

Burwood Council

heritage ▪ progress ▪ pride

ORDINARY MEETING

Notice is hereby given that a meeting of the Council of Burwood will be held in the Council Chamber, Suite 1, Level 2, 1-17 Elsie Street, Burwood on Tuesday 25 June 2019 at 6.00 pm to consider the matters contained in the attached Agenda.

Tommaso Briscese
ACTING GENERAL MANAGER

Our Mission

**Burwood Council will create a quality lifestyle for its citizens
by promoting harmony and excellence in the delivery of its services**

CONFLICT OF INTERESTS

What is a “Conflict of Interests” - A conflict of interests can be of two types:

Pecuniary - an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Section 448 of the Local Government Act.

Non-pecuniary – are private or personal interests the Council official has that do not amount to a pecuniary interest as defined in the Local Government Act. These commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.

Who has a Pecuniary Interest? - A person has a pecuniary interest in a matter if the pecuniary interest is the interest of:

- The person, or
- The person's spouse or de facto partner or a relative of the person, or a partner or employer of the person, or
- A company or other body of which the person, or a nominee, partner or employer of the person, is a member.

No Interest in the Matter - However, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body, or
- Just because the person is a member of, or is employed by, a Council or statutory body or is employed by the Crown.
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter so long as the person has no beneficial interest in any shares of the company or body.

N.B. “Relative”, in relation to a person means any of the following:

- a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person's spouse;
- b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or
 - (b) at any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge - A person does not breach the Act if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

What interests do not have to be disclosed (S 448 Act)?

- (a) an interest as an elector,
- (b) an interest as a ratepayer or person liable to pay a charge,
- (c) an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this Part,
- (d) an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to a relative of the person by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this Part,
- (e) an interest as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not),
- (f) an interest of a member of a council committee as a person chosen to represent the community or as a member of a non-profit organisation or other community or special interest group if the committee member has been appointed to represent the organisation or group on the committee,
- (g) an interest in a proposal relating to the making, amending, altering or repeal of an environmental planning instrument other than an instrument that effects a change of the permissible uses of:
 - (i) land in which the person or a person, company or body referred to in section 443 (1) (b) or (c) has a proprietary interest (which, for the purposes of this paragraph, includes any entitlement to the land at law or in equity and any other interest or potential interest in the land arising out of any mortgage, lease, trust, option or contract, or otherwise), or
 - (ii) land adjoining, adjacent to or in proximity to land referred to in subparagraph (i), if the person or the person, company or body referred to in section 443 (1) (b) or (c) would by reason of the proprietary interest have a pecuniary interest in the proposal,
- (h) an interest relating to a contract, proposed contract or other matter if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company,

- (i) an interest of a person arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because a relative of the person is a shareholder (but not a director) of the corporation or is a member (but not a member of the committee) of the association or is a partner of the partnership,
- (j) an interest of a person arising from the making by the council of a contract or agreement with a relative of the person for or in relation to any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
 - (i) the performance by the council at the expense of the relative of any work or service in connection with roads or sanitation,
 - (ii) security for damage to footpaths or roads,
 - (iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council or by or under any contract,
- (k) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor),
- (l) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252,
- (m) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor,
- (n) an interest of a person arising from the passing for payment of a regular account for wages or salary of an employee who is a relative of the person,
- (o) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or member of a council committee,
- (p) an interest arising from appointment of a councillor to a body as representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 448 of the Local Government Act.

Non-pecuniary Interests - Must be disclosed in meetings.

If you are a Council official, other than a member of staff of Council and you have disclosed that a significant non-pecuniary conflict of interests exists, you must manage it in one of two ways:

- a) Remove the source of the conflict by relinquishing or divesting the interest that creates the conflict, of reallocating the conflicting duties to another Council official;
- b) Have no involvement in the matter, by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in Section 451(2) of the Act apply.

If you determine that a non-pecuniary conflict of interests is less than significant and does not require further action, you must provide an explanation of why you consider that the conflict does not require further action in the circumstances.

Disclosures to be Recorded - A disclosure (and the reason/s for the disclosure) made at a meeting of the Council or Council Committee must be recorded in the minutes of the meeting.

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AGENDA

FOR AN ORDINARY MEETING OF BURWOOD COUNCIL
TO BE HELD ON TUESDAY 25 JUNE 2019 IN THE COUNCIL CHAMBERS, 1-17 ELSIE STREET, BURWOOD
COMMENCING AT 6.00 PM.

I DECLARE THE MEETING OPENED AT (READ BY MAYOR)

ACKNOWLEDGEMENT OF COUNTRY (READ BY MAYOR)

"I would like to acknowledge the Wangal people who are the Traditional Custodian of this Land. I would also like to pay respect to the Elders both past and present of the Wangal Nation and extend that respect to other Aboriginals present".

PRAYER (READ BY MAYOR)

"Lord, we humbly beseech thee to vouchsafe thy blessing on this Council, direct and prosper its deliberations for the advancement of this area and the true welfare of its people."

TAPE RECORDING OF MEETING (READ BY MAYOR)

"Members of the Public are advised that Meetings of Council and Council Committees are audio recorded for the purpose of assisting with the preparation of Minutes.

The tape recordings will be subject to the provisions of the Government Information (Public Access) Act 2009 (GIPA).

Tapes are destroyed two (2) months after the date of the recording"

APOLOGIES/LEAVE OF ABSENCES

DECLARATIONS OF INTERESTS BY COUNCILLORS

DECLARATION OF POLITICAL DONATIONS (READ BY MAYOR)

"Councillors & Members of the Gallery

As a result of recent changes to the Legislation that governs the legal process for the determination of Development Applications before Council, a person who makes a relevant application to Council or any person with a financial interest in the application must now disclose any reportable political donation or gift made to any local Councillor or employee of Council. Council will now require in its Development Application Forms this disclosure to be made.

Council is also required to publish on its website all reportable political donations or gifts. Should any person having business before Council this evening and being an applicant or party having a financial interest in such application feel that they have not made the appropriate disclosure, Council now invites them to approach the General Manager and to make their disclosure according to Law."

RECORDING OF COUNCILLORS VOTING ON PLANNING DECISIONS

In accordance with Section 375A of the Local Government Act a division must be called for and taken on every Environmental Planning & Assessment decision. The names of those Councillors supporting and those opposed to the decision are to be recorded in the meeting minutes and the register retained by the General Manager.

OPEN FORUM ACKNOWLEDGMENT (READ BY MAYOR)

The Mayor to ask each speaker to confirm that they had read the guidelines about addressing the Council and acknowledge that they had been informed that the meeting was being recorded and that the Council accepts no responsibility for any defamatory comments made. Speakers should refrain from providing personal information unless it is necessary to the subject being discussed, particularly where the personal information relates to persons not present at the meeting

OPEN FORUM COMMENCES

CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the following Meeting of Burwood Council:

A. Council Meeting held on 28 May 2019

copies of which were previously circulated to all Councillors be and hereby confirmed as a true and correct record of the proceedings of that meeting.

ADDRESS BY THE PUBLIC ON AGENDA ITEMS ACKNOWLEDGMENT (READ BY MAYOR)

The Mayor to ask each speaker to confirm that they had read the guidelines about addressing the Council and acknowledge that they had been informed that the meeting was being recorded and that the Council accepts no responsibility for any defamatory comments made.

ADDRESS BY THE PUBLIC ON AGENDA ITEMS COMMENCES

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CONFIDENTIAL ITEMS

(ITEM 51/19) ENFIELD AQUATIC CENTRE MASTER PLAN

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (d) of the Local Government Act, 1993, as the matter involves commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

(ITEM 52/19) ORGANISATIONAL ISSUES IDENTIFIED

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (a) of the Local Government Act, 1993, as the matter involves personnel matters concerning particular individuals.

(ITEM 53/19) COUNCIL RE-BRAND PROJECT 2018-19

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (d) of the Local Government Act, 1993, as the matter involves commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

QUESTIONS WITHOUT NOTICE

Councillors are requested to submit any Questions Without Notice in writing.

(ITEM 44/19) PARKING METER CREDIT CARD READER UPGRADE

File No: 19/23880

REPORT BY DEPUTY GENERAL MANAGER, LAND INFRASTRUCTURE & ENVIRONMENT

Summary

In order to ensure continued compliance for credit card transactions an upgrade of the card reader hardware is required for all of Council's parking meters. The upgrade is to introduce contactless payments (Tap & Go) only, so as to remove issues of mechanical and potential vandalism associated with contact (insert) readers.

Operational Plan Objective

4.2 Provide connected and accessible infrastructure

4.2.1 Improve the accessibility of Burwood CBD

Background

As the sophistication of fraudulent activities increases, each component of payment equipment undergoes end-to-end evaluation and certification to ensure compliance with industry standards and to ensure security for customers.

Council's fleet of 110 Parkeon meters are fitted with the MR40 Card Payment Terminal (a combination of a contact reader (Insert) and a separate embedded contactless antenna (Tap & Go)). The constituent components of the MR40 Payment Terminal will reach their sunset date on 30 June 2019. This sunset date is determined by the card payment industry Europay, Mastercard, and Visa (EMV Co.) and means that there will be no future hardware or software certifications beyond this date. The implications of the withdrawal of the MR40 certifications are worldwide and are not exclusive to Burwood Council or the Parkeon meters.

Card payments at Council's parking meters currently make up 55% of all transactions, with coin payments representing the other 45%. This is an increase of 10% over the past two years, showing a steady increase in users choosing to pay via card compared to coin. Of the users who pay via card, 72% currently use the contactless (Tap & Go) method, which is also a 10% increase when compared to data from two years ago. This again shows a steady increase in users trust towards the technology that was introduced in 2016.

Proposal

It is proposed to replace the MR40 Card Payment Terminal with the Globalcom A1000 contactless only card reader. Installation will include a new fascia, installation of new software and configuration in the banking system. The A1000 comprises two parts, the antenna which is installed behind the new lower fascia, and its interface which is installed as a separate circuit board within the meter.

With no moving parts and flush mounting, this contactless only solution is reliable and resistant to field failures due to vandalism and weather events. The upgrade will also accept Apple Pay, Android Pay and Samsung Pay payments.

In theory the new contactless card reader should have a useful life of approximately 10 years. The requirement to upgrade will depend upon changes to the credit card security regime as weaknesses in the process are exploited. It is anticipated that the next global effected upgrade would not be required before 2024-2025.

Financial Implications

Without EMV Co. certification, liability for fraud reverts to the merchant (Council). A penalty loading of 10 basis points (0.1%) will initially apply to all transactions processed through non-compliant equipment. After a certain point a termination order will be issued by the card schemes requiring the card processor to disconnect all non-compliant terminals from its host. Additional costs to Council in terms of staff time and resources may also be incurred in order to assess and process claims of fraudulent transactions.

The cost to upgrade each meter is \$3,285 plus GST. For the fleet of 110 meters this equates to \$361,350 plus GST. The upgrades will be funded from the Parking Meter Reserve. If Council wishes to install contact readers (insert) in addition to the contactless readers (Tap & Go), an additional \$395.00 plus GST will be incurred per meter.

In accordance with Section 55 Part 3 (i) of the *Local Government Act 1993* Council is not required to go to tender to enter into a contract in circumstances where *“because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders”*.

Australian Parking and Revenue Control Pty Ltd (APARC) is the only Australian qualified partner able to deliver the manufacturer qualified terminals and associated software. Additionally, APARC is recommended by Parkeon as being fully trained and supported to supply and install these terminals.

Recommendations

1. That Council approves the upgrade of its parking meter fleet with new contactless only credit card readers at a cost of \$361,350.00 plus GST.
2. That Council, in accordance with Section 55 (3) of the *Local Government Act 1993*, conducts a single source procurement process because of *“extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders”*.
3. That Council engages APARC Propriety Limited on behalf of Parkeon Propriety Limited to upgrade the existing parking meter fleet of meters with new credit card readers.
4. That Council authorises the Acting General Manager to finalise the contractual arrangements under his prescribed power of attorney and sign all relevant documents to engage or terminate the agreement.

Attachments

There are no attachments for this report.

