as an agreement to the terms of the engagement.

Intentus have also conducted their first interim audit for the year ended 30 June 2014. The attached report outlines the scope of their interim visit and the findings and recommendations as a result of their review.

In the report, the auditors provide an update on the status of matters reported previously. They also identified three medium risk findings that relate to:

- the review of employees auto allowances on termination of employment
- letters of offer in relation to new employees
- the processing of employee terminations.

Council Management have provided comments in the report outlining how the matters have been addressed.

### **Officer's Recommendation**

That the Committee note the report

### **Committee's Recommendation (Mead/Lake)**

That the Committee note the information contained in the External Audit Update report.

### **CARRIED**

## **4.6 Draft 2013 - 2014 Audit Committee and Internal Audit Annual Report**

### **Purpose**

To provide the Audit Committee with the draft Annual Report on the activities of Internal Audit and the Committee to facilitate reporting to Council annually as required by the Audit Committee Charter.

### **History**

The Audit Committee's Charter requires that by the first meeting after 30 June each year, Internal Audit, via the General Manager, will provide a performance report of:

- the performance of Internal Audit for the financial year
- the approved Internal Audit Plan of work for the previous year showing the current status of each audit.

The Charter requires this performance report to be included with the Committee's annual report to Council.

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## **Report**

The attached report is the Draft Audit Committee and Internal Audit Annual Report required by the Audit Committee Charter. This report covers the activities of Internal Audit and the Audit Committee for the year ended 30 June 2014. The report outlines some of the key achievements during the year, including internal audit reports completed and reviewed by the Committee, and updating of the three year rolling Strategic Audit Plan.

It also covers:

- Audit Committee attendance
- cost of internal audit related activities
- performance against approved Audit Plan
- Audit Committee coverage against roles and responsibilities in the Charter.

Some minor changes will be required to be made to the report as a result of outcomes from the June meeting and to incorporate 'actual' costs for the year ended 30 June 2014. It is suggested that after review by the Director of Business Services, the Independent Chair of the Audit Committee review and approve the final report after the minor changes are made, with the changes being reported to the Audit Committee at its following meeting.

## **Officer's Recommendation**

That the Committee approves:

1. That the draft Audit Committee and Internal Audit Annual Report for the year ended 30 June 2014 be approved.
2. That the Independent Chair of the Audit Committee be delegated to approve the final Audit Committee and Internal Audit Annual Report for submission to the Corporate Governance Committee.

## **Committee's Recommendation (Hanrahan/Lake)**

That the Committee approves:

1. That the draft Audit Committee and Internal Audit Annual Report for the year ended 30 June 2014 be approved.
2. That the Independent Chair of the Audit Committee be delegated to approve the final Audit Committee and Internal Audit Annual Report for submission to the Corporate Governance Committee.

## **CARRIED**

## **4.7 Business Continuity Planning**

### **Purpose**

To provide the Committee with an update of the Business Continuity planning for Campbelltown City Council.

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### **Report**

Campbelltown City Council has a robust Emergency Management and Business Continuity framework and testing program. This is supported by the Emergency - Emergency Management Authorised Statement which clearly defines the roles and responsibilities of key members of the organisation. All sections have assessed their service delivery requirements and associated risks with the relevant managers developing appropriate controls and programs to ensure continuity of service should an adverse event occur.

In addition to post incident debriefs, a series of exercises have been held to provide training to staff and assist in the testing and validation of the business continuity arrangements.

An exercise is currently being developed for delivery prior to 30 September 2014 with a subsequent exercise to be held prior to January 2015. In addition to these exercises IM&T continues to review their disaster recovery arrangements with an exercise to be conducted later in 2014 requiring the activation of the IM&T Disaster Recovery Plan.

### **Officer's Recommendation**

That the Committee notes the report.

### **Committee's Recommendation (Rofe/Hanrahan)**

That the Committee notes information contained in the Business Continuity Planning report.

### **CARRIED**

## **4.8 Other Requirements of the Audit Committee Charter**

### **Purpose**

This report provides an update on a number of activities required to be noted by the Audit Committee as part of their roles and responsibilities under the Audit Committee Charter.

### **History**

In addition to the monitoring of the Internal Audit program, the Audit Committee has a number of other roles and responsibilities outlined in the Audit Committee Charter. As a result, additional items will be reported to the Audit Committee from time to time.

### **Report**

The following information provides an update on a number of Council activities required to be monitored by the Audit Committee under its Charter.

### **Risk Management**

One of the key roles and responsibilities of the Audit Committee under its charter is to monitor risk management. This covers a variety of activities and one of those responsibilities is to:

*"Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud".*

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Council is currently in the process of recruiting a Manager, Governance and Risk. One of the responsibilities of this role is to develop and implement an Enterprise Risk Management Strategy for all of Council's operations.

Council is in the early stages of developing an enterprise risk management framework to assist with identifying and managing risks across Council.

Council also currently has several insurance arrangements in place to help negate some of its risk exposures.

#### **Delegations**

One of the responsibilities of the Audit Committee Charter is for the Committee to review if appropriate policies and procedures are in place for the management and exercise of delegations. The financial and administrative delegations for all divisions of Council have now been formally approved. The organisation will make them available to all staff through ECM over the next month and we will proceed with obtaining and populating the automated software that we have sourced for the continued management of delegations.

The final stage of this project will see the delegations hyperlinked to each Job description so the information is readily available to each position incumbent and will be reviewed annually as part of the performance appraisal process to ensure any changes are captured. Updating delegations will not be dependent on the performance appraisal process however this will identify any gaps or changes in position responsibilities that may have become evident given the changing environment we work in.

#### **Officer's Recommendation**

That the Committee note the report.

#### **Committee's Recommendation (Hanrahan/Lake)**

That the Committee notes the information contained in the Other Requirements of the Audit Committee Charter report.

#### **CARRIED**

### **4.9 Other Internal Audit Activities**

#### **Purpose**

To provide the Committee with an update on other internal audit activity.

#### **Report**

The following is a summary of other activities undertaken by Internal Audit since the last report to the Committee.

#### **Procurement review and training**

A high level procurement review was undertaken in 2013 as a result of identified non-compliance with procurement procedures. A number of recommendations stemmed from this review. Internal Audit has been assisting with facilitating the implementation of these recommendations including being consulted on issues as they arise.

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In addition, after a presentation to the Executive, it was determined that Council's Internal Auditor will assist with providing training to staff on procurement. The training is to be conducted by Council's Internal Auditor, a Procurement representative and a Finance representative. Council's internal auditor will focus on fraud and corruption prevention type matters, including case studies, with procurement and finance staff providing the detailed training on the policies and procedures and changes to the Finance System as a result of the review.

To date, the content of the training has been developed and it is intended to roll out the training in the first quarter of 2014-2015.

#### **Planning Reform Fund monthly review**

The Planning Reform Fund relates to the portion of development application fees required to be passed on to the NSW Department of Planning and Infrastructure (the Department) under the *Environmental Planning and Assessment Act 1979*. Council's Internal Auditor continues to conduct reviews of the Planning Reform Fund return lodged with the Department monthly. This review is to ensure the returns lodged accurately reflect the development applications lodged with Council.

#### **Training Courses/Seminars attended**

To maintain continuing professional development required as a Certified Practising Accountant (CPA) and to keep up to date with the latest internal audit practises, Council's Internal Auditor has attended the following training:

<b>Course/Seminar Name</b>	<b>Duration (Days)</b>	<b>Basic Theme</b>
Local Government Internal Audit Network meeting	1	The session had a focus on internal audit planning, including the development of strategic audit plans.
SOPAC (South Pacific and Asia Conference) highlights	1	This conference included highlights from the 3 day conference held interstate earlier in the year. Key topics covered included: <ul style="list-style-type: none"><li>• defining and handling risk culture</li><li>• IT Governance</li><li>• control self-assessments</li><li>• testing business continuity arrangements</li><li>• investigate internal auditing.</li></ul>

#### **Officer's Recommendation**

That the Committee note the report.

#### **Committee's Recommendation (Hanrahan/Lake)**

That the Committee notes the information contained in the Other Internal Audit Activities report.

**CARRIED**

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**5. General Business**

**5.1 2013-2014 Audit Committee and Internal Audit Annual Report**

It was noted that a report for the 2013-2014 Audit Committee and Internal Audit Annual Report will be prepared for submission to the Corporate Governance Committee meeting to be held 22 July 2014, pending approval from the Independent Chair of the Audit Committee.

**Committee's Recommendation (Hanrahan/Dobson)**

That the information be noted.

**CARRIED**

**5.2 Next meeting of the Audit Committee**

It was noted that the next meeting of the Audit Committee will be held on Tuesday 7 October 2014.

**Committee's Recommendation (Lake/Rofe)**

That the information be noted.

**CARRIED**

Bruce Hanrahan  
**Chairperson**

Meeting closed: 5.03pm.