(ITEM 45/19) ADOPTION - OPERATIONAL PLAN AND BUDGET 2019-2020, STATEMENT OF REVENUE POLICY 2019-2020 AND SCHEDULE OF FEES AND CHARGES 2019-2020

File No: 19/24719

REPORT BY ACTING DEPUTY GENERAL MANAGER, CORPORATE GOVERNANCE & COMMUNITY

Summary

The purpose of this report is to seek Council's adoption of the:

- Operational Plan and Budget 2019-2020
- Statement of Revenue Policy 2019-2020
- Schedule of Fees and Charges 2019-2020
- Making of the rates and charges 2019-2020

Operational Plan Objective

2.1 Community confidence in Council's decision making

2.1.3 Ensure transparency and accountability in decision making

2.3 Identify and maintain additional revenue sources to ensure financial sustainability

Background

Council at its meeting of 28 May 2019 resolved to place on public exhibition the Draft 2019-2020 Operational Plan and Budget and Draft Statement of Revenue Policy, incorporating the proposed Schedule of Fees and Charges for 2019-2020, for a period of 28 days between 28 May and 24 June 2019.

Proposal

That Council adopt the Operational Plan and Budget 2019-2020, the Statement of Revenue Policy, Schedule of Fees and Charges for 2019-2020.

Consultation

In accordance with the requirements of the *Local Government Act 1993*, Council advertised its draft plans:

- On Council's website (including home page feature)
- In the local newspaper Inner West Courier (28 May 2019)
- In the Mayoral Column (Inner West Courier – 4 June 2019)
- On Council's Facebook and Twitter pages

In addition, hard copies of the documents were made available at the Customer Service Centre at the Council Chambers and Burwood Library & Community Hub.

Website and Facebook Statistics

Website - total views during public exhibition period as at 17 June 2019

Burwood Council website	28,442
Public Notices section	34

Social media - total views during public exhibition period as at 17 June 2019

Twitter Post	158
Facebook Post	524
Total views	682

As of Monday, 17 June 2019, Council received no public submissions. Any further submissions received will be presented at the Council Meeting of 25 June 2019.

Planning or Policy Implications

The Operational Plan and Budget 2019-2020 supports the current three year Delivery Program 2018-2021. A new four year Delivery Program and annual Operational Plan will be developed in 2020-2021, and the Community Strategic Plan will be reviewed, following the next Local Government Elections in September 2020.

The Delivery Program is reviewed each year, prior to preparing the Operational Plan, to ensure it is still moving in the right direction. As with any long term plan, major circumstances need to be considered that might affect the prioritisation of activities and services, such as changes in legislation, a significant failure of infrastructure, a major flood etc.

For 2019-2020 there were no changes to the Delivery Program. Therefore it is not required to be put on public exhibition or resubmitted to Council for adoption.

The Operational Plan and Budget 2019-2020 is based on a realistic and current understanding of Council's capacity to deliver the targets identified in the Delivery Program 2018-2021.

Financial Implications

The resourcing of the Operational Plan 2019-2020 is detailed in the Budget 2019-2020.

During the public exhibition period the NSW Valuer General has issued Council with another valuation listing and Council is expecting another valuation listing prior to 30 June 2019. These valuation listings will not affect the minimum rates and rates-in-the-dollar from those advertised during the public exhibition period. Additional income generated will be brought to account at the September 2019 budget review for the 2019-2020 financial year.

The Estimated Rate Yield for 2019-2020 with the Independent Pricing and Remuneration Tribunal (IPART) Special Rate Variation (SRV) increase of **4.7%** and proposed rates are shown in the following table:

2019-2020 RATING STRUCTURE WITH +4.7% SRV and Other Mandatory Adjustments						
RATE TYPE	CATEGORY	TOTAL NUMBER OF ASSESSMENTS	RATE IN THE DOLLAR	NUMBER MIN. RATE ASSESSMENTS	MINIMUM RATE \$	NOTIONAL YIELD \$
Ordinary	Residential	10,044.84*	0.00127875	4,126.07*	\$973.71	\$14,118,596
Ordinary	Business A	461.16*	0.00216136	141.79*	\$1,064.80	\$1,447,329
Ordinary	Business B	43	0.00302201	3	\$1,064.80	\$598,069
Ordinary	Business C	31	0.00552625	2	\$1,064.80	\$417,428
Ordinary	Business D	42	0.00701169	4	\$1,362.15	\$2,269,373
Ordinary	Residential Town Centre	2,835	0.00081877	2,791	\$1,241.74	\$3,728,096
Ordinary	Town Centre - Minor Business	389	0.00212669	222	\$1,362.15	\$1,434,835
Total		13,846		7,289.86		\$24,013,725

*Pursuant to Section 518B of the *Local Government Act 1993*, inter alia land valuations carrying a Mixed Development Apportionment Factor (MDAF) are rated proportionally between Ordinary–Residential and Ordinary–Business A minimum/ad-valorem rates according to the MDAF percentages supplied by the NSW Valuer General. This accounts for the fractional number of assessments in the above table.

Residential Waste Service Charge

Residential waste service charges are made on an annual basis and are equal to the cost of providing residential waste removal and disposal, recycling and waste management education.

The *standard* Residential Waste service consists of a 120 litre bin, a 240 litre recycling bin, a 240 litre green waste bin and two general clean-ups per annum.

In 2019-2020 it is proposed that the *standard* Residential Waste Service Charge will be set at \$408.85, representing an increase of \$10.75 or 2.7%pa compared to the 2018-2019 Residential Waste Service Charge.

Conclusion

The Delivery Program and Operational Plan, together with the related Budgets, form the blueprint of all Council's activities for the next three years and meet the NSW Government's Integrated Planning and Reporting Framework requirements.

Recommendation(s)

1. That Council note that no submissions have been received relating to the Draft Budget 2019-2020, Draft 2019-2020 Operational Plan and Budget and the 2019-2020, Draft Statement of Revenue Policy incorporating the Schedule of Fees & Charges for 2019-2020, and the Draft Community Strategic Plan.
2. That Council adopt the 2019-2020 Delivery Program.
3. That Council adopt the 2019-2020 Operational Plan.
4. That Council adopt the 2019-2020 Budget.
5. That Council levy two ordinary rates, being "Residential" and "Business".
6. That the "Residential" rate be sub-categorised into:
 - Residential
 - Residential – Town Centre
7. That the "Business" rate be sub-categorised into sub-categories, being:
 - Business A
 - Business B
 - Business C
 - Business D
 - Town Centre – Minor Business
8. That Council continue to adhere to the minimum/ad-valorem basis of rating with a reasonable substantial minimum rate set at an amount determined to be the contribution required to cover the provision of the basic activities of the Council.
9. That Council make:
 - a. An Ordinary Rate (Residential) of 0.00127875 in the dollar on all rateable residential land in the Burwood Council area excluding Residential–Town Centre land, with the minimum amount payable for this rate in respect to each separate parcel of rateable

land be the sum of \$973.71;

- b. An Ordinary Rate (Residential–Town Centre) of 0.00081877 in the dollar on all rateable residential land in the Burwood Council area defined and categorised as Residential–Town Centre land, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,241.74;
 - c. An Ordinary Rate (Business A) of 0.00216136 in the dollar on all rateable business land in the Burwood Council area other than the rateable business land included in sub-categories Business B, Business C, Business D and Town Centre–Minor Business, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,064.80;
 - d. An Ordinary Rate (Business B) of 0.00302201 in the dollar on all rateable business land within the centre of activity defined, and categorised Category Business B, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,064.80;
 - e. An Ordinary Rate (Business C) of 0.00552625 in the dollar on all rateable business land within the centre of activity defined, and categorised Category Business C, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,064.80;
 - f. An Ordinary Rate (Business D) of 0.00701169 in the dollar on all rateable business land within the centre of activity defined, and categorised Category Business D with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,362.15;
 - g. An Ordinary Rate (Town Centre–Minor Business) of 0.00212669 in the dollar on all rateable business land within the defined Town Centre area and categorised as Town Centre–Minor Business, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,362.15;
 - h. A Residential Waste Management Service Availability Charges (Residential Waste Charge or Res Strata Waste Charge) in accordance with Section 496 of the *Local Government Act 1993* for 2019-2020 of \$408.85 as per Schedule of Fees and Charges.
 - i. A Stormwater Management Service Charges (Stormwater Management Service Charge) in accordance with Section 496A of the *Local Government Act 1993* and Clauses 125A and 125AA of *Local Government (General) Regulation 2005*, as denoted in the 2019-2020 Schedule of Fees and Charges document.
 - j. Charges pursuant to Section 611 of the *Local Government Act 1993* as denoted in the 2019-2020 Schedule of Fees and Charges document.
10. The Estimated Rate Yield for 2019-2020 with the Independent Pricing and Remuneration Tribunal (IPART) Special Rate Variation (SRV) increase of **4.7%** and proposed rates are shown in the following table:

2019-2020 RATING STRUCTURE WITH +4.7% SRV and Other Mandatory Adjustments						
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Ordinary	Residential Town Centre	2,835	0.00081877	2,791	\$1,241.74	\$3,728,096
Ordinary	Town Centre - Minor Business	389	0.00212669	222	\$1,362.15	\$1,434,835
Total		13,846		7,289.86		\$24,013,725

11. That the yield from the Residential Waste Management Service Availability Charges of \$5,904,813.70 be noted and updated in the Statement of Revenue Policy 2019-2020.
12. That the yield from the Stormwater Management Service Charges of \$282,287.50 be noted and updated in the Statement of Revenue Policy 2019-2020.
13. That the yield for the Section 611 Charges (Gas Mains Assessment) will be approximately \$30,000.
14. That for the 2019-2020 rating year a rebate of \$75 be granted in addition to any other pensioner rates concession granted to a rates assessment of an eligible pensioner.
15. That the General Manager levy the rates and charges for the period 1 July 2019 to 30 June 2020 by service of the rates and charges notices pursuant to the *Local Government Act 1993* and the Regulations made there under.
16. That Council adopt the tabled 2019-2020 Statement of Revenue Policy incorporating the Schedule of Fees & Charges for 2019-2020.
17. That Council delegate to the Acting General Manager the delivery of the Capital Works program in line with a detailed plan of works/services and budget for the financial year 2019-2020 including the acquisition of goods and services, request for quotations and tendering for roads, footpaths, kerb and gutter and drainage works using prescribed agencies under Section 55 of the *Local Government Act 1993* and NSW Government panels available to Council.

Attachments

- 1 Burwood Council Statement of Revenue Policy - Final
- 2 Burwood Council Operational Plan 2019-2020 - Final

Burwood Council Schedule of Fees and Charges to be provided separately.



STATEMENT OF REVENUE POLICY 2019-2020

Pursuant to Section 491 of *Local Government Act 1993*, Council may obtain income from:

- Rates
- Charges
- Fees
- Grants
- Borrowings
- Investments

Rates

Revenue will be raised by way of general residential and non-residential rates, based on land values of all rateable properties in the Council area.

Council's Rating Policy is based on a minimum rate/ad-valorem structure comprising:

- Ordinary Rate – Residential
- Minimum Rate – Residential
- Ordinary Rate – Residential Town Centre
- Minimum Rate – Residential Town Centre
- Ordinary Rate – Business A
- Ordinary Rate – Business B
- Ordinary Rate – Business C
- Ordinary Rate – Business D
- Ordinary Rate – Business Town Centre Minor Business
- Minimum Rate – Business A, B, C, D and Town Centre Minor Business

The Estimated Rate Yield for 2019-2020 with the Independent Pricing and Remuneration Tribunal (IPART) Special Rate Variation (SRV) increase of 4.7% and proposed rates are shown in the following table:

2019/2020 RATING STRUCTURE WITH +4.7% Rate Peg and Other Mandatory Adjustments						
RATE TYPE	CATEGORY	TOTAL NUMBER OF ASSESSMENTS	RATE IN THE DOLLAR	NUMBER MIN. RATE ASSESSMENTS	MINIMUM RATE \$	NOTIONAL YIELD \$
Ordinary	Residential	10,010.84*	0.00127875	4,092.07*	\$973.71	\$14,091,173
Ordinary	Business A	454.16*	0.00216136	136.79*	\$1,064.80	\$1,454,639
Ordinary	Business B	43	0.00302201	3	\$1,064.80	\$598,069
Ordinary	Business C	31	0.00552625	2	\$1,064.80	\$417,428
Ordinary	Business D	42	0.00701169	4	\$1,362.15	\$1,936,317
Ordinary	Residential Town Centre	2,835	0.00081877	2,791	\$1,241.74	\$3,728,096
Ordinary	Town Centre - Minor Business	389	0.00212669	222	\$1,362.15	\$1,434,836
Total		13,805		7,250.86		\$23,660,557

*Pursuant to Section 518B of the *NSW Local Government Act 1993* inter alia land valuations carrying a Mixed Development Apportionment Factor (MDAF) are rated proportionally between Ordinary – Residential and Ordinary – Business A minimum/ad-valorem rates according to the MDAF percentages supplied by the NSW Valuer General. This accounts for the fractional number of assessments in the above table.

Rateable properties that are categorised as *Business B*, *Business C*, *Business D* and *Town Centre Minor Business* are shown in the Draft Statement of Revenue Policy.

Rateable properties that fall within the *Burwood Town Centre Boundary* area and are residentially occupied are categorised *Residential Town Centre*.

Those rateable properties that fall outside the *Burwood Town Centre Boundary* and are residentially occupied are categorised *Residential*. Unless categorised otherwise, the remaining rateable properties are categorised *Business A*.

The rates for 2019-2020 will be levied on land valuations supplied by the NSW Valuer General with a base date of 1 July 2016.

Pursuant to Section 566 of the *Local Government Act 1993* interest will accrue on all overdue rates and charges. The interest rate will not exceed the rate specified, for the time being, by the Minister of Local Government in accordance with that Section. That rate is 7.5% per annum calculated daily.

Council Additional Pensioner Rebate

In the 2018-2019 rating year Council introduced a rebate of \$50 be granted in addition to any other pensioner rates concession granted to a rates assessment of an eligible pensioner. In the 2019-2020 rating year it is proposed the additional rebate be **\$75**.

Charges

Stormwater Management Service Charge

The Stormwater Management Service Charge (SMSC) was introduced in the 2013-14 financial year to establish a sustainable funding source for providing improved stormwater management across the Burwood Local Government area. In summary, the proposed Stormwater Management Services Charges are:

- Residential property: \$25 per annum (approximately 48 cents per week)
- Residential strata property: \$12.50 per annum (approximately 24 cents per week)
- Business property: \$25 per annum plus an additional \$25 for each 350m² or part thereof by which the parcel of land exceeds 350m²
- Business strata property: the above divided pro-rata between each strata title lot according to the unit entitlement with a minimum of \$5

The yield of the Stormwater Management Service Charges is estimated to be \$281,762.

Residential Waste Service Charge

Residential waste service charges are made on an annual basis and are equal to the cost of providing residential waste removal and disposal, recycling and waste management education.

The *standard* Residential Waste service consists of a 120 litre bin, a 240 litre recycling bin, a 240 litre green waste bin and two general clean-ups per annum.

In 2019-2020 it is proposed that the *standard* Residential Waste Service Charge will be set at \$408.85, representing an increase of \$10.75 or 2.7%pa compared to the 2018-2019 Residential Waste Service Charge.

The yield of the Residential Waste Service Charges is estimated to be \$5,856,597.30

Section 611 Charges

The approximate yield for the s611 Charges (Gas Mains Assessment) is estimated to be \$30,000.

Fees

Council may charge and recover an approved fee for any service it provides, other than a service provided for, or proposed to be provided, on an annual basis for which it may make an annual charge. Services for which an approved fee may be charged include the following:

- Supplying a service, product or commodity
- Giving information
- Providing a service in connection with the exercise of the Council’s regulatory functions – including receiving an application for approval, granting an approval, making an inspection and issuing a certificate
- Allowing admission to any building or enclosure

Section 610F prohibits a Council from determining a fee until it has given public notice of its Draft Operational Plan for the year in which the fee is to be made and has considered any submissions received. However pursuant to Clause 201(4) of the *Local Government (General) Regulation 2005* the statement of fees and the statement of pricing methodology need not include information that could confer advantage to a commercial competitor.

The Draft Schedule of Fees & Charges for 2019-2020 is prepared in accordance with legislative changes, movements of consumer price index and user-pays principles. The schedule includes each fee, its description, the amount of the fee and details of the relevant Pricing Policy (where shown) and the applicability of GST.

Grants

Council applies for and uses both operating and capital grants to fund its operations and capital program respectively. Grant funding for particular activities or programs are listed in the budget.

Borrowings

Council will not be borrowing funds during the 2019-2020 financial year.

If Council was to reconsider this during the year, any borrowing will be sourced from appropriate financial institutions in accordance with the Local Government Minister’s borrowing order. Borrowings are secured over Council’s revenue stream in accordance with the *Local Government Act 1993* as amended.

Investments

Any surplus funds will be invested in accordance with statutory requirements and Council’s Investment Policy to maximise interest income.

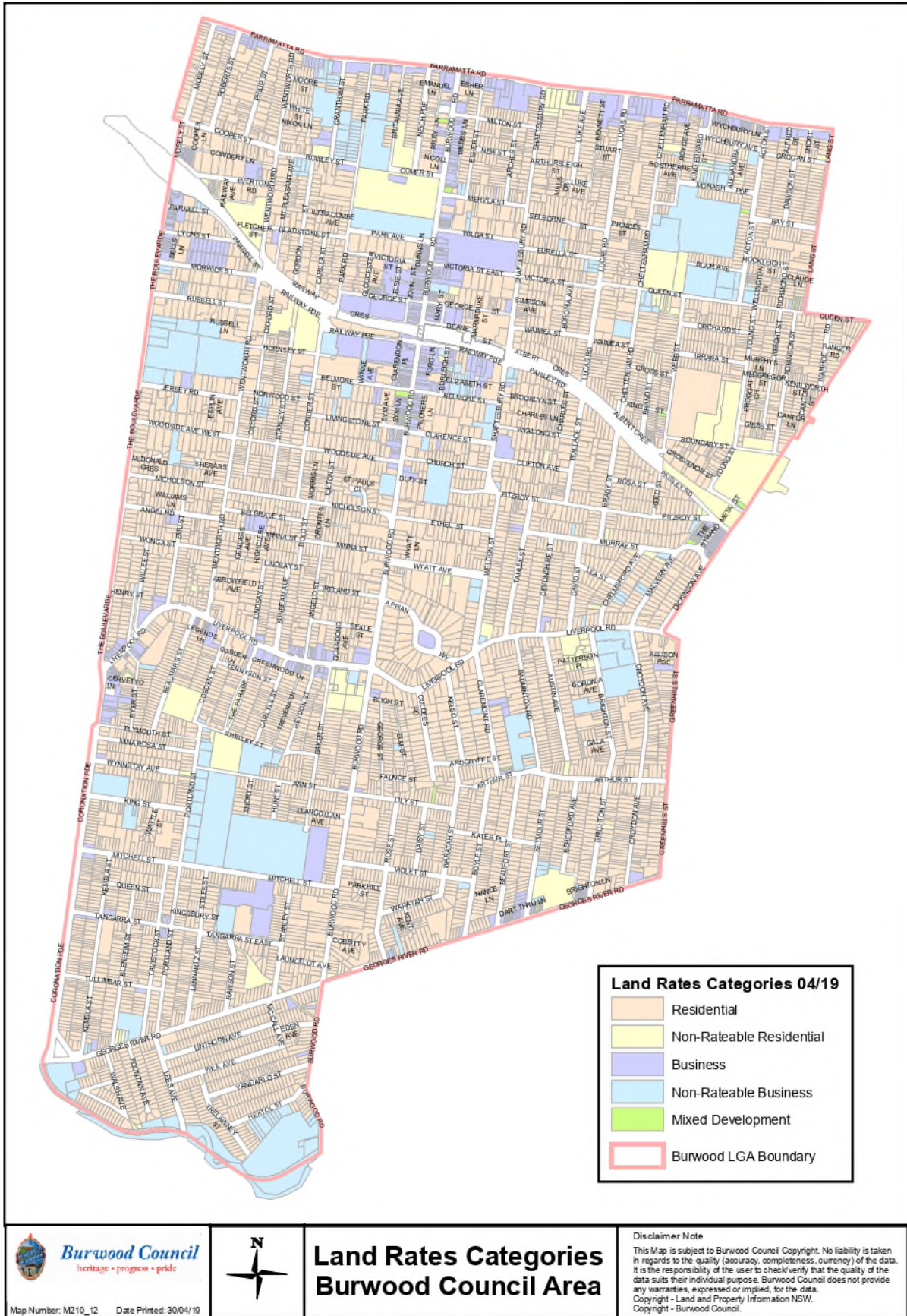
GST Provisions

Those goods and/or services that have been subject to GST have been identified in Council’s Draft Schedule of Fees & Charges as GST applying. In accordance with taxation legislation the price shown for those goods and/or services is the GST inclusive price.

The Draft Schedule of Fees & Charges for 2019-2020 has been prepared using the best available information in relation to the GST.

However if a fee that is shown as being subject to GST is subsequently proven not to be subject to GST then that fee will be amended by reducing the GST to Nil. Conversely, if it is determined that a fee shown as being not subject to GST becomes subject to GST then the fee will be increased but only to the extent of the GST.