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## **1.5 Audit Committee and Internal Audit Annual Report for year ended 30 June 2014**

### **Reporting Officer**

General Manager

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### **Attachments**

Audit Committee and Internal Audit Annual Report for year ended 30 June 2014 (contained within this report)

### **Purpose**

To report to Council the activities of the Audit Committee and internal audit for the year ending 30 June 2014.

### **History**

The Audit Committee Charter sets out the Committee's composition, roles and responsibilities, and reporting requirements. The Charter was recommended to be submitted to Council for approval on 6 May 2013 and was adopted by Council on 18 July 2013.

Under Section 5 of that Charter, Internal Audit, via the General Manager, is to provide a performance report for consideration to the Audit Committee annually. This report is to be included with the Committee's annual report to Council.

### **Report**

The Audit Committee is required to provide a report to Council on its activities each year. The attached report covers both Internal Audit and the Audit Committee's activities for the year ended 30 June 2014. The report outlines some of the Committee's key achievements during the year including the implementation of Council's Annual Internal Audit Plan, monitoring of recommendations from prior audits and the review and update of the three year Strategic Audit Plan.

This Annual Report covers such areas as:

- Audit Committee meetings and attendance
  - cost of internal audit related activities
  - performance against the approved Internal Audit Plan
  - Audit Committee coverage against roles and responsibilities in the Charter.
-

### **Officer's Recommendation**

That the information contained in the Audit Committee and Internal Audit Annual Report for the year ended 30 June 2014 be noted.

### **Committee's Recommendation: (Borg/Hawker)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 29 July 2014 (Dobson/Greiss)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 133**

That the Officer's Recommendation be adopted.

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## **ATTACHMENT 1**



### **Audit Committee and Internal Audit Annual Report to Council for Year Ended 30 June 2014**

*July 2014*

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## History

The Division of Local Government issued revised Internal Audit Guidelines under Section 23A of the *Local Government Act 1993* in September 2010. These Guidelines recommend the establishment of an Audit Committee to play a pivotal role in the governance framework.

Council approved the establishment of an Audit Committee at its October 2010 meeting. The principle function of the Audit Committee is to provide independent advice and assistance to the General Manager on matters related to risk management, control, governance and statutory compliance.

In prior years, the Audit Committee's primary role has been to approve and monitor the development of the internal audit program. In May 2013 a revised Audit Committee Charter was approved. The revised charter outlines the Audit Committee's responsibilities to monitor activities including:

- the development and implementation of the annual audit program
- completion of external responsibilities (for example completion of the annual statutory financial statements)
- implementation of recommendations made by internal/external audit, and
- Council's progress in relation to risk management.

## Future Strategy

The Committee's long-term strategy is to assist with improving corporate governance by monitoring the development of a formal Enterprise Risk Management framework. This framework is intended to assist with the development of risk registers that consider all types of risk facing Council and to therefore allow a more strategic approach to the management of risks. The development of this framework has commenced and it is anticipated that reporting of the development and implementation of this framework will occur in 2014-2015. This will further enhance Council's ability to build on the efficiency and effectiveness of the internal audit function.

## Audit Committee Structure

The Audit Committee consists of five voting and four non-voting members. The voting members are two independent members (including the Chairperson), the Mayor, the Deputy Mayor and the Chairperson of the Corporate Governance Committee (or a member of that Committee).

Non-voting members attending are the General Manager, Director Business Services, Manager Business Assurance and the Internal Auditor.

## The Year in Review

Committee meetings were held on the following dates:

- 12 November 2013
- 25 February 2014
- 24 June 2014

Per the Audit Committee Charter, the Committee is to meet a minimum of three times per year with the need for any additional meetings to be decided by the Chair of the Committee in consultation with the General Manager.

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Attendance at the three meetings held during the year is as follows:

Meeting Participants	No. of Meetings attended
Independent Chairperson	3
Independent member	3
Mayor	2
Deputy Mayor	3
Chairperson of Governance Committee	3
General Manager	1
Director Business Services	3
Manager Business Assurance	3
Internal Auditor	3

#### Cost of internal audit related activities

The following provides a comparison of the cost of internal audit related activities for the current and prior financial year.

Description	Current Year	Prior Year
Cost of Internal Audit function (excludes training)	\$111,406	\$96,200
Audit Committee costs	\$3,500	\$3,500

The increase in internal audit costs is predominantly the result of an increase in consultancy fees that were incurred for conducting the audit of the application of fees and charges during the year.

#### Internal Audit Plan and Performance 2013-2014

As a result of delays in completing the 2012-2013 Internal Audit Plan, the status below incorporates both the 2012-2013 and the 2013-2014 schedule of audits. These Internal Audit Plans were approved by the Audit Committee in the prior years and represents the program of work planned to be undertaken by the Internal Auditor.

The following is a list of the actual internal audits undertaken during the year and their status:

Audit Name	Status
Development Applications	Completed
Fees and Charges	Completed
Asset Management	Nearing completion with report anticipated to be presented to the next Audit Committee meeting.
Inventory Management	In progress with report anticipated to be presented to next Audit Committee meeting.
Financial Delegations	Postponed until 2016-2017 as part of the review of the 2014-2017 Strategic Audit Plan approved at the June 2014 meeting.
Accounts Payable	Planning commenced with anticipated completion first quarter 2014-2015.
Contract Management	Postponed until 2015-2016 as part of the review of the 2014-2017 Strategic Audit Plan approved at the June 2014 meeting.
Customer response	This was approved to be postponed to the 2014-2015 year at the November 2013 Audit Committee meeting.

In addition to the above, Council's Internal Auditor has had a significant role in a review of procurement activities across Council. This involved assisting an external consultant with a review of Council's procurement policies and procedures and facilitating the implementation of recommendations that stemmed from that review. Council's internal auditor is also assisting with the preparation and delivery of procurement training across Council as a result of the review.

#### Review of Strategic Internal Audit Plan

The 2013-2016 Strategic Internal Audit Plan was developed and approved at the June 2013 Audit Committee meeting. The Plan is a three year rolling audit plan developed after consideration of industry risks and risks identified at meetings held with all Section Managers and the Executive. The Plan is reviewed annually to ensure current risks and priorities continue to be addressed. The revised 2014-2017 Strategic Audit Plan was approved at the June Audit Committee meeting.

#### Other Internal Audit Activities

The following other activities have been performed by Councils Internal Auditor during the year:

- acted as probity adviser on the plant and equipment hire tender including provision of a probity plan and probity report and attendance at all tender evaluation meetings
  - audit of the 2012-2013 Planning Reform Fund annual return and review of monthly Planning Reform Fund lodgements from July 2013 to current
  - ad-hoc audit work including assisting with the preparation of Council's annual report and other investigative work at the request of the General Manager
  - attendance at a number of conferences including the Local Government Internal Auditor Network (LGIAN) quarterly meetings and the Australian Public Sector Anti-Corruption Conference.
-



### Audit Charter Coverage

The table below provides a summary of Audit Committee achievements assessed against the Audit Committee Charter roles and responsibilities.

Per Audit Committee Charter		12 November 2013	25 February 2014	24 June 2014
<b>4.1 Risk Management</b>				
Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud		-	-	Yes – update provided on status
Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings		To be covered in Project Management audit in 2015-2016	To be covered in Project Management audit in 2015-2016	To be covered in Project Management audit in 2015-2016
Review the impact of the risk management framework on its control environment and insurance arrangements		-	-	Yes
Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.		-	-	Yes
<b>4.2 Control Framework</b>				
Review if Management has adequate internal controls in place, including over external parties such as contractors.		Considered with each audit	Considered with each audit	Considered with each audit
Review if Management has in place relevant authorised statements, policies and procedures and these are periodically reviewed and updated.		Considered with each audit	Considered with each audit	Considered with each audit
Review if appropriate processes are in place to assess whether policies and procedures are complied with.		Considered with each audit	Considered with each audit	Considered with each audit
Review if appropriate policies and procedures are in place for the management and exercise of delegations.		-	-	Yes
Review if Management has taken steps to embed a culture which is committed to ethical and lawful behaviour through reinforcement of the Code of Conduct.		Ongoing	Ongoing	Ongoing

Per Audit Committee Charter	12 November 2013	25 February 2014	24 June 2014
<b>4.3 External Accountability</b>			
Note the completion of the annual financial statements and that they are supported by appropriate management sign-off on the statements and on the adequacy of internal controls.	Yes	-	-
Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments.	Yes	-	-
To consider contentious financial reporting matters raised at the Committee meetings in conjunction with Council's management and external auditors.	Yes – any external audit issues covered in external audit update	Yes – any external audit issues covered in external audit update	Yes – any external audit issues covered in external audit update
Note the completion of the annual report.	-	Yes	-
Satisfy itself there are appropriate mechanisms in place to review and implement where appropriate relevant State Government reports and recommendations.	-	Yes – Local Government Review Panel report.	-
Satisfy itself there is a performance management framework linked to organisational objectives and outcomes.	-	Yes	-
<b>4.4 Legislative Compliance</b>			
Determine whether management has appropriately considered legal compliance matters as part of its operations.	Considered with each audit	Considered with each audit	Considered with each audit
Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.	Considered with each audit	Considered with each audit	Considered with each audit
<b>4.5 Internal Audit</b>			
Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit.	Ongoing	Ongoing	Ongoing
Review the internal audit coverage and Internal Audit Plan, including ensuring the Plan has considered Council's risk framework, and approval of the Plan.	Yes – Status of Internal Audit Plan	Yes – Status of Internal Audit Plan	Yes – Status of Internal Audit Plan and approval of Strategic Internal Audit Plan