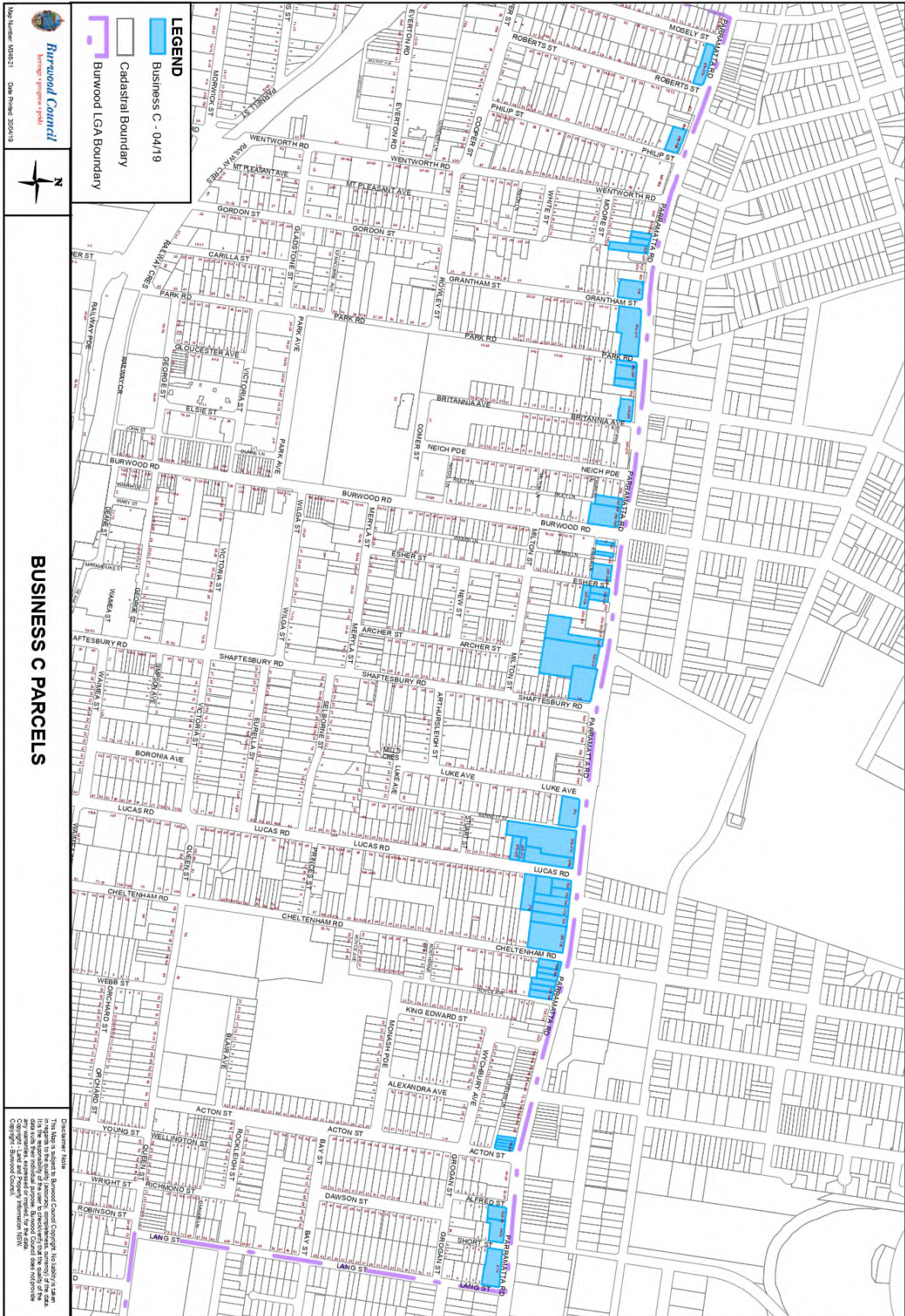
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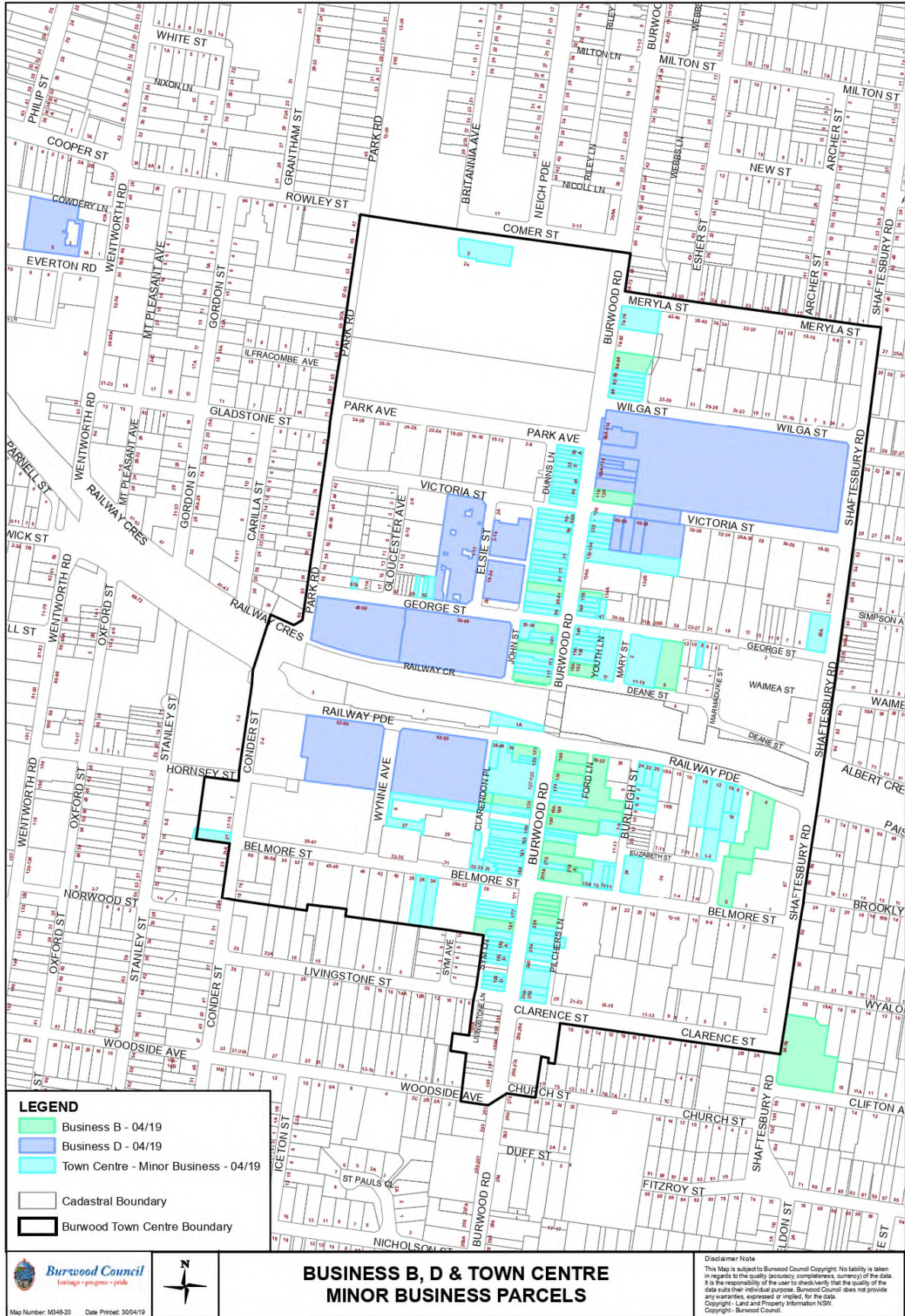


**Land Rates Categories
Burwood Council Area**



ITEM NUMBER 45/19 - ATTACHMENT 1

Burwood Council Statement of Revenue Policy - Final



BURW2030D OPERATIONAL PLAN 2019-2020



Delivered by



Burwood Council
heritage • progress • pride



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Acknowledgement

The **Operational Plan** has been prepared in accordance with the NSW State Government's Integrated Planning and Reporting framework requirements.

The Plan addresses all the strategic goals identified by the community during the Burwood2030 Community Strategic Plan consultation program. We acknowledge and thank all stakeholders for their contribution.



About Burwood Local Government Area

Located between Sydney and Parramatta cities, Burwood is a melting pot of culture with a thriving business and retail centre surrounded by historic villages, each with their own distinct character and charm, including Burwood Heights, Croydon, Croydon Park, Enfield and Strathfield.

The quality of life residents enjoy, the central location, local schools and excellent transport infrastructure has made Burwood an attractive destination for people to live, work and visit.

The Burwood Local Government Area is rich in cultural diversity with more than half of our residents born overseas. Burwood Council covers 7 square kilometres with a population of more than 39,800.

Foreword

Message from the Mayor



Cr John Faker
Mayor of Burwood

Over the past few months, Council has been out and about listening to our community about what's important to them and where Council should set its priorities. This has informed the Operational Plan and Budget for 2019-2020.

This important document outlines the goals, objectives and actions Council will undertake in the coming year to fulfill its commitment to deliver the community's vision and aspirations. The plan focuses on supporting the projects which make Burwood the extraordinary place it is to live, work and enjoy. We will continue to improve our services and facilities to support the needs and lifestyle of our community. Building on our programs we will ensure during this exciting time of growth, we can enhance our healthy, safe and sustainable environment and provide opportunities for our residents, local businesses and visitors to celebrate our diverse and vibrant cultural life.

We are investing over \$13m in a range of infrastructure projects. Initiatives including major upgrades to our parks, roads, footpaths and Enfield Aquatic Centre. This also includes beautification works in the Burwood CBD and our town centres. This investment will add to the quality of life in our local government area once complete.

I remain committed to actively engage with our community, to seek input and valuable feedback and to demonstrate Burwood is a place where everyone is welcome, can have their say and ensure Council is effective and responsible in our decision-making.

I am pleased to introduce this plan and look forward to working with my fellow Councilors, staff and the community to ensure our Council remains a leader in providing services to the community.

Cr John Faker
Mayor of Burwood

Our Councillors

The current Council was elected in September 2017.

The Councillors have been elected to represent the local community and deliver its long term vision for Burwood:

A well connected, innovative, sustainable and safe community that embraces and celebrates its diversity



Cr John Faker
Mayor of Burwood



Cr Lesley Furneaux-Cook
Deputy Mayor



Cr Joseph Del Duca
Councillor



Cr Ernest Chan
Councillor



Cr Raj Dixit
Councillor



Cr Heather Crichton
Councillor



Cr George Mannah
Councillor

Implementing the vision

Integrated Planning and Reporting

The Operational Plan is part of the process of Integrated Planning and Reporting (IP&R). The process is led by the NSW Government and provides a framework for all NSW Councils to plan, deliver and monitor services for our community. The key elements of the framework are structures as follows:

1. Burwood 2030 Community Strategic Plan (CSP) identifies the community aspirations for 2030.
2. Delivery Program 2018-2021 is a three to four year Council plan that sets out the goals and objectives Council will undertake during its term of office.
3. Operational Plan and Budget 2019-2020 outlines the annual actions and planned expenditure that Council will undertake work towards the community's vision.
4. The Resourcing Strategy outlines how Council will resource its long term commitment.



Understanding the Operational Plan and budget

The Operational Plan is divided into five themes identified in Burwood 2030 Community Strategic Plan (CSP):

- Community and lifestyle
- Leadership and innovation
- Healthy and sustainable environment
- Planning and infrastructure
- Vibrant city and villages

Each theme has series of numbered strategic goals and objectives which link directly to the CSP to ensure that Council is delivering services in line with the community's vision.

Responsibilities have been allocated to each of the objectives and achievements have been identified for Council to implement in 2019-2020.

Reporting on the outcomes

The objectives outlined in the Operational Plan will be assessed and reported on a half-yearly basis.

Progress reports will be provided to the Council and the public.

Council's Annual Report will include annual achievements made in line with the Community Strategic Plan.

Endorsing the Plan

The Operational Plan and Budget will be placed on public exhibition from 28 May 2019 until 24 June 2019 and members of the community are invited to provide their feedback.

Community and lifestyle

Responsibilities	Delivery Program Objectives	Operational Plan Achievements
1.1 High quality facilities, services and initiatives to meet the diverse needs of the community	1.1.1 Provide a diverse range of strategies and initiatives that meet the needs of the community	Community Services Provide services to meet the current and future needs of diverse members in the community
		Monitor, review and develop programs to assist diverse groups in the community such as seniors, youth, family and children, economically disadvantaged and people living with a disability
		Community Services Provide financial assistance for community projects and actively seek funding from other sources
		Administer a grants program and actively promote other funding opportunities available to community groups
1.1.2 Provide library services that engage the community in lifelong learning and provide recreational and social opportunities in an accessible and people-friendly environment		Identify and implement resources and information services
		Facilities & Venues Provide a range of information and services to meet the needs of new and existing members
		Facilities & Venues Provide resources to reflect the needs and interests of the multicultural community
		Facilities & Venues Establish key partnerships with agencies and services providers
		Increase number of language resources available based on the demands and needs of the community
		Deliver services, resources and initiatives in conjunction with agencies and service providers
1.1.3 Provide sport and recreational initiatives to promote active and passive recreation that contribute to health and wellbeing		Undertake Stage 2 of the Enfield Aquatic Centre Master Plan
		Facilities & Venues Aquatic facilities at the Enfield Aquatic Centre to optimise use
		Facilities & Venues Offer programs at the Enfield Aquatic Centre based on the needs of residents and patrons
		Facilities & Venues Provide a safe and healthy environment for patrons
		Urban Design & Landscape Enhance parks and open spaces to promote recreational activities
		Community Services Promote an active and healthy lifestyle
		Offer programs and activities that promote active and passive recreation according to usage type
1.1.4 Provide initiatives and facilities that encourage community participation and promote a healthy and harmonious lifestyle		Facilities & Venues Provide a range of venues and facilities for residents and community groups to meet their diverse needs
		Parks Provide space for sporting and recreational activities
		Community Services Promote an inclusive and harmonious lifestyle
		Offer parks for hire and identify green and open spaces that can be used for passive and active use by the community
		Provide programs and activities that encourage an inclusive and harmonious lifestyle