## 1.5 Audit Committee And Internal Audit Annual Report For Year Ended 30 June 2014

Per Audit Committee Charter	12 November 2013	25 February 2014	24 June 2014
Consider the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved Internal Audit Plan.	Yes – Status of Internal Audit Plan	Yes – Status of Internal Audit Plan	Yes – Status of Internal Audit Plan and Strategic Audit Plan
Review all audit reports and consider issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices.	Yes – Application of Fees and Charges	Yes – Development Applications	-
Monitor the implementation of internal audit recommendations by management.	Yes – Actions log	Yes – Actions log	Yes – Actions log
Periodically review the Internal Audit Charter to ensure appropriate authority, access and reporting arrangements are in place.	NA – not due until 2014-2015	NA – not due until 2014-2015	NA – not due until 2014-2015
Periodically review the performance of Internal Audit.	NA – not due until 2014-2015	NA – not due until 2014-2015	NA – not due until 2014-2015
<b>4.6 External Audit</b>			
Act as a forum between the Council, General Manager, senior management, internal audit and external audit.	Ongoing	Ongoing	Ongoing
Review all external audit plans and reports in respect of planned or completed financial statements external audits, monitor the implementation of audit recommendations by management.	Yes – external audit update	Yes – external audit update	Yes – external audit update
Consider significant issues raised in relevant external audit reports and better practice guides, and ensure appropriate action is taken.	Yes – external audit update	Yes – external audit update	Yes – external audit update
<b>4.7 Responsibilities of Members</b>			
Members of the Committee are expected to:	Ongoing	Ongoing	Ongoing
<ul style="list-style-type: none"> <li>Understand the relevant legislative and regulatory requirements appropriate to Campbelltown City Council.</li> <li>Contribute the time needed to study and understand the papers provided.</li> <li>Apply good analytical skills, objectivity and good judgement.</li> <li>Express opinions frankly and ask questions as deemed necessary.</li> </ul>			



Closing Comment

The Committee looks forward to the opportunity to continue to provide input to Council's governance and audit processes over the coming 12 months.

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## **1.6 WorkCover WHS Management System Audit 2014**

### **Reporting Officer**

Manager Business Assurance

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### **Attachments**

Nil

### **Purpose**

To advise Council of the outcomes from the WorkCover Work Health and Safety Audit undertaken between 8-11 July 2014.

### **History**

Campbelltown City Council commenced its Self-Insurance Licence for Workers Compensation on 1 July 2000. As part of the licence, WorkCover audit Council's Work Health and Safety Management System against the National Self Insurer OHS Audit Tool (NAT) on a three yearly basis. Passing the audit allows Council to maintain a three year cycle of audits under the licence.

Under the NAT, a self insurer must demonstrate that its system is operating at an acceptable level by achieving compliance with 75% of each element audited. Campbelltown was the first self insured Council in NSW to be audited against the current version of the NAT. An audit score of less than 75% reverts self insurers to an annual licence with a yearly audit cycle.

Council's last audit was conducted on 26-29 July 2011. At that time Council achieved the following results based on the two elements audited:

- Risk Management – 87.5%
- Process Control – 91 %.

Council's previous audit was conducted on 28 September 2008. At that time Council achieved the following results based on the two elements audited:

- Management Responsibility – 81%
- Measurement, Evaluation and Review (MER) – 76%.

These results ensured that Council remained on a three year audit cycle.

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## **Report**

The initial meeting for this year's scheduled audit was held with WorkCover on 20 May 2014, where the two elements to be audited and sites to be visited were determined. The elements selected were Management Responsibility and Measurement, Evaluation and Review (MER) and the sites identified for audit were the Waratah Cottage Early Learning Centre and Compliance Services Rangers.

The audit week included a presentation by representatives of Council on the elements to be audited and a series of site verification activities to assess the level of implementation of the Work Health and Safety Management System and its effectiveness. Site verification activities included interviews with General Manager, Directors, Managers, Coordinators, employees and other representatives at each site where local system documentation and activities were reviewed.

On the final day of the audit, the WorkCover auditors provided an interim report to Council advising the audit results as follows:

- Management Responsibility – 88%
- Measurement, Evaluation and Review (MER) – 84.21%.

This is an excellent result for Council. The commitment by Council to ensure a safe work environment through increased emphasis of Work Health and Safety and support of the Work Health and Safety Unit has been a major contributing factor to Council's success.

The WorkCover auditors through the audit process identified six non-conformances. A Corrective Action Plan has been developed by Council detailing the proposed corrective actions and timeline for completion. This will be forwarded to WorkCover for its information. WorkCover will review Council's progress in addressing the non-conformances in July 2015.

Council now awaits formal acknowledgement from the WorkCover Licensing Branch on renewal of its licence.

All staff are to be congratulated for the professional manner with which they participated in the audit process, which led to this result. Council will continue to review and improve the Work Health and Safety Management System to ensure continuing compliance with WorkCover requirements under the National Self Insurer OHS Audit Tool.

## **Officer's Recommendation**

That the information be noted.

## **Committee's Recommendation: (Lake/Hawker)**

That the Officer's Recommendation be adopted.

**CARRIED**

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**Council Meeting 29 July 2014 (Dobson/Greiss)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 133**

That the Officer's Recommendation be adopted.

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## **2. PROPERTY SERVICES**

### **2.1 Claymore Urban Renewal Project - Council land in Stage 1 and 2**

#### **Reporting Officer**

Manager Property Services

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#### **Attachments**

Stage 1 and Stage 2 Subdivision Map (contained within this report)

#### **Purpose**

To seek owners consent from Council for the lodgement of a Development Application by NSW Land and Housing Corporation (NSWLHC) to the Sydney West Joint Regional Planning Panel (JRPP) for Stages 1 and 2 for the Claymore Urban Renewal Project (CURP) which include sections of Council land.

Council approval is also sought to provide a permit of entry to NSW Land & Housing Corporation, UrbanGrowth, its contractors and agents to access Council land identified within Stages 1 and 2 for any preparation works to be undertaken in conjunction and in accordance with any JRPP determination of consent associated with these stages.

A separate report is to be provided through the Planning and Environment Committee in the near future to advise Council of the Development Application 1141/2014/DA-SW relating to the first two stages of the Claymore Urban Renewal Project which is to be assessed by the JRPP.

This report is submitted to address the provision of owner's consent which is required in order for the Development Application to be determined by the JRPP.

#### **History**

Concept Plan approval was granted on 24 May 2013 by the Minister for Planning for the CURP providing generally for approximately 1,490 dwellings including 100 seniors housing units, the creation of a town centre, a revised street layout, public areas and upgrades to existing utilities. Upon completion it is anticipated that 30% of the final dwelling yield will be retained as public housing.

The original concept plan approval identified the need for the proponent (NSWLHC) to enter in to a planning agreement (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 the first subdivision application.

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The NSWLHC sought an amendment through a modification request to the NSW Department of Planning seeking to defer execution of the planning agreement until prior to the determination of the Development Application for 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 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.

The modification to the concept plan approval was granted on 22 October 2013 which required the following:

Prior to the lodgement of any development application for subdivision relating to Stage 3, a planning agreement to provide roads, social and community infrastructure, drainage and open space facilities and amenities, with details of the contributions, and the nature of any land dedications or works in kind, is to be negotiated and executed with Campbelltown City Council and must be consistent with the proponent's Statement of Commitments.

Each development application for subdivision for each of the stages must be consistent with the Statement of Commitments or an executed planning agreement and identify how any relevant contributions or works in kind required for that stage will be delivered.

Council at its meeting on 6 May 2014 adopted the following resolution:

- "1. That Council urgently write to the Hon Gabrielle Upton, the Minister with portfolio responsible for Social Housing, seeking:
  - i. an urgent recommendation of the redevelopment of Claymore, consistent with the scale of works originally planned
  - ii. the immediate allocation of all necessary funding to permit completion of the project without further delay
  - iii. immediate resumption of funding to facilitate the urgent recommencement of maintenance of tenanted housing to alleviate the virtually third world conditions confronting some residents.
2. That Council urgently write to the Members for Camden and Campbelltown urging them to join forces to actively and strenuously lobby on behalf of the community of Claymore with the specific aim of encouraging the NSW Government, of which they are a part, to achieve the long planned redevelopment of the community of Claymore without further delay."