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1.2 A well informed, supported and engaged community		
1.2.1 Inform the community of Council's activities, facilities and services using accessible communication	Community Engagement Provide regular information in a range of formats to ensure that it is accessible to all members of the community	Deliver ongoing communication through appropriate methods based on the target audience
	Community Engagement Ensure language is easy to understand for all members of the community	Identify and utilise the appropriate language to use for communication of information based on the audience
1.2.2 Modernise and enhance access to information on services	Information & Communications Technology Information & Communications Technology	Identify and implement new digital technology and social platforms to improve access to information
	Information & Communications Technology Increase Council's digital presence	Develop a modern website with improved accessibility and digitised services
1.2.3 Enhance communication and community engagement through innovative solutions	Community Engagement Community Engagement	Monitor and identify emerging technology and communication tools to enhance engagement
	Community Engagement Establish regular interaction and communication with the community through targeted methods	Identify local communities and provide relevant information through appropriate communication methods
	Community Engagement Promote informal discussions between Council and the community	Engage with residents and the digital community through face to face interactions and social media
1.2.4 Foster a sense of community pride	Community Engagement Provide leadership on the community's vision and values	Develop a visual identity and vision for Burwood in line with community aspirations
1.3 A safe community for residents, workers and visitors		
1.3.1 Work with key partners and the community to minimise crime and enhance community safety	Regulatory Services Community Services Regulatory Services	Ensure CCTV technology is up to date and utilised in key areas around Burwood as needed
	Community Services Work in partnership with NSW Police to support crime prevention and increase community safety	Deliver and support safety campaigns to target specific crimes and raise awareness in the community
	Community Services Liaise closely with NSW Police and other stakeholders to identify crime activity and trends	Regularly meet with NSW Police and other stakeholders and implement strategies to address crime activities and trends
1.3.2 Support and implement programs that aim to reduce anti-social behaviour	Community Services Regulatory Services Urban Design & Landscape	Deliver campaigns and provide initiatives to target illegal dumping, vandalism, graffiti and abandoned trolleys
	Urban Design & Landscape Deter anti-social behaviour through design	Implement place activation and design solutions that beautify the area and deter anti-social behaviour
	Urban Design & Landscape Encourage and promote a safe night time culture	Enhance street lighting, increase visibility and promote activities in and around town centres at night
1.4 A proud and inclusive community that celebrates diversity		
1.4.1 Celebrate the achievements of the local community	Community Engagement Community Services	Publish information on local achievements through appropriate methods of communication
	Community Engagement Encourage and award achievements within the community	Provide initiatives such as awards and incentives to promote achievements and encourage community participation

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Leadership and innovation

1.4.2	Engage with Culturally and Linguistically Diverse community	Community Engagement	Ensure information is accessible to culturally and linguistically diverse (CALD) community members	Provide translation support and information in relevant languages where appropriate
		Information & Communications Technology	Harness the digital environment to provide information to CALD groups	Identify and implement technology which will assist in providing information to CALD communities
		Community Services	Develop key relationships with CALD service providers	Identify and support CALD service providers that offer services within the community
		Community Services	Provide opportunities for CALD members to integrate with the community	Host and support inclusive activities and initiatives to improve communication between different cultural groups and between cultural groups and council
1.4.3	Coordinate, facilitate and support inclusive cultural events and initiatives to celebrate diversity and cultural heritage	Community Services, Civic Events	Provide a program of inclusive community events which celebrate diversity	Engage with different cultural groups and encourage participation in events and services
		Civic Events	Seek to support events and activities within the area that celebrate diversity	Provide support or sponsorship to cultural events and activities within the community
1.4.4	Promote and celebrate the area's heritage and indigenous history	Community Services, Heritage Services, Community Services	Preserve and maintain the area's heritage and history	Support initiatives which celebrate the area's history and heritage
		Community Services	Preserve and promote the local indigenous history and identify existing cultures	Develop a strategy to acknowledge and celebrate the local indigenous history and community
		Civic Events	Remember and reflect on Australia's history in local context	Host events and services which promote awareness of Australian history such as Australia Day and Anzac Day and history of a local significance
1.4.5	Promote volunteering opportunities and local participation	Community Services	Work with agencies to support volunteering and partner with culturally specific organisations to provide opportunities for volunteers or CALD background	Form strategic partnerships and support local volunteering initiatives
		Organisation Development	Provide volunteering opportunities and participation within Council	Seek volunteering opportunities for Council projects, initiatives and events where possible

	<i>Responsibilities</i>	<i>Delivery Program Objectives</i>	<i>Operational Plan Achievements</i>
2.1	Community confidence in Council's decision making		
2.1.1	Provide opportunities for discussions and report decisions back to the community	Community Engagement	Conduct workshops, special meetings and forums when necessary
		Community Engagement	Undertake community consultations in line with the Community Engagement Strategy
		Governance	Provide information to the community on outcomes of Council decisions and resolutions in a timely manner
2.1.2	Inform the community on key regional projects and plans	Community Engagement	Provide information on major infrastructure projects that impact the local area and community
		Governance	Distribute relevant information in a format that is easy to understand to ensure the community are aware of any changes to policies, regulations or legislation
2.1.3	Ensure transparency and accountability in decision making	Executive Services	Provide transparent auditing processes and ensure reports are made available to the community where appropriate
		Governance	Ensure all public information is accessible and made available in a timely manner
		Finance & Procurement	Maintain a transparent process when engaging with contractors, suppliers and businesses
2.2	Strong partnerships to benefit the community		
2.2.1	Maintain dialogue between neighbouring councils to share resources and improve provision of services	Executive Team	Participate in regional associations and seek opportunities to work with neighbouring councils
2.2.2	Develop strategic partnerships that will benefit the area and community	Executive Team	Seek funding opportunities and work with State and Federal agencies on initiatives that will benefit the community
2.3	Ensure financial sustainability and organisational effectiveness		
2.3.1	Identify and maintain additional revenue sources to ensure financial sustainability	Finance & Procurement	Implement appropriate strategies and report outcomes to Council
		Finance & Procurement	Manage Council's property portfolio to ensure best value returns and to ensure properties are developed, renewed and maintained for the benefit of the community
		Finance & Procurement	Identify the community's capacity and willingness for additional sources of income and implement where appropriate or required

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Burwood Council Operational Plan 2019-2020 - Final

2.3.2 Ensure the organisation is well led, staff can carry out their roles efficiently and effectively in line with the community's vision		
Executive Team	Deliver services and initiatives to the community in line with Council's Community Strategic Plan and supporting documentation	Develop, review and monitor a Resourcing Strategy including a Workforce Plan, Asset Management Plan and Long Term Financial Plan
Organisational Development	Ensure corporate values and objectives align with the community's vision	Develop, review and monitor a Corporate Plan
Organisational Development	Provide structured procedures and processes to ensure organisational effectiveness	Identify and implement frameworks that will improve organisational efficiency and business excellence
2.4 Efficient and innovative customer focused services		
2.4.1 Provide a 'one stop shop' for customers		
Property Services, Customer Service	Optimise the experiences of visitors to Council	Implement a service centre at the new Council Administration offices
Customer Service	Identify ways to provide enhanced customer service at key facilities	Identify and implement the use of concierges and undertake customer service training with relevant staff
Customer Service	Maintain high quality customer service for all points of contact	Ensure customers are attended to in line with service standards
2.4.2 Modernise and digitise relevant services to meet the needs of the community		
Information & Communications Technology	Allow customers to do business with council' entirely online	Digitise all forms, applications, requests and payment methods where possible
Customer Service, Information & Communications Technology	Explore new online communication tools	Identify and implement technology that will enhance and improve customer experience
2.4.3 Provide opportunity for ongoing community feedback to ensure best practice		
Customer Service	Allow customers to provide immediate feedback on their experience	Implement customer feedback mechanisms at Council facilities to receive immediate feedback on customer experience
Customer Service	Monitor and measure Council's customer service	Conduct initiatives to support and improve the training of Council staff in customer service
Customer Service, Community Engagement	Improve overall customer satisfaction	Conduct regular surveys to gauge customer experience
2.5 Leaders in the Local Government sector		
2.5.1 Provide strong leadership and advocacy on behalf of the community		
Governance	Support the roles of the elected body to ensure Councilors can govern efficiently and effectively on behalf of the community	Conduct regular training and induction sessions to support Councilors
		Provide information and resources and encourage professional development
2.5.2 Monitor and review Council's performance against other councils		
Customer Service, Community Engagement	Review Council's services and functions to gauge residents' satisfaction and benchmark performance against other councils	Participate in benchmarking activities and analyse results to improve Council's performance (in areas such as financial sustainability, customer services, and other service provisions)

2.5.3 Strive for business excellence through innovation		
Executive Team	Implement technology which will increase efficiencies and productivity	Undertake an assessment of available technology to identify solutions that will streamline business processes
2.5.4 Anticipate emerging trends and changes that will impact the area		
Executive Team	Proactively monitor external strategies, technology and solutions that have the potential to impact Burwood	Seek opportunities to be involved in pilot programs and other initiatives aimed at assessing customer needs

Healthy and sustainable environment

Responsibilities	Delivery Program Objectives	Operational Plan Achievements
3.1	Maintain and enhance green and open spaces	
3.1.1	Ensure strong planning controls to protect and encourage open and green spaces	
	Strategic Planning	Ensure planning policies enhance and protect open and green space where appropriate
		Develop specific plans of management for public spaces
		Provide strategic planning input into future development proposal where possible
		Ensure State and District Plan strategies are included into relevant Council planning policies
		Identify opportunities to increase canopy coverage within the area
3.1.2	Pursue partnerships and opportunities to create new open spaces	
	Strategic Planning	Negotiate with developers for additional space upon redevelopment of sites
		Quantity and report on additional open space provided as part of redevelopment
3.1.3	Ensure regular cleaning and maintenance of local areas to prevent damage to the environment	
	Works & Operations	Monitor and maintain local streets to mitigate risk to the environment
	Works & Operations	Maintain the stormwater drainage network
	Parks	Remove priority weeds from public spaces
	Works & Operations	Maintain trees and vegetation to ensure that they are attractive and safe
3.1.4	Ensure all public parks and open spaces are accessible, maintained and well managed to meet the current and future needs of the community	
	Parks	Regularly maintain parks, playgrounds, sportsfields, gardens and open spaces
	Urban Design & Landscape	Ensure sustainable materials are used for park amenities and facilities
	Parks, Urban Design & Landscape	Provide support for the establishment of sensory and community gardens
	Urban Design & Landscape	Ensure parks are accessible and offer inclusive activities
		Identify opportunities to implement sensory or community gardens in existing parks, reserves and open spaces
		Ensure parks can be accessed by people living with a disability or impairment and that playgrounds are inclusive and accessible
3.2	Promote sustainable waste management practices	
3.2.1	Promote existing recycling services	
	Environmental Services	Provide education and information about Council's recycling services
	Environmental Services	Ensure residents adhere to sustainable recycling practices
3.2.2	Identify emerging waste management solutions	
	Environmental Services	Actively seek and identify new processes and technology
		Implement waste management solutions that will benefit the community

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3.2.3	Establish clear targets for recycling and reducing waste to landfill	
	Environmental Services	Ensure a community wide increase in recycling and reduction in landfill
3.3	Educate the community on sustainable practices	
3.3.1	Provide initiatives to encourage more sustainable practices in the community and around home	
	Environmental Services	Deliver educational programs to the community, networks and businesses that encourage sustainable practices
	Environmental Services	Participate in regional sustainability programs
	Environmental Services	Encourage the community to follow sustainable practices
	Environmental Services	Award residents, streets, businesses or areas that follow sustainable recycling practices
3.3.2	Promote public transport and more active forms of transport such as cycling and walking	
	Environmental Services	Promote public transport, cycling and walking to residents going to work, and those who work in Burwood
3.3.3	Encourage the community to take pride in the cleanliness and maintenance of the area	
	Environmental Services	Promote a clean environment through urban architecture and landscaping
	Environmental Services	Raise awareness in the community on littering
	Environmental Services	Undertake campaigns to reduce littering in town centres
3.4	Leadership in environmental sustainability	
3.4.1	Invest in green and renewable technology	
	Environmental Services	Implement green and renewable energy initiatives across Council facilities
	Environmental Services	Audit existing facilities and upgrade where appropriate
3.4.2	Promote greater use of more efficient green technologies and alternative energy sources	
	Environmental Services	Support and promote Federal and State government initiatives in the rollout of green technologies and alternative energy sources
	Environmental Services	Actively advertise State and Federal initiatives through Council's established communication channels
3.4.3	Ensure planning promotes environmentally sustainable development to reduce impacts on the environment	
	Strategic Planning	Work with developers to promote sustainable developments
		Provide strategic planning input into developments where possible to encourage vertical gardens and green spaces within the Burwood CBD
	Building & Development, Regulatory Services	Ensure developers follow sustainable practices during construction
		Carry out a regular program of inspections of development sites to ensure compliance with safe and sustainable practices (such as sediment control and removal of materials)
3.5	Encourage and contribute to public health and welfare	
3.5.1	Provide services and encourage the community to take pride in the area to ensure public health	
	Environmental Services	Reduce spread of food-borne, waterborne and transferable diseases
	Environmental Services	Minimise urban related pollution such as air, water and noise pollution
		Investigate air, water and noise pollution complaints