## Report

Having regard to the above resolution, Council received a Development Application 1141/2014/DA-SW on 13 May 2014 in relation to Stages 1 and 2 of the CURP providing Council the opportunity to make a submission to the JRPP.

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The application will be referred to the JRPP for its determination as the proposal exceeds the prescribed threshold for 'regional development' being an application made by a Crown authority with a capital investment value exceeding \$5m.

It has been identified that Stages 1 and 2 will deliver new roads and infrastructure, 249 new residential lots for sale to private buyers and 2 medium density lots (no dwellings as part of this Development Application), a new park (Badgally Park) and 4 residential lots. It is anticipated that subject to the JRPP's approval for Stages 1 and 2, these will be delivered by December 2016. The end value of Stages 1 and 2 (including all homes) will be approximately \$80m, invested over 5-7 years.

The Stage 1 and Stage 2 proposal would incorporate an area of Council owned land (as identified below) and sections of roadway/walkways which would need to be acquired by NSWLHC. On this basis Council would need to provide consent for the Stage 1 and Stage 2 Development Application, as part owner of the land.

It is proposed that the provision of owners consent by Council would be conditional upon the proponent being required to acquire the affected Council land prior to the issue of a subdivision certificate that would allow the registration of the proposed residential allotments.

### Council Land

- **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.

- **Lots 19, 23 & 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 a residential Lot in Stage 1 (156sqm) part would become 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 (49sqm), part would become part of residential lot (64sqm), 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.

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

Any sections of Council land that would need to be acquired will be subject to a separate report to Council as part of the Voluntary Planning Agreement (VPA)/Infrastructure Service Delivery Plan (ISDP) that is required for the subsequent stages of the development.

### **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 5,839sqm which would provide a net increase of 4,243sqm of land which Council would receive within Stage 1 and Stage 2 of the proposed development.

### **Permit of Entry**

Given that the land ownership issues cannot be resolved until a VPA is finalised, NSWLHC and UrbanGrowth have sought approval for Council to provide a permit of entry to access the above identified Council land, for any necessary preparation works associated with Stage 1 and Stage 2 subject to obtaining JRPP development consent. The preparation works would include the provision of public utilities/services, conduits and public roads.

It is proposed to provide a permit of entry subject to the following conditions:

- NSWLHC/UrbanGrowth pay Council's permit of entry fee in accordance with Council's adopted fees and charges.
- That NSWLHC indemnify Council from any claims associated with access to the land by it, its contractors and agents.
- That NSWLHC accepts that Council provides no warranties regarding the suitability of the land for the proposed purpose.
- That any preparation works required to achieve the Stage 1 and Stage 2 development consent will be at no cost to Council. On this basis any costs associated with accessing Council land are required to be borne by NSWLHC/UrbanGrowth.
- That access to the land will be subject to NSWLHC/UrbanGrowth meeting any necessary statutory provisions that may apply to the land.

Subject to the acceptance of these conditions it is recommended that Council provide a permit of entry to NSWLHC/UrbanGrowth, its contractors and agents for access and to undertake preparation works on Council land required for the Stage 1 and Stage 2 development CURP.

### **Compulsory Acquisition**

NSWLHC has previously made an approach 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 the CURP for nil cost.

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As the land matters involving any potential transfers and compulsory acquisitions are associated with the VPA Council would not be in a position to respond to the request until the draft VPA has been publicly exhibited and adopted by Council.

Given that the land situated within Stage 1 and 2 of the CURP is predominantly vacant land ready for the provision of new housing stock NSWLHC is seeking Council approval to access Council's land for the necessary preparation works required for the subdivision of Stage 1 and 2.

The land to which NSWLHC requires access, and proposes to compulsorily acquire under a VPA, includes the previously identified Council land situated within Stage 1 and 2 of the CURP (as shown on the attached subdivision map).

The total area of Council land proposed to be eventually acquired by NSWLHC within Stage 1 and Stage 2 is an area of approximately 1,596sqm.

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

### **Adjoining Roads/Walkways**

In order to achieve the development identified in the concept plan and proposed lot subdivision layouts, NSWLHC may also need to access and 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.

Under the NSWLHC proposal, Council's land would be incorporated into the subdivision layout upon compulsory acquisition with NSWLHC to dedicate a section of its land which has an area of approximately 5,839sqm as the new Badgally Reserve to Council.

Accordingly, it is recommended that Council resolves that it provides owners consent for the inclusion of Council's land as identified in Stages 1 and 2 of the attached subdivision map (including any necessary sections of roads/walkways) in the Development Application to be considered by the JRPP.

It is also recommended that Council provide a permit of entry to NSW Land and Housing Corporation, UrbanGrowth, its contractors and agents for access and to undertake preparation works on Council land 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.

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### **Officer's Recommendation**

1. That Council provide owner's consent to the Claymore Urban Renewal Project Stages 1 and 2 subdivision Development Application which includes the parcels of Council land outlined in the body of this report.
2. That Council provide a permit of entry to NSW Land and Housing Corporation, UrbanGrowth, its contractors and agents for access and to undertake preparation works on Council land 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, as outlined in the body of the report.
3. That the General Manager be delegated authority to provide approval for the permit of entry.
4. That NSW Land and Housing Corporation pay all costs associated with the provision of the public infrastructure for Stage 1 and Stage 2 of the Claymore Urban Renewal Project which is to be delivered at no cost to Council.
5. That a future report be provided to Council through the Planning and Environment Committee to address the Development Application 1141/2014/DA-SW relating to the first two stages of the Claymore Urban Renewal Project which is to be assessed by the JRPP.

Having declared an interest in regard to Item 2.1, Councillors Hawker and Lake left the Chamber and did not take part in debate nor vote on this item.

### **Committee's Recommendation: (Kolkman/Borg)**

That the Officer's Recommendation be adopted.

### **CARRIED**

At the conclusion of the discussion regarding Item 2.1, Councillors Hawker and Lake returned to the Chamber for the remainder of the meeting.

### **Council Meeting 29 July 2014**

Having declared an interest in regard to Item 2.1, Councillors Lake and Hawker left the Chamber and did not take part in debate nor vote on this item.

### **Council Meeting 29 July 2014 (Dobson/Greiss)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 134**

That the Officer's Recommendation be adopted.

At the conclusion of the discussion regarding Item 2.1, Councillors Lake and Hawker returned to the Chamber for the remainder of the meeting.

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## **2.2 EOI Cafe opportunities at HJ Daley Library and Civic Centre**

### **Reporting Officer**

Manager Property Services

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### **Attachments**

Nil

### **Purpose**

To seek Council approval to undertake an EOI process for the introduction of a café operation at HJ Daley Library and the Campbelltown Civic Centre.

### **History**

It was previously requested that Council explore the potential of opening a café or similar style outlet at the HJ Daley Library premises and more broadly any other potential commercial ventures which could be co-located within existing Council owned services.

It should be noted that Council currently licences the Campbelltown Arts Centre Café on commercial terms.

### **Report**

Consultation has been undertaken with a number of other Councils in respect to cafés operating within their existing community facilities/libraries. This consultation has indicated that cafés have been considered as a viable commercial option particularly when operating in conjunction with a library service.

A number of Council locations were considered including the libraries and leisure centres.

- Glenquarie Branch Library and Neighbourhood Centre: The existing building configuration and competition from the adjoining shopping centre is considered to limit the potential of this location
  - Greg Percival Library and Community Hall: The existing competition from adjoining shopping precinct and lack of dedicated car parking is considered to limit the current potential of this location
  - Campbelltown HJ Daley Library: As the main library for the LGA it is considered that this library would provide the best immediate opportunity to accommodate a commercial café venture on the basis of existing average weekly patronage of approximately 5684 and dedicated car parking
-



- Eagle Vale Central (Leisure Centre and Library): As a combined facility a kiosk style café is currently operated by Council reception staff. Council originally undertook an EOI for the operation of a café from this facility when it opened and is understood that no submissions were received
- Macquarie Fields Leisure and Indoor Sport Centres: These two facilities have existing kiosk style café facilities operated by Council staff
- Gordon Fetterplace Aquatic Centre: This facility has an existing kiosk style café facility operated by Council staff
- Campbelltown Civic Centre: The potential to cater for staff, customers and visitors provides a potential opportunity for a café on the ground floor reception area/courtyard although there is competition in the immediate vicinity.

In relation to the request to consider potential commercial ventures which could be co-located within existing Council owned services it was identified that the HJ Daley Library and the Campbelltown Civic Centre provided the best immediate opportunity to accommodate a commercial café venture.

Both the HJ Daley Library and Civic Centre are situated on land zoned 10(a) Regional Comprehensive Centre and are both classified as operational land which would permit Council to enter into licence agreements for café style operations.