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Planning and infrastructure

Environmental Services	Educate business owners on public health to ensure compliance with food regulations	An annual calendar of initiatives on public health including information in relevant community languages
Environmental Services	Educate the community on public health matters	Undertake and participate in relevant campaigns to raise awareness and engage the community
3.5.2 Provide services and support to encourage responsible animal ownership practices and ensure that animals are well cared for in a safe community		
Regulatory Services, Environmental Services	Educate residents on companion animals	Provide information and relevant campaigns to raise awareness in the community
Urban Design & Landscape	Establish pet friendly environments for animal owners	Consider pet friendly facilities when undertaking any new plans of management for parks, reserves and open spaces
Regulatory Services, Environmental Services	Provide regulatory support to ensure a safe environment for animals and residents	Undertake compliance inspections for dangerous or displaced animals

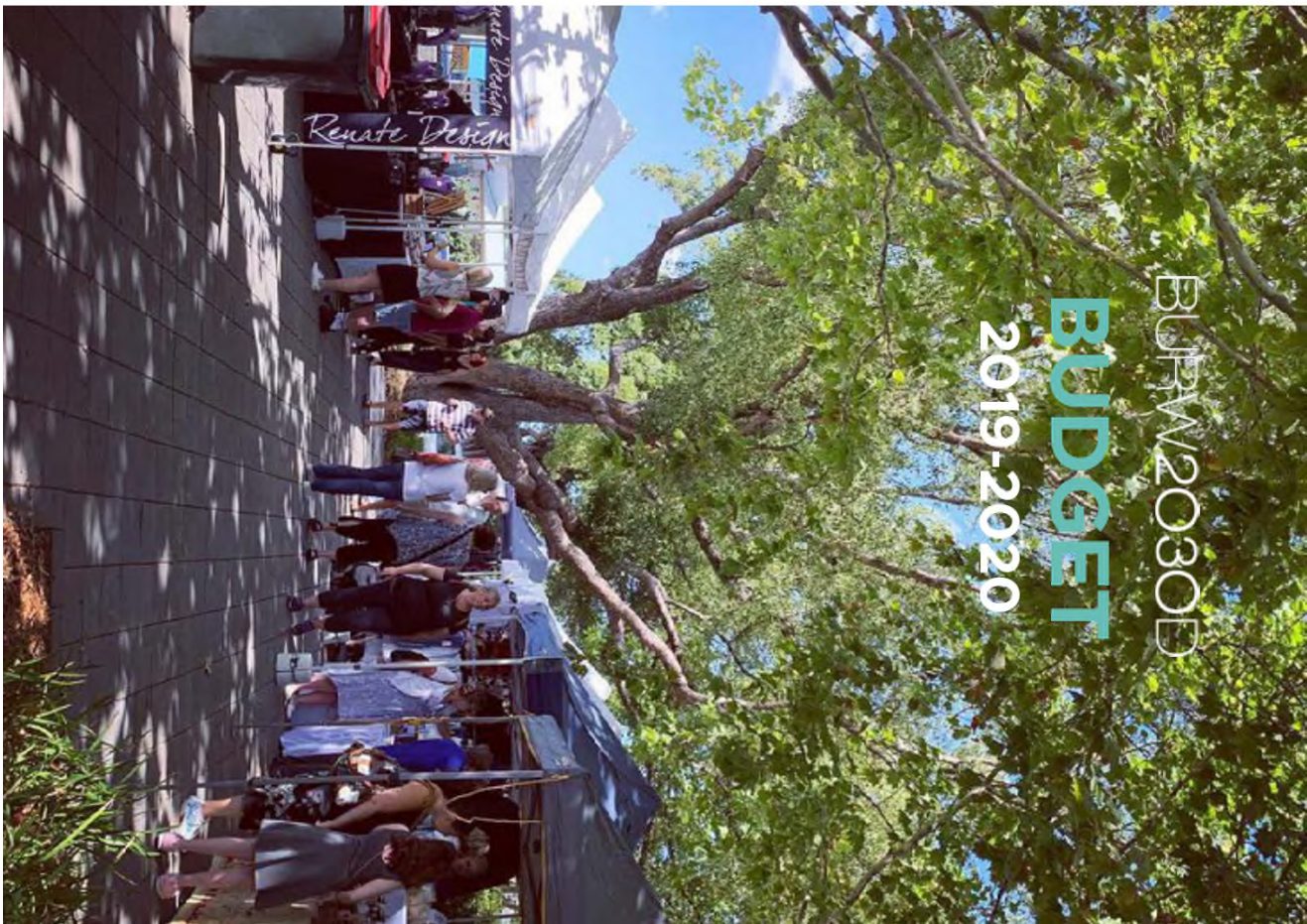
Responsibilities		Delivery Program Objectives		Operational Plan Achievements	
4.1 Implement regional traffic and parking strategies					
4.1.1 Ensure strategies accommodate population growth					
Traffic & Transport	Design traffic facilities which improve traffic flow and alleviate congestion	Investigate traffic hot spots and implement solutions such as pedestrian refuges, roundabouts or traffic calming devices			
Strategic Planning	Encourage opportunities for additional public parking spaces within developments	Negotiate with developers for additional public parking within developments in the Burwood CBD where possible			
Building & Development	Ensure developments provide sufficient parking and off-street parking in line with Council policies	Investigate parking provisions during assessments of development applications			
4.1.2 Implement strategies to promote alternative transport use					
Traffic & Transport	Investigate opportunities for bus priority lanes to improve public transport efficiency	Work with RMS and Transport NSW to identify locations for improved bus access			
Traffic & Transport	Seek funding opportunities for cycling facilities and cycleways	Identify and apply for grants where possible and implement facilities which promote cycling (such as bicycle parking stations)			
4.1.3 Work with key stakeholders to ensure an integrated transport plan					
Traffic & Transport	Work with RMS, STA, NSW police and major stakeholders to continue to develop new parking initiatives	Conduct regular meetings with key stakeholders and report outcomes to the community			
Traffic & Transport	Participate in regional projects to ensure an integrated transport network	Work with key agencies to ensure regional transport projects have a positive impact on the local community			
Traffic & Transport	Consider pedestrians and cyclists as key stakeholders in traffic management planning	Ensure pedestrians and cyclists are consulted during traffic management planning			
4.1.4 Enhance road and pedestrian safety					
Traffic & Transport	Educate residents on safe practices to reduce road incidents and fatalities	Undertake safety campaigns and run targeted programs and initiatives to promote safety around schools and town centres, pedestrian and cycling safety.			
Traffic & Transport	Implement traffic facilities which will enhance road and pedestrian safety	Identify blind spots and hot spots and implement solutions to take action against potential incidents			
4.2 Provide connected an accessible infrastructure					
4.2.1 Improve the accessibility of Burwood CBD					
Traffic & Transport	Improve pedestrian flow within the Burwood CBD	Investigate opportunities to limit motorist access to certain areas within the Burwood CBD			
Traffic & Transport	Identify parking solutions that will alleviate traffic congestion	Review parking strategy within the Burwood CBD and investigate parking initiatives to alleviate traffic congestion			
Traffic & Transport	Improve access and connection between the Burwood CBD and residential areas, facilities and open spaces and linkage to neighbouring areas	Implement strategies and initiatives to enhance connectivity within the area			

4.2.2	Provide quality local infrastructure that caters to population growth		
Works & Operations	Regularly maintain and upgrade local roads, footpaths, kerbs and gutters	Provide an extensive capital works program to regularly maintain and renew local infrastructure	
Works & Operations	Continue to monitor the condition of infrastructure across the area	Undertake infrastructure audits in order to determine the condition of local infrastructure	
4.2.3	Ensure all Council Infrastructure is safe and accessible		
Works & Operations	Ensure infrastructure design aids accessibility	Identify and incorporate ramps and wheelchair access ramps and other facilities to improve accessibility	
4.3	Integrate Burwood's existing heritage with high quality urban design		
4.3.1	Encourage architectural integrity and aesthetically appealing buildings		
Building & Development	Planning policies to enhance and promote architectural integrity and aesthetically appealing buildings	Ensure that design is assessed as part of the development application process	
4.3.2	Maintain and preserve heritage through relevant planning strategies		
Strategic Planning	Ensure integrity in planning to preserve heritage	Ensure that all development applications relating to heritage items or heritage conservation include a heritage assessment	
		Provide information and education relating to heritage as it applies to development	
4.4	Participate in regional planning and infrastructure projects to ensure the best outcomes for the community		
4.4.1	Provide advocacy on regional and metropolitan projects on behalf of the community		
Strategic Planning, Traffic & Transport, Urban Design & Landscape	Ensure that the community's interest are taken into consideration on regional and metropolitan projects	Provide strategic and planning input into major regional infrastructure strategies and projects	
4.4.2	Partner with key stakeholders to deliver major projects		
Strategic Planning, Traffic & Transport, Urban Design & Landscape	Work with State and Federal Governments and developers to ensure major infrastructure projects benefit the community	Actively participate in the planning process of regional and metropolitan infrastructure projects and advocate for the area's needs	
4.5	Ensure customer focused processes for development services		
4.5.1	Ensure support and provide efficient assessment of developments		
Building & Development	Provide support and information on development processes	Develop and provide information on development application processes and services in an accessible and easy to understand format	
Building & Development	Ensure streamlined and timely processes for development services	Assess development applications in a timely manner	
4.5.2	Ensure independence and transparency in decision making on significant developments		
Governance	Facilitate and coordinate the Independent Hearing and Assessment Panel	Report decisions made by the Independent Hearing and Assessment Panel to the community	

Vibrant city and villages

Responsibilities		Delivery Program Objectives		Operational Plan Achievements	
5.1	Maximise Burwood's regional and strategic status within Inner western Sydney				
5.1.1	Stimulate the local economy and activate the Burwood CBD				
Community Engagement	Plan and facilitate economic development strategies that stimulate the economy and attract businesses	Review and monitor Economic Strategies and policies			
Civic Events	Attract large scale festivals, events and initiatives to the Burwood CBD	Apply for grants and sponsorships, and seek participation in regional, metropolitan and nation-wide initiatives			
Community Engagement, Civic Events, Urban Design & Landscape	Promote Burwood CBD as a destination for food and culture	Promote and enhance the retail and dining experience in Burwood through initiatives which attract visitors			
5.1.2	Encourage mixed use buildings: commercial and residential to maximise Burwood CBD				
Strategic Planning	Enhance and promote mix use buildings to ensure the Burwood CBD maintains its regional status	Review planning provisions for development controls and encourage mix use development where possible			
5.1.3	Build links and partnerships with educational institutions for the development of diverse local skills				
Organisation Development	Promote and support local learning institutions to encourage residents to enter the local workforce	Provide and support opportunities for employment, placements, traineeships and volunteering where appropriate			
5.1.4	Provide facilities to businesses, services and institutions for corporate events				
Facilities & Venues	Provide venues for businesses and services to conduct corporate events such as expos, conferences and seminars	Offer a range of facilities for hire that accommodate the various types of use required by businesses, services and institutions			
5.2	Support and engage with local services and businesses				
5.2.1	Promote local businesses and services to the community				
Community Engagement	Promote the services of local businesses to boost the local economy	Develop communication material that promotes local services and businesses to the community			
5.2.2	Develop programs to strengthen and sustain local businesses				
Community Engagement	Facilitate educational and advisory initiatives that encourage good economic practices	Support State agencies in delivering business services to the community			
Community Engagement	Engage with local business organisations and Chambers	Maintain ongoing dialogue and identify opportunities to support initiatives or deliver joint projects			
5.2.3	Encourage participation of local businesses in community events				
Civic Events	Invite local businesses to participate in Council's civic events	Provide regular notice to businesses of Council's upcoming events and provide opportunities for involvement			

5.3	Enhance and foster the local identity		
5.3.1	Promote opportunities for public art and culture		
	Civic Events Community Services Urban Design & Landscape	Encourage authorised public art and live performances and activations within the Burwood CBD	Implement public art and street music programs to enhance the culture within the Burwood CBD
5.3.2	Maintain an attractive Burwood CBD		
	Civic Events Urban Design & Landscape	Regularly decorate the Burwood CBD Enhance the aesthetics of the Burwood CBD through architecture and landscaping	Develop and implement seasonal banner and decoration programs Implement a Burwood CBD master plan
	Regulatory Services	Ensure the Burwood CBD and town centres are clean and presentable	Deliver a Safe & Clean program to monitor the CBD and town centres
5.3.3	Support innovation which will enhance local identity and culture		
	Executive Team	Ensure the Burwood CBD is a modern and innovative centre	Identify and implement emerging technology that will enhance the CBD and attract visitors
5.3.4	Provide civic events which foster a sense of pride in the community		
	Civic Events	Deliver a range of civic events which attract visitors to the area	Facilitate and coordinate major events that celebrate the area
5.4	Activate village precincts and preserve the distinct characters of town centres and villages		
5.4.1	Update and maintain the aesthetics of town centres and villages		
	Urban Design & Landscape	Enhance the aesthetics of village town centres including Croydon, Croydon Park and Entfield	Develop master plans for village town centres
5.4.2	Promote and recognise local history through urban design		
	Urban Design & Landscape	Interpret the local history and character of the area through art and design	Identify local history and implement art and design that creates a sense of pride in the area



Budget overview

Delivering for our community

Burwood Council's Budget 2019-20 and four year projections have been developed with a clear focus on delivering the community's long term vision outlined in the Burwood2030 Community Strategic Plan.

The Operational Plan puts into action the objectives the community has identified as high-priority and forms part of the Delivery Program 2018-2021.

The following major projects have been considered in the budget:

- Town Centre Beautification Master Plan
- Enfield Aquatic Centre upgrades
- Parks and playground upgrades
- Ongoing infrastructure and renewal works
- Tree planting program
- Stormwater drainage upgrade

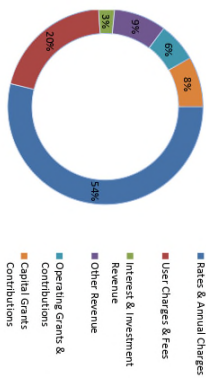
Funding our future

In addition to delivering these services to the community, Council is committed to maintaining long term financial sustainability and aims to achieve this through strategic planning and prudent investment.

To ensure Council continued to deliver services at its current level and after undertaking community engagement, Council applied to the Independent Pricing and Regulatory Tribunal (IPART) for a special variation for a four year period commencing in the year 2019-2020. This was approved on 14 May with a 2% increase above the rate peg per annum. The additional funding received from the special variation will be used to fund additional infrastructure upgrade works on Council's stormwater drainage network throughout the local government area.

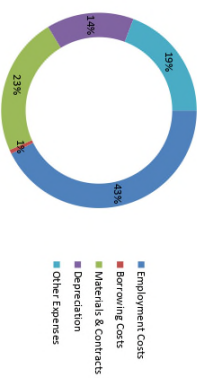
Revenue

Revenue	
Rates & Annual Charges	29,275,293
User Charges & Fees	10,929,128
Interest & Investment Revenue	1,430,000
Other Revenue	4,723,116
Operating Grants & Contributions	3,517,168
Capital Grants Contributions	4,530,000
Total Operating Revenue	54,404,705



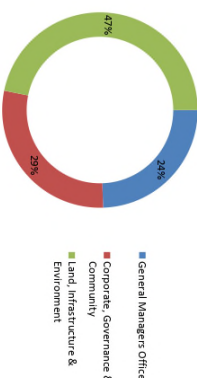
Expenditure

Expenditure	
Employment Costs	21,693,052
Borrowing Costs	332,401
Materials & Contracts	11,653,216
Depreciation	7,335,000
Other Expenses	9,783,252
Total Operating Expenditure	50,796,921



Expenditure by Division

Division	Expenditure
General Managers Office	12,436,396
Corporate, Governance & Community	14,578,336
Land, Infrastructure & Environment	23,782,189
Total Operating Expenditure	50,796,921



Division Summary

Division	Team	Op Exp (Excl Depn & Inv Chgs)	Total Op Revenue	Acquisition of Assets	Loan Repayment	Sale of Assets	Loan Borrowings	Net Reserve Movement	Net S94 Movement	Net Movement in Working Capital
Office of the General Manager										
General Managers Office	General Managers Office	2,395,459	29,956,286	350,000	707,937	0	0	0	(4,030,000)	22,472,890
General Managers Office	Mayors Office	384,185	0	0	0	0	0	0	0	(364,185)
General Managers Office	Councillors	410,604	7,000	0	0	0	0	0	0	(403,604)
General Managers Office	Organisational Development	1,931,148	90,000	0	0	0	0	(150,000)	0	(1,991,148)
Sub Total Office of the General Manager		5,101,396	30,053,286	350,000	707,937	0	0	(150,000)	(4,030,000)	19,713,953
Corporate, Governance and Community										
Deputy General Manager Administration	Corporate Governance Administration	376,719	0	0	0	0	0	0	0	(376,719)
Media, Events & Communications	Media & Events	789,591	128,000	0	0	0	0	0	0	(663,591)
Executive Management	Corporate Planning & Communications	302,646	0	0	0	0	0	0	0	(302,646)
Property Management	Property Management	1,546,571	1,765,999	4,450,000	0	0	0	2,150,000	2,300,000	219,428
Financial Services	Financial Services	1,357,560	149,500	0	0	0	0	0	0	(1,208,060)
Enfield Aquatic Centre	Enfield Aquatic Centre	2,243,749	1,565,100	0	0	0	0	(100,000)	0	(778,649)
Procurement	Procurement	124,067	1,100	0	0	0	0	0	0	(122,967)
Corporate & Governance	Corporate Governance	410,881	1,300	0	0	0	0	(80,000)	0	(489,581)
Library & Community Services	Library & Community Services	1,203,872	68,570	0	0	0	0	0	0	(1,135,302)
Library & Community Services	CHSP	941,697	979,845	0	0	0	0	0	0	38,148
Library & Community Services	Library Services	1,696,503	129,114	150,000	0	0	0	0	0	(1,917,389)
Customer Services & Records	Customer Services	873,452	4,900	0	0	0	0	0	0	(874,552)
Customer Services & Records	Records	374,762	15,000	0	0	0	0	0	0	(359,762)
Information Services	Information Services	2,130,266	0	400,000	0	0	0	190,000	0	(2,340,266)
Sub Total Corporate, Governance & Community		14,573,336	4,806,438	5,000,000	0	0	0	2,160,000	2,300,000	(10,311,998)

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Division	Team	Op Exp (Excl Depn & Inv Chgs)	Total Op Revenue	Acquisition of Assets	Loan Repayment	Sale of Assets	Loan Borrowings	Net Reserve Movement	Net S94 Movement	Net Movement in Working Capital
Land, Infrastructure & Environment										
Deputy General Manager Administration	Land, Infrastructure & Environment Administration	584,659	0	0	0	0	0	0	0	(584,659)
Building & Development	Building & Development	1,588,097	986,000	0	0	0	0	0	0	(602,097)
Strategic Planning & Health	Strategic Planning & Environment & Health	763,878	60,000	0	0	0	0	0	178,000	(525,878)
Environment & Health	Environment & Health	5,242,968	6,172,269	100,000	0	0	0	296,500	0	1,065,801
Compliance	Compliance	2,589,776	4,251,500	0	0	0	0	0	0	1,661,724
Assets, Landscape & Urban Design	City Asset Services	899,857	270,334	4,378,348	0	0	0	0	200,000	(4,807,871)
Assets, Landscape & Urban Design	City Assets - Landscape Design	277,787	18,700	770,000	0	0	0	300,000	0	(729,087)
Traffic & Transport	Traffic & Transport	2,251,151	5,916,150	600,000	0	0	0	(100,000)	600,000	3,564,999
Works Operations & Parks	Works Operations & Parks	1,817,910	206,500	1,450,000	0	950,000	0	250,000	0	(1,861,410)
Works Operations & Parks	Civil Engineering	2,724,178	1,617,538	500,000	0	0	0	0	0	(1,603,640)
Works Operations & Parks	Parks & Gardens	3,320,194	106,000	0	0	0	0	0	0	(3,214,194)
Works Operations & Parks	Waste & Cleaning Services	1,724,734	0	0	0	0	0	0	0	(1,724,734)
Sub Total Land, Infrastructure & Environment		23,782,189	19,544,991	7,798,348	0	950,000	0	746,500	978,000	(9,361,046)
Consolidated Result										
		43,461,921	54,404,705	13,148,348	707,937	950,000	0	2,756,500	(752,000)	40,999

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Division Summary

Capital Works Program

Division	Project	Amount (\$'000)
General Manager	Corporate Projects - <i>to be determined</i>	350
Corporate Governance & Community	Enfield Aquatic Centre Upgrade – Stage 2	2,200
	Information Technology	400
	Library Resources	150
	Buildings Upgrade	2,250
	Annual Infrastructure Upgrade Program	3,765
	Infrastructure - SRV - Drainage	453
	Town Centres Beautification	600
	Parks & Playgrounds Upgrade	970
	Plant & Equipment	1,450
	Stormwater Management	460
Land, Infrastructure & Environment	Waste Disposal Bins	100
	Total	13,148

BUDGET FORECAST

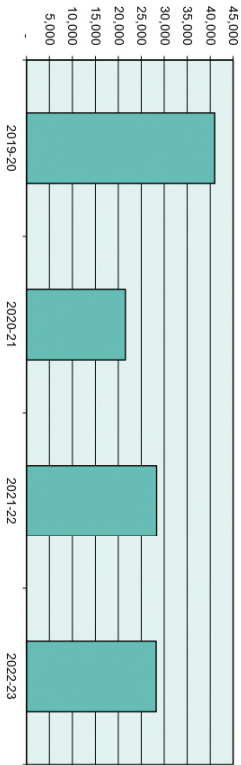
2019-2020

to

2022-2023

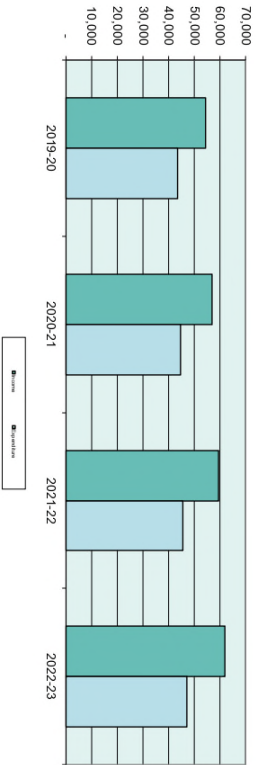
Forecast result

Forecasted Budget Result
2019-20 to 2022-23



Operating: Income v Expenditure

Operating - Income v Expenditure
(excluding depreciation)



Forward Estimates of Income & Expenditure

Type	Budget 2019-20	Budget 2020-21	Budget 2021-22	Budget 2022-23
Operating Income				
Rates & Annual Charges	29,275,293	30,915,124	32,613,147	34,370,451
User Charges & Fees	10,929,128	11,346,190	11,776,880	12,087,319
Interest & Investment Revenue	1,430,000	1,656,000	1,837,000	1,988,000
Other Revenue	4,723,116	4,817,578	4,913,200	5,012,208
Operating Grants & Contributions	3,517,168	3,606,949	3,699,255	3,798,413
Capital Grants & Contributions	4,530,000	4,590,000	4,625,920	4,667,179
Total Operating Income	54,404,705	56,931,841	59,450,132	61,923,570