### **Examples**

- The Hills Shire Council (Castle Hill Library). This facility incorporates retail space for the operations of a café to service residents, library patrons and the wider public
- Bankstown City Council has recently opened the new Bankstown Library and Knowledge Centre (opened in April 2014) which includes a retail space to operate a café
- Wollongong City Council (The Thirroul District and Community Centre Library) also includes a café located sharing frontage from their library
- Liverpool City Library which has a café within their existing library premises.

### **HJ Daley Library**

It is considered that HJ Daley Library would provide an ideal opportunity for a commercial café operation given the level of patronage and the high level of convenience of the library in having its own dedicated car parking.

Typically a library café would provide a menu of light meals, beverages including tea and coffee as well as cakes and pastries. Advice from other libraries with cafes indicates that the inclusion of a café style operation increased visitation and the use of library facilities.

On this basis, it is recommended that Council provide approval to proceed with an EOI process for the licence of a café for a period of three years with a three year option at the HJ Daley Library.

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The EOI would seek that applicants nominate a commencing base licence fee and any contribution to fit out. In relation to the fit out an estimate of approximately \$80,000 has been obtained to provide for a café and courtyard dining area at HJ Daley Library. It has been advised that the existing floor plan of the HJ Daley Library could be modified to provide a food preparation dining area adjacent to the courtyard.

A further report would be submitted to Council seeking to enter into a licence agreement with any preferred party for the operation of a café upon the EOI process being completed.

### **Campbelltown Civic Centre**

It is considered that the Civic Centre has potential to accommodate a café style operation however the viability of a commercial operation given the level of competition in the immediate area is considered uncertain.

On this basis it is recommended that Council initially seek expressions of interest for the provision of a coffee cart operation from the ground floor foyer of the Civic Centre for an initial period of six months with a further option of up to six months to determine if there is demand for a café style operation within the Civic Centre.

The EOI would seek that applicants would nominate a fixed gross licence fee and identify the hours of service to be provided.

A further report would be submitted to Council seeking to enter into a licence agreement with any preferred party for the operation of a coffee cart upon the EOI process being completed.

### **Officer's Recommendation**

1. That Council approves an EOI process to enter into a licence agreement for the provision of café style operation at Campbelltown HJ Daley Library on the terms outlined in this report.
2. That subject to the EOI process that a further report be presented to Council prior to entering into a licence agreement for provision of café style operation at Campbelltown HJ Daley Library.
3. That Council approves an EOI process to enter into a licence agreement for the provision of a coffee cart operation for a trial period of up to 12 months in order to allow Council to assess demand for café style operation within the ground floor reception area or courtyard of the Campbelltown Civic Centre building.
4. That subject to an EOI process that a further report be presented to Council prior to entering into a licence agreement for provision of a coffee cart operation within the Campbelltown Civic Centre building.

### **Committee's Recommendation: (Lake/Hawker)**

That the Officer's Recommendation be adopted.

### **CARRIED**

Councillor Borg asked that he be recorded against the Committee's recommendation as being in opposition.

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**Council Meeting 29 July 2014 (Dobson/Greiss)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 133**

That the Officer's Recommendation be adopted.

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## **2.3 Processing Road and Walkway Closure Applications**

### **Reporting Officer**

Manager Property Services

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### **Attachments**

Nil

### **Purpose**

To inform Council of NSW Trade and Investment Crown Lands' decision to change the process in respect to applications made by councils for road and walkway closures. Council approval is also sought to amend the adopted 2014-2015 fees and charges for road and walkway closure applications due to the additional work now required to be undertaken by Council.

### **Report**

Council on 20 June 2014 received advice from NSW Trade and Investment Crown Lands (Crown Lands) that in consultation with the Office of Local Government, Roads and Maritime Services and Local Government NSW a new process has been developed to improve efficiency and allow councils to have more control over the timing of road/walkway closure applications.

It appears that this new process has been developed as a result of the significant backlog of road/walkway closure applications currently awaiting determination by Crown Lands.

The new process essentially requires Council to undertake the required advertisement, public consultation and resolution prior to lodging a road closure application with Crown Lands.

Council has an existing Memorandum of Understanding with Crown Lands however this will now be replaced by the new process which is to be undertaken by all councils within NSW.

Under the existing Memorandum of Understanding Council prepared the necessary paperwork for a road closure application prior to lodging it with Crown Lands for approval to advertise.

The new process however provides Council with the ability to advertise the proposed walkway/road closure without prior approval from Crown lands. This will reduce the need to forward the draft advertisement to Crown Lands where it usually took quite a substantial amount of time to be processed before providing approval to Council to advertise.

Ultimately it would appear that the new process will favour the applicant requesting road and walkway closures as the processing time and double handling of applications should be significantly reduced.

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In this respect an amendment to the adopted 2014-2015 Council fees and charges for road and walkway closure applications is sought to reflect the additional administrative work required by Council. As previously indicated Council only received notification of the new process and fees from Crown Lands on 20 June 2014. This was too late to have the 2014-2015 fees and charges amended prior to adoption by Council.

In the new guidelines provided by Crown Lands their road closure application fee has been reduced. The new procedure however requires that Council undertake more administrative work which would normally have been carried out by Crown Lands.

Therefore an increase of \$180.80 is sought for both Council's road and walkway closure application fees. This figure represents the amount by which Crown Lands have reduced their application fee. Essentially there is no increase in fees to the applicant as the amount by which Crown Lands have reduced their fee represents the increase sought for Council's road and walkway closure application fees.

The current fee for a walkway closure application is \$1183.85 and for a road closure application is \$1775.70. Should Council approve the increase in fees by \$180.80 this would make the walkway closure application fee \$1364.65 and road closure application fee \$1965.50. It should be noted that a number of other councils charge a higher application fee than this for proposed road closures.

It should be noted that in accordance with Section 610F of the *Local Government Act 1993* Council is required to give public notice for at least 28 days of its intention to amend the existing fee associated with road and walkway closures. A further report will be presented to Council if any submissions are received.

Accordingly it is recommended that Council note the change in process in relation to road and walkway closure applications. It is also recommended that Council approve an amendment to the 2014-2015 adopted fees and charges for both road and walkway closure applications and that Council advertise the fee increase in accordance with Section 610F of the *Local Government Act 1993*.

It should also be noted that Council has recently made a submission associated with the Crown Lands Legislation White Paper Review in which Council identified that road and walkway closure applications should be dealt with by Council to avoid the existing administrative duplication in Crown Lands also being involved in the process.

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### **Officer's Recommendation**

1. That Council note the change in process required by NSW Trade and Investment Crown Lands for road and walkway closure applications.
2. Council approve an amendment to the 2014-2015 adopted fees and charges for both road and walkway closure applications as outlined in the body of the report.
3. That Council advertise the proposed fee increases in accordance with Section 610F of the *Local Government Act 1993* for a period no less than 28 days and consider any submissions received during the exhibition period.
4. That a further report be submitted to Council if any submissions are received.

### **Committee's Recommendation: (Lake/Borg)**

That the Officer's Recommendation be adopted.

**CARRIED**

### **Council Meeting 29 July 2014 (Dobson/Greiss)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 133**

That the Officer's Recommendation be adopted.

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## **2.4 Proposed Road Closure land extending from Railway Parade, Macquarie Fields**

### **Reporting Officer**

Manager Property Services

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### **Attachments**

Locality Plan indicating area or proposed road closure (contained within this report)

### **Purpose**

To seek Council approval for the closure of an unformed section of public road off Railway Parade, Macquarie Fields.

### **History**

Council at its meeting of 6 May 2014 resolved to dedicate two sections of land off Railway Parade and adjacent to the rail corridor at Macquarie Fields as public road. The required public notification and gazettal process has now been completed and the land has been dedicated as public road.

### **Report**

As indicated above, Council has undertaken the appropriate steps to dedicate two sections of land off Railway Parade as public road. Council is now seeking to formally close the unformed section of road.

The subject section of unformed road proposed to be closed and shown hatched on the attached map, has an area of approximately 6850 square metres (subject to survey) and is partly zoned 2(b) Residential, 4(b) Industry B under the Campbelltown City Council LEP 2002.

This section of land which has a width of approximately 18 metres has been maintained by Council. Sections of this land have been fenced off by the adjoining owners due to security issues and illegal dumping within this corridor. An adjoining owner also appears to have incorporated a section of this land within their fenced boundary and has made an approach to Council to determine if the land would be available for lease or sale.

Given that the subject section of land is now public road, it is considered appropriate to formally close the portion of road (given that it is unformed and unused) in order that a single lot can be created in Councils ownership.

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Accordingly it is recommended that Council approve the proposed road closure as identified on the attached map in order that an application can be forwarded to NSW Trade and Investment Crown Lands and the creation of a new title issued in Council's name.

Should the road closure be approved and a new title created in Council's name, it is proposed that the section of former road be retained in Council ownership until such time as a further report is submitted to Council to consider any proposal for the lease or sale of land.

It is recommended that the land be classified as operational land upon this section of road being closed.

### **Officer's Recommendation**

1. That Council approve the closure of the unformed section of road extending from Railway Parade, Macquarie Fields under the provisions of the *Roads Act 1993* and an application be made to NSW Trade and Investment Crown Lands to effect such closure.
2. That upon formal closure of the residue section of road extending from Railway Parade the land be classified as 'operational'.
3. That all documentation associated with the road closure be executed under the Common Seal of Council, if required.

### **Committee's Recommendation: (Hawker/Lake)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 29 July 2014 (Dobson/Greiss)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 133**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1





### **3. FINANCIAL SERVICES**

#### **3.1 Investment report - June 2014**

##### **Reporting Officer**

Manager Financial Services

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##### **Attachments**

Investment portfolio performance as at 30 June 2014 (contained within this report)

##### **Purpose**

To provide a report outlining Council's investment portfolio performance for the month of June 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 30 June 2014 stood at approximately \$88m. 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	June
Council Managed Funds	3.92%
Benchmark: 90 Day Bank Bill Index	2.64%

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.

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Rolling year to date return	June
Council Managed Funds	4.10%
Benchmark: 90 Day Bank Bill Index	2.65%

Council's portfolio as at 30 June 2014 is diversified with 70% in term deposits of varying lengths of maturity which are managed in accordance with market expectations and Council's investment strategy, 22% in floating rate notes 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. The National Australia Bank offset facility expired in June 2014 and Council no longer holds funds in these types of facilities.

Maturity profile	30 June
Short term at call	\$1,202,378
0 – 3 months	\$47,948,617
3 – 6 months	\$21,361,223
6 – 12 months	\$11,645,020
12 months +	\$6,000,000

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

Credit exposure	30 June
AAA to AA-	71%
A+ to A-	24%
BBB+ to BBB-	5%
Other approved deposit taking institutions	0%

### Economic outlook

The Board of the Reserve Bank of Australia (RBA) left the cash rate unchanged at the present level of 2.5% at its meeting held on 1 July, which was widely anticipated by most economists. The accompanying statement to this decision stated that the current accommodative monetary policy should provide support to demand and assist growth to strengthen over time, while also maintaining inflation within the Bank's target range of 2-3% over the next two years.

### 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: (Borg/Lake)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 29 July 2014 (Dobson/Greiss)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 133**

That the Officer's Recommendation be adopted.

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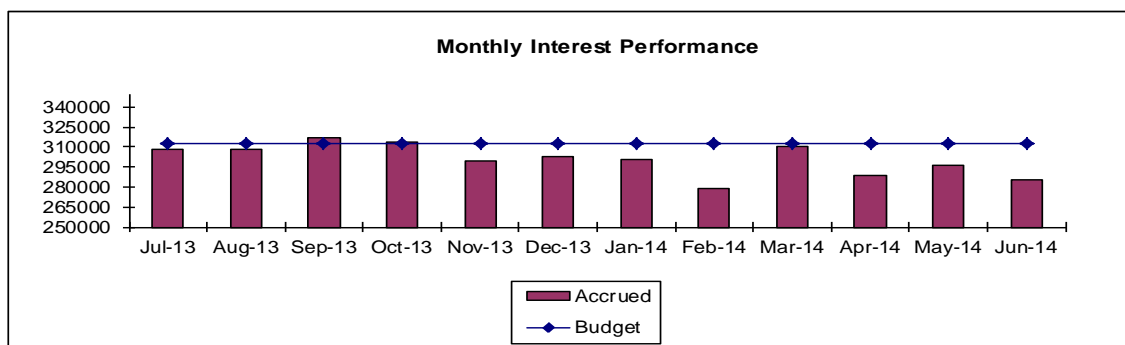
## ATTACHMENT 1

### CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO

Summary June 2014

Benchmark UBS Warburg 90 Day Bank Bill Index  
Portfolio Balance \$88,157,238.05

Monthly Performance	Return (mth)	Return (pa)
UBSW 90 Bank Bill Index	0.22%	2.64%
Total Portfolio	0.32%	3.91%
<i>Performance to Benchmark</i>	+ 0.10%	+ 1.27%
Portfolio - Direct Investments	0.32%	3.92%
<i>Performance to Benchmark</i>	+ 0.11%	+ 1.28%
Short Term Call Account	0.24%	2.90%

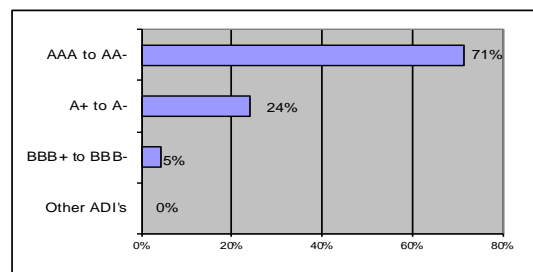


#### Year to Date Performance

#### Credit Exposure

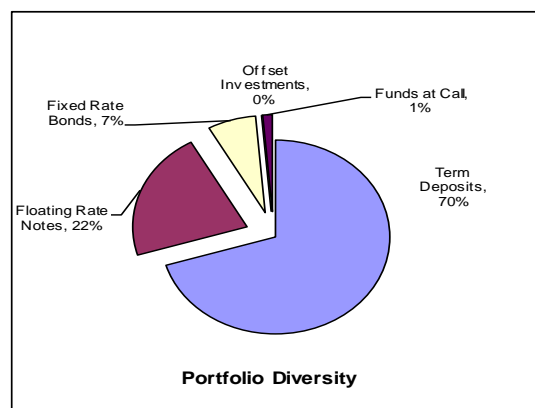
Rolling 12 Month Period  
4.10% Council Managed Funds  
2.65% Benchmark

Interest Budget to Actual  
Annual Budget \$3,750,000  
Income Accrued \$4,536,696



#### Securities

#### Institutions



	Amount Invested	% Portfolio
Funds at Call	\$ 1,202,378.54	1%
NSW Treasury	\$ 2,225,000.00	3%
National Australia Bank	\$24,758,871.92	28%
ANZ Bank	\$ 3,500,000.00	4%
Westpac Bank	\$10,992,835.56	12%
St George Bank	\$ 3,528,505.06	4%
Commonwealth Bank	\$12,500,000.00	14%
Bank Western Australia	\$ 4,244,285.30	5%
AMP Bank	\$ 5,000,000.00	6%
Suncorp Metway	\$ 5,205,361.67	6%
ING Bank	\$ 4,000,000.00	5%
Rural Bank	\$ 3,000,000.00	3%
Bank of Queensland	\$ 4,000,000.00	5%
ME Bank	\$ 4,000,000.00	5%
	<b>\$88,157,238.05</b>	<b>100%</b>

## **3.2 Monthly Rates Summary - June 2014**

### **Reporting Officer**

Manager Financial Services

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### **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 2013-2014 Rates and Charges Levy and cash collections for the year ending 30 June 2014.

### **Report**

Rates and charges levied for the year ending 30 June 2014 totalled \$83,841,437, representing 99.5% of the annual budget forecast. Receipts collected to the end of June totalled \$83,191,929. In percentage terms, this amount represents 96.86% of all rates and charges due to be paid. In comparison, the amount collected in the same period last year was 96.27%.

A process of identifying and finalising accounts with arrears balances was conducted during the month in an effort to assist ratepayers with their unpaid balances. This process included the issue of 1,870 letters of demand to ratepayers with two or more instalments outstanding and a balance due exceeding \$500. Letters were issued on 10 June 2014 on Council stationery seeking payment or a suitable arrangement by 17 June 2014. During this period 1,315 unpaid accounts were brought up to date therefore requiring no further action.

Council's agents Executive Collections, were instructed on 25 June 2014 to follow up the remaining 555 matters with a second letter requesting urgent attention to the outstanding debt. Additional fees associated with debt recovery action will not be charged unless suitable arrangements or payments are made by 7 July 2014.

Ratepayers who have recently purchased property with unpaid amounts are issued a "Notice to New Owner" letter. During the month, seven of these notices were sent advising the amount raised by Council in annual rates and charges and the unpaid balance due.

Working with ratepayers to assist them in minimising their unpaid accounts has achieved an excellent result for the period ending 30 June 2014 with 3.14% of the total rates and charges levied remaining unpaid.

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**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Greiss/Mead)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 29 July 2014 (Dobson/Greiss)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 133**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

### RATES SUMMARY

#### STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2013	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,489,704.10	47,048,237.94	1,372,046.43	786,698.99	48,952,594.60	46,723,116.36	2,229,478.24	299,947.75	2,529,425.99
BUSINESS	468,656.67	15,792,058.54		113,064.32	16,373,779.53	15,868,019.46	505,760.07		505,760.07
BUSINESS - IND	3,940.83	0.00		147.87	4,088.70	1,492.23	2,596.47		2,596.47
FARMLAND	12,880.47	393,443.20	884.94	459.88	405,898.61	396,098.90	9,799.71	118,690.16	128,489.87
MINING	0.00	13,929.61		0.00	13,929.61	13,929.61	0.00		0.00
LOAN	243,314.66	4,109,953.27		13,351.43	4,366,619.36	4,145,291.55	221,327.81	38,459.53	259,787.34
F5 ACCESS RAMPS	764.21	0.00		22.23	786.44	106.91	679.53		679.53
MAIN STREET	40.12	0.00		0.00	40.12	0.00	40.12		40.12
TOTAL	\$3,219,301.06	\$67,357,622.56	\$1,372,931.37	\$913,744.72	\$70,117,736.97	\$67,148,055.02	\$2,969,681.95	\$457,097.44	\$3,426,779.39
GARBAGE	735,268.06	15,838,658.73	809,418.12	46,385.87	15,810,894.54	15,137,924.33	672,970.21		672,970.21
SANITARY	0.00	0.00		0.00	0.00	0.00	0.00		0.00
STORMWATER	51,164.38	900,875.69		2,569.00	954,609.07	905,950.12	48,658.95		48,658.95
GRAND TOTAL	\$4,005,733.50	\$84,097,156.98	\$2,182,349.49	\$962,699.59	\$86,883,240.58	\$83,191,929.47	\$3,691,311.11	\$457,097.44	\$4,148,408.55

Total from Rates Financial Transaction Summary	3,188,716.17
Overpayments	-959,692.38
Difference	0.00

#### ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears 840,957.28

Rate accounts greater than 12 months less than 18 months in arrears 147,727.05

Rate accounts greater than 18 months in arrears 43,129.05

TOTAL rates and charges under instruction with Council's agents \$1,031,813.38

## ATTACHMENT 2

### COMPARISON OF BUDGET TO ACTUAL

DESCRIPTION	ORIGINAL BUDGET	REVISED BUDGET	ACTUAL	BALANCE STILL REQD.	% RAISED
RESIDENTIAL	46,699,900	46,863,400	47,048,238	(184,838)	100.39%
BUSINESS	15,792,500	15,792,500	15,792,059	441	100.00%
FARMLAND	415,500	415,500	393,443	22,057	94.69%
MINING	15,000	15,000	13,930	1,070	92.86%
LOAN	4,176,500	4,176,500	4,109,953	66,547	98.41%
TOTALS	67,099,400	67,262,900	67,357,623	(94,723)	100.14%
INTEREST CHARGES					
LEGAL COSTS RECOVERED	368,900	258,900	212,431	46,469	82.05%
PENSIONERS - Sec 575	710,000	710,000	715,250	(5,250)	100.74%
PENSIONERS - Sec 582	(1,735,300)	(1,735,300)	(1,816,269)	80,969	104.67%
PENSIONERS SUBSIDY	0	0	(366,080)	366,080	0.00%
SUB TOTAL	953,500	953,500	998,948	(45,448)	104.77%
	67,396,500	67,450,000	67,101,902	348,098	99.48%
DOMESTIC WASTE CHARGES					
COMMERCIAL WASTE CHARGES	15,566,800	15,566,800	15,432,089	134,711	99.13%
STORMWATER MNGMNT	358,800	358,800	406,569	(47,769)	113.31%
	894,000	894,000	900,876	(6,876)	100.77%
GRAND TOTALS	84,216,100	84,269,600	83,841,437	428,163	99.49%

### COLLECTIONS AS A % OF:

	TOTAL RECEIVABLE	TOTAL LEVIED	TOTAL RECEIVABLE	TOTAL LEVIED
RESIDENTIAL	95.45%	99.31%		
BUSINESS	96.91%	100.48%	RATES	99.69%
FARMLAND	97.59%	100.67%	WASTE	95.58%
LOAN	94.93%	100.86%	STORMWATER	100.56%
ALL RATES	95.76%	99.69%	TOTAL RATES & CHARGES	100.06%

## ATTACHMENT 3

### RATES STATISTICS

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Jun-13
Rate Notices	48,779	121		238			165						
Electronic - DoH	5,655									41,705			
Instalment Notices				42,363			42,019						
Electronic - DoH				5,703			6,317			5,455			
Missed Instalment Notices			7,916			6,949			6,411			6,605	8,058
- Pensioners > \$15.00			489			436			419			497	591
Notice to new owner	169	91	41	71	41	39	48	21	31	39	31	7	3
7-day Letters - Council issued			1,755			1,901			1,785			1,709	1,761
- Pensioners > \$500.00			124			99			93			161	109
7-day Letters - Agent Issued			698				522		696			555	660
Statement of Claim	235	31	19	248	20	15	236	22	24	243	29	13	17
Judgments	20	81	21	19	65	9	21	38	43	23	117	36	44
Writs	23	44	53	9	15	37	16	6	55	31	51	53	51
eRates	1,163	1,309	1,327	1,331	1,335	1,337	1,341	1,342	1,345	1,346	1,349	1,353	1,272
Arrangements	382	297	385	334	277	389	373	303	405	368	319	422	431

### **3.3 Sundry Debtors Report - June 2014**

#### **Reporting Officer**

Manager Financial Services

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#### **Attachments**

1. Debtors summary to 30 June 2014 (contained within this report)
2. Ageing of sundry debts to 30 June 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 30 June 2014.

#### **Report**

Debts outstanding to Council as at 30 June 2014 are \$3,050,505, reflecting an increase of \$1,842,508 since May 2014. The ratio of outstanding debts to current invoices has decreased from 24% in May to the current level of 8%. 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 – June 2014**

During the month, 1,836 invoices were raised totalling \$2,649,358. 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:

Government and other Grants – \$1,116,321 – the main invoices relate to:

Road and Maritime Services - Traffic Route Lighting subsidy scheme, Cycleway Funding, 2013-2014 Federal Nation Building Black Spot Program, 2013-2014 Grant Funding for Eagle Vale Drive	\$1,053,150
Office of Local Government - Pensioner Subsidy Claim to 30 June 2014	\$47,723
Ingleburn Tennis Club Inc. - Community Building Partnership Program, clubhouse refurbishment	\$15,008

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Various Sundry Items – \$674,930 – the invoices relate to:

Urban Growth NSW - contribution towards works carried out by Council at Park Central	\$600,000
Camden Council - Park Smart Stay Secure joint program, share of costs of Canberra Retirement and Lifestyle Expo, various signs for cycleway, gym and river trails and Rural Fire Service 1/3 share of operating expenses	\$16,847
Australia Council for the Arts - Travel Grant to Ice Hot, Finnish Dance Exchange and peer assessment panel 30 April 2014	\$4,683
State Emergency Service - operational expenses for the period February to May 2014	\$4,024

Land and Building Rentals – \$148,622 – all invoices relate to:

Telstra Corporation Limited - annual land lease at Eschol Park	\$35,098
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 – \$107,487 – the main invoices relate to:

Remondis Australia Pty Ltd - effluent for April and May 2014	\$56,221
G & G Waste Services - effluent for April and May 2014	\$51,566

Receipts to the value of \$806,849 have been received during the period, the most notable in the following areas:

Land and building rentals	\$155,863
Government and other Grants	\$104,940
Waste Collection Services	\$57,704
Healthy Lifestyles	\$56,432
Various Sundry Items	\$53,242

### Sundry debts outstanding – 30 June 2014

Debts exceeding 90 days of age totalled \$204,822 as at 30 June 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	\$13,307
AFL NSW - Contribution to Thomas Acre Reserve Spectator Fencing. Payment is now expected in July 2014	13/02/14	\$7,700
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	\$3,573
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	\$5,312
Caspers Baseball Club - hire of Mary Brookes Reserve and electricity charges. Club is experiencing financial difficulty, unable to commit to structural payment plan but have been making regular payments to reduce the debt	17/12/12 to 14/03/14	\$5,122
West Tigers Football Club - floodlighting and sportsground hire	17/06/13 to 25/03/14	\$4,504
Camden District Cricket Association and Others - sportsground hire. Payment has been delayed due to change in associations' management. Payment is now expected in August 2014	05/03/14	\$23,605

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 10 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, three 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.

Four accounts progressed to the first stage of formal legal recovery action. 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 two Statements of Claim, one for an unpaid road restoration and one for unpaid licence fees and one Warrant for unpaid licence fees.

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: (Lake/Greiss)**

1. That the information be noted.
2. That a report be presented identifying alternative methods for managing the hire of Council sporting fields.

### **CARRIED**

### **Council Meeting 29 July 2014 (Dobson/Greiss)**

That the Committee's Recommendation be adopted.

### **Council Resolution Minute Number 133**

That the Committee's Recommendation be adopted.

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## ATTACHMENT 1

### **DEBTORS SUMMARY 1 June 2014 to 30 June 2014**

DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/05/2014	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 30/06/2014	% DEBT RATIO
Corporate Administration	165,671	92,902	32,599	225,974	7.41%
Abandoned Items	8,944	0	0	8,944	0.29%
Child Care Debts	18,710	0	0	18,710	0.61%
Community Bus	89	698	430	358	0.01%
Sportsground and Field Hire	165,266	92,640	45,657	212,248	6.96%
Government and other Grants	256,457	1,116,321	104,940	1,267,838	41.56%
Public Hall Hire	46,832	42,701	40,231	49,301	1.62%
Health Services	350	0	0	350	0.01%
Land and Building Rentals	53,863	148,622	155,863	46,621	1.53%
Healthy Lifestyles	1,316	70,708	56,432	15,592	0.51%
Library Fines and Costs	174,497	2,736	0	177,233	5.81%
Shop Licence Fees	62,943	29,165	27,170	64,938	2.13%
Pool Hire	5,099	6,000	3,004	8,095	0.27%
Private Works	24,106	0	1,050	23,056	0.76%
Road and Footpath Restoration	58,254	65,531	23,375	100,410	3.29%
Shop and Office Rentals	24,059	24,422	30,655	17,826	0.58%
Various Sundry Items	147,489	674,930	53,242	769,177	25.21%
Waste Collection Services	33,487	107,487	57,704	83,269	2.73%
	<b>1,207,997</b>	<b>2,474,861</b>	<b>632,352</b>	<b>3,050,505</b>	<b>100%</b>



## ATTACHMENT 2

### AGEING OF SUNDRY DEBTOR ACCOUNTS - 30 June 2014

Description	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	86,445	112,166	2,192	25,171	225,974	27,722
Abandoned Items	0	0	0	8,944	8,944	8,944
Child Care Debts	18,710	0	0	0	18,710	0
Community Bus	358	0	0	0	358	0
Sportsground and Field Hire	58,663	88,915	1,066	63,604	212,248	16,977
Government and other Grants	1,115,881	144,257	0	7,700	1,267,838	7,700
Public Hall Hire	39,716	6,190	962	2,433	49,301	2,616
Health Services	0	0	0	350	350	350
Land and Building Rentals	38,495	1,250	1,250	5,625	46,621	5,771
Healthy Lifestyles	15,322	2	0	269	15,592	309
Library Fines and Costs	177,233	0	0	0	177,233	0
Shop Licence Fees	23,652	10,260	5,155	25,871	64,938	27,086
Pool Hire	5,447	527	144	1,978	8,095	1,411
Private Works	1,189	0	0	21,867	23,056	23,506
Road and Footpath Restoration	65,287	8,285	0	26,837	100,410	19,794
Shop and Office Rentals	7,383	5,316	5,056	71	17,826	190
Various Sundry Items	51,982	691,586	11,506	14,102	769,177	19,506
Waste Collection Services	83,269	0	0	0	83,269	927
	<b>1,749,599</b>	<b>1,068,753</b>	<b>27,332</b>	<b>204,822</b>	<b>3,050,505</b>	<b>162,810</b>

### **3.4 Stocktake of Stores and Materials**

#### **Reporting Officer**

Manager Financial Services

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#### **Attachments**

List of stores and materials stocktake result (contained within this report)

#### **Purpose**

To advise Council of the results of the stores and materials stocktake held at Council's Works Depot General Store on 14 June 2014.

#### **Report**

The *Local Government (General) Regulation 2005* requires Council to take all reasonable measures to ensure that the assets of, or under the control of, the Council are properly accounted for.

To assist in the control of Council's stores and material assets, stocktakes are held at least annually and six monthly where timeframes and resources allow. Spot checks are also carried out intermittently throughout the year.

The process involves physical counts of all stock items by Store staff, under the supervision of staff from Financial Services. The results of the count are then compared to the stock item balances contained in Council's financial management information system. A recount of variances is then carried out to confirm the original count. Once all counts are finalised a discrepancy report is produced which details the recommended write off or write on of stock.

Council's total value of stock on hand is approximately \$220,000, and the stocktake carried out on 14 June 2014 resulted in a net write off of \$102.41. This is an excellent result and is largely representative of the manner in which the store is maintained together with the processes around the procurement and issue of inventory items.

#### **Officer's Recommendation**

1. That the information be noted.
2. That the necessary adjustments be made in Council's financial management information system.

#### **Committee's Recommendation: (Hawker/Greiss)**

That the Officer's Recommendation be adopted.

**CARRIED**

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**Council Meeting 29 July 2014 (Dobson/Greiss)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 133**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

### STOCKTAKE OF STORES AND MATERIALS AT CENTRAL STORE 14 JUNE 2014

#### LIST OF ADJUSTMENTS

Product Number or Group	Description	Storage Units	Book Qty on Hand	Counted Qty	Difference	Adjustment Amount
101275	BAG/BIN L - H/Duty 240 Ltr Wheely 1510x5	CTN	4	3	-1	-38.49
100423	BROOM - PLASTIC SOFT HANDLE	EACH	7	8	1	6.62
101958	BOTTLE EMPTY FOR LIQUID DISH WASH	EACH	18	19	1	0.96
100460	CONNECTOR HYDRAULIC 1/8"BSP	EACH	4	5	1	5.60
100397	BLADE HACKSAW 12" X 1/2" 18TPI	EACH	22	20	-2	-2.56
100845	MEDICAL SUNSCREEN 4 Hrs	EACH	34	35	1	6.72
100474	DOWNEE CAP K80	EACH	6	0	-6	-29.94
102222	DOWNEE CAP K90	EACH	6	12	6	34.86
100384	BATTERY LANTERN	EACH	37	36	-1	-2.64
102693	TROUSERS GREEN SIZE 92R	PAIR	5	6	1	18.44
101725	OVERBOOT COVER	EACH	32	33	1	5.00
101872	GLOBE ENERGY SAVER 9W	EACH	8	5	-3	-17.97
101458	BRAKE CLEANER 400 Gram	CAN	15	14	-1	-4.37
100536	INSECTICIDE RESIDUAL / SURFACE	CAN	20	19	-1	-7.23
101916	OIL BABY 125ml	EACH	8	7	-1	-6.00
100922	PAPER, GARNETT, 60 GRIT	SHEET	44	40	-4	-2.20
101161	POST. OZ-POST 600MM	EACH	18	19	1	17.95
101173	VLOCK, WEDGE.	EACH	5	4	-1	-5.00
101185	SIGN, NO STOPPING, RIGHT ARROW	EACH	24	23	-1	-7.00
101273	WINDOW WONDER 5LT	DRUM	3	2	-1	-6.95
101279	CLEANER - POWERFORCE 5LT	DRUM	12	8	-4	-35.20
101291	LIQUID DISHWASHING DETERGENT	EACH	7	6	-1	-5.89
100731	STAKE, HARDWOOD	EACH	189	190	1	2.05
102078	BOLT& NUT,4 X 5/16 UNF	EACH	5	4	-1	-0.46
102146	BOLT & NUT,3 1 1/2,UNC	EACH	44	42	-2	-0.89
102153	BOLT & NUT,3 1/2 X 7/16,U	EACH	72	69	-3	-1.62
102163	BOLT & NUT,4 1/2 X 1/2,UN	EACH	8	7	-1	-0.89
100534	INHIBITOR CORROSION500ML	EACH	6	5	-1	-7.00
100950	RING PIN. BARECO 1/4" B2	EACH	24	23	-1	-0.39
102442	FLASHER LOAD SENSITIVE	EACH	3	2	-1	-19.43
102505	GLOBE, HELLA XD 1260/55	EACH	1	2	1	4.75
102438	GLOBE 12V/21+5W	EACH	19	18	-1	-0.35
102448	GLOBE 12V-21W WEDGE	EACH	22	20	-2	-0.83
102449	GLOBE ST/TAIL 12V/21W	EACH	29	30	1	0.32
102548	STOP, TAIL, INDICATOR	EACH	3	4	1	6.98
102474	CABLE TIE 4"	BOX	3	2	-1	-1.37
102780	SPACER. JOHN DEERE M85178	EACH	11	10	-1	-5.74
103170	SOY MILK - SO GOOD 1 LITRE	EACH	43	42	-1	-2.24
Gain / (Loss)						(102.41)



#### **4. HUMAN RESOURCES**

**No reports this round**

#### **5. INFORMATION MANAGEMENT AND TECHNOLOGY**

**No reports this round**

#### **6. GENERAL BUSINESS**

Nil.

#### **Confidentiality Motion: (Hawker/Lake)**

That the Committee in accordance with Section 10 of the *Local Government Act 1993*, move to exclude the public from the meeting during discussions on the items in the Confidential Agenda, due to the confidential nature of the business and the Committee's opinion that the public proceedings of the Committee would be prejudicial to the public interest.

**CARRIED**

#### **21. CONFIDENTIAL ITEMS**

##### **21.1 Compulsory Acquisition of Council land by Rail Corporation**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

There being no further business the meeting closed at 6.16pm.

S Dobson  
CHAIRPERSON

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