Type	Budget 2019-20	Budget 2020-21	Budget 2021-22	Budget 2022-23
Operating Expenditure				
Employment Costs	21,693,052	22,183,858	22,738,454	23,356,915
Borrowing Costs	392,401	308,123	281,856	260,170
Materials & Contracts	11,653,216	12,131,254	12,190,858	12,642,445
Depreciation	7,335,000	7,408,350	7,482,434	7,557,258
Other Expenses	9,783,252	10,032,487	10,341,562	10,818,311
Total Operating Expenditure	50,796,921	52,064,072	53,035,164	54,635,099
Operating Result	3,607,784	4,867,769	6,414,968	7,288,471
Net Operating Result before Capital Items	(922,216)	277,769	1,789,048	2,621,292

Funding Statement

Operating Result	3,607,784	4,867,769	6,414,968	7,288,471
Add Back Non Cash Items	-	-	-	-
Depreciation	7,335,000	7,408,350	7,482,434	7,557,258
Total Non Cash Items	7,335,000	7,408,350	7,482,434	7,557,258
Adjusted Operating Result	10,942,784	12,276,119	13,897,402	14,845,729

Source of Capital Funds

Sale of Assets	950,000	960,000	970,000	985,000
Loan Funds	-	-	-	-
Transferred From section 94	3,278,000	2,950,000	2,450,000	950,000
Transferred From Reserves	3,511,500	3,385,110	1,039,210	1,093,000
Funds Available	18,682,284	19,571,229	18,356,612	17,873,729

Less Funds Utilised

Acquisition of Assets	13,148,348	13,855,097	12,498,984	11,815,532
Loan Principal Repayment	707,937	739,588	702,726	661,464
Transfer to Section 94	4,030,000	4,090,000	4,126,570	4,168,486
Transfer to Reserves	755,000	865,000	1,000,000	1,200,000
Net Movement in Working Capital	40,999	21,544	28,332	28,227

**Forward Estimates of Income & Expenditure:
Office of the General Manager**

	Budget 2019-20	Budget 2020-21	Budget 2021-22	Budget 2022-23
Operating Income				
Type				
Rates & Annual Charges	23,500,314	24,729,600	26,081,632	27,426,166
User Charges & Fees	-	-	-	-
Interest & Investment Revenue	1,430,000	1,656,000	1,837,000	1,888,000
Other Revenue	92,000	93,840	95,717	97,631
Operating Grants & Contributions	1,000,972	1,021,867	1,043,353	1,069,699
Capital Grants & Contributions	4,030,000	4,030,000	4,125,920	4,167,719
Total Operating Income	30,053,286	31,591,307	33,183,622	34,748,675

Operating Expenditure

Type				
Employment Costs	2,193,245	2,248,077	2,304,278	2,361,895
Borrowing Costs	332,401	308,123	281,856	260,170
Materials & Contracts	474,350	483,591	493,011	627,617
Depreciation	7,335,000	7,408,350	7,482,434	7,557,258
Other Expenses	2,101,400	2,148,758	2,197,223	2,256,822
Total Operating Expenditure	12,436,396	12,596,899	12,758,802	13,063,752
Operating Result	17,616,890	18,994,408	20,424,820	21,684,923
Net Operating Result before Capital Items	13,586,890	14,904,408	16,298,900	17,517,744

Funding Statement

Operating Result	17,616,890	18,994,408	20,424,820	21,684,923
Add Back Non Cash Items	-	-	-	-
Depreciation	7,335,000	7,408,350	7,482,434	7,557,258
Total Non Cash Items	7,335,000	7,408,350	7,482,434	7,557,258
Adjusted Operating Result	24,951,890	26,402,758	27,907,254	29,242,181

Source of Capital Funds

Sale of Assets	-	-	-	-
Loan Funds	-	-	-	-
Transferred From Section 94	-	-	-	-
Transferred From Reserves	-	-	-	-
Funds Available	24,951,890	26,402,758	27,907,254	29,242,181

Less Funds Utilised

Acquisition of Assets	350,000	400,000	400,000	400,000
Loan Principal Repayment	707,937	739,588	702,726	661,464
Transfer to Section 94	4,030,000	4,090,000	4,126,570	4,168,486
Transfer to Reserves	150,000	100,000	100,000	100,000
Net Movement in Working Capital	19,713,953	21,073,170	22,577,958	23,912,231

**Forward Estimates of Income & Expenditure:
Corporate, Governance & Community**

	Budget 2019-20	Budget 2020-21	Budget 2021-22	Budget 2022-23
Operating Income				
Type				
Rates & Annual Charges	7,855	8,051	8,253	8,459
User Charges & Fees	3,175,428	3,374,866	3,525,779	3,631,211
Interest & Investment Revenue	-	-	-	-
Other Revenue	444,116	452,298	462,058	471,299
Operating Grants & Contributions	1,179,029	1,214,130	1,250,278	1,287,506
Capital Grants & Contributions	-	-	-	-
Total Operating Income	4,806,428	5,050,045	5,246,568	5,398,475

Operating Expenditure

Type				
Employment Costs	9,180,072	9,409,574	9,644,813	9,885,934
Borrowing Costs	-	-	-	-
Materials & Contracts	2,638,598	2,940,671	2,768,778	2,823,442
Depreciation	-	-	-	-
Other Expenses	2,759,666	2,831,678	2,895,332	3,010,470
Total Operating Expenditure	14,578,336	15,181,923	15,308,923	15,719,846
Operating Result	(9,771,908)	(10,131,878)	(10,062,555)	(10,321,371)
Net Operating Result before Capital Items	(9,771,908)	(10,131,878)	(10,062,555)	(10,321,371)

Funding Statement

Operating Result	(9,771,908)	(10,131,878)	(10,062,555)	(10,321,371)
Add Back Non Cash Items	-	-	-	-
Depreciation	-	-	-	-
Total Non Cash Items	-	-	-	-
Adjusted Operating Result	(9,771,908)	(10,131,878)	(10,062,555)	(10,321,371)

Source of Capital Funds

Sale of Assets	-	-	-	-
Loan Funds	-	-	-	-
Transferred From Section 94	2,300,000	2,200,000	1,700,000	200,000
Transferred From Reserves	2,415,000	2,480,000	230,000	200,000
Funds Available	(5,056,908)	(5,451,878)	(8,132,555)	(9,921,371)

Less Funds Utilised

Acquisition of Assets	5,000,000	4,950,000	2,540,000	1,000,000
Loan Principal Repayment	-	-	-	-
Transfer to Section 94	-	-	-	-
Transfer to Reserves	255,000	305,000	350,000	550,000
Net Movement in Working Capital	(10,311,908)	(10,706,878)	(11,022,555)	(11,571,371)

ITEM NUMBER 45/19 - ATTACHMENT 2

Burwood Council Operational Plan 2019-2020 - Final

Forward Estimates of Income & Expenditure:
Land, Infrastructure & Environment

	Budget 2019-20	Budget 2020-21	Budget 2021-22	Budget 2022-23
Operating Income				
Type				
Rates & Annual Charges	5,767,124	6,177,473	6,523,262	6,935,826
User Charges & Fees	7,753,700	7,971,324	8,235,101	8,456,108
Interest & Investment Revenue	-	-	-	-
Other Revenue	4,187,000	4,270,740	4,356,155	4,443,278
Operating Grants & Contributions	1,337,167	1,370,952	1,405,624	1,441,208
Capital Grants & Contributions	500,000	500,000	500,000	500,000
Total Operating Income	19,544,991	20,290,489	21,020,142	21,776,420
Operating Expenditure				
Type				
Employment Costs	10,319,735	10,526,207	10,789,363	11,009,096
Borrowing Costs	-	-	-	-
Materials & Contracts	8,540,268	8,706,992	8,929,069	9,191,386
Depreciation & Amortisation	-	-	-	-
Other Expenses	4,922,186	5,052,051	5,249,007	5,551,019
Total Operating Expenditure	23,782,189	24,285,250	24,967,439	25,891,501
Operating Result	(4,237,198)	(3,994,761)	(3,947,297)	(4,075,081)
Net Operating Result before Capital Items	(4,737,198)	(4,494,761)	(4,447,297)	(4,575,081)
Funding Statement				
Operating Result	(4,237,198)	(3,994,761)	(3,947,297)	(4,075,081)
Add Back Non Cash Items	-	-	-	-
Depreciation	-	-	-	-
Total Non Cash Items	-	-	-	-
Adjusted Operating Result	(4,237,198)	(3,994,761)	(3,947,297)	(4,075,081)
Source of Capital Funds				
Sale of Assets	950,000	960,000	970,000	985,000
Loan Funds	-	-	-	-
Transferred from Section 94	978,000	750,000	750,000	750,000
Transferred from Reserves	1,096,500	905,110	809,210	893,000
Funds Available	(1,212,698)	(1,379,651)	(1,418,087)	(1,447,081)
Less Funds Utilised				
Acquisition of Assets	7,798,348	8,505,097	9,558,984	10,315,552
Loan Principal Repayment	-	-	-	-
Transfer to Section 94	350,000	460,000	550,000	550,000
Transfer to Reserves	-	-	-	-
Net Movement in Working Capital	(9,361,046)	(10,344,749)	(11,527,071)	(12,312,633)

Income Statement

	Budget 2019-20	Budget 2020-21	Budget 2021-22	Budget 2022-23
Income from Continuing Operations				
Rates & Annual Charges	29,275,293	30,915,720	32,614,358	34,370,450
User Charges & Fees	10,929,128	11,346,189	11,760,880	12,087,318
Interest & Investment Revenue	1,430,000	1,656,000	1,837,000	1,988,000
Other Revenues	4,723,116	4,817,578	4,913,930	5,012,208
Grants & Contributions provided for Operating Purposes	3,517,168	3,606,949	3,699,256	3,798,413
Grants & Contributions provided for Capital Purposes	7,530,000	7,540,000	7,075,920	5,617,179
Total Income From Continuing Operations	57,404,705	59,882,436	61,901,343	62,873,568
Expenses From Continuing Operations				
Employee Benefits & On-Costs	21,693,052	22,183,857	22,738,454	23,356,915
Borrowing Costs	331,922	307,066	280,897	259,314
Materials & Contracts	11,653,216	12,131,253	12,190,859	12,642,444
Depreciation & Amortisation	7,335,000	7,408,350	7,482,434	7,557,258
Other Expenses	9,783,252	10,032,487	10,341,563	10,818,310
Total Expenses From Continuing Operations	50,796,442	52,063,013	53,034,206	54,634,241
Operating Result from Continuing Operations	6,608,263	7,819,424	8,867,137	8,239,327
Net Operating Result before Capital Items	(921,737)	279,424	1,791,217	2,622,148
Depreciation Contra	7,335,000	7,408,350	7,482,434	7,557,258
Disposal of Assets	950,000	960,000	970,000	985,000
Operating Funds Available	7,363,263	8,647,774	10,243,650	11,164,406

ITEM NUMBER 45/19 - ATTACHMENT 2

Burwood Council Operational Plan 2019-2020 - Final

Balance Sheet

	Budget As at		Budget As at		Budget As at	
	30 June 2020	30 June 2021	30 June 2022	30 June 2023	30 June 2020	30 June 2023
Assets						
Current Assets						
Cash & Cash Equivalents	9,344,042	10,997,772	15,085,598	19,513,360		
Investments	47,500,000	47,500,000	47,500,000	47,500,000		
Receivables	3,308,939	3,414,292	3,505,216	3,534,238		
Other	436,835	451,695	459,168	478,086		
Non-current assets classified as "held for sale"	-	-	-	-		
Total Current Assets	60,589,875	62,363,719	66,549,982	71,025,683		
Non-Current Assets						
Investments	2,500,000	2,500,000	2,500,000	2,500,000		
Receivables	-	-	-	-		
Infrastructure, Property, Plant & Equipment	476,335,096	481,821,843	485,868,394	489,141,688		
Investment Property	3,820,000	3,820,000	3,820,000	3,820,000		
Other	-	-	-	-		
Total Non-Current Assets	482,655,096	488,141,843	492,188,394	495,461,688		
Total Assets	543,244,971	550,505,562	558,738,376	566,487,371		

Liabilities

Current Liabilities						
Payables	9,558,842	9,709,288	9,747,313	9,893,142		
Income Received in advance	938,885	969,579	1,000,234	1,025,710		
Borrowings	739,962	703,004	661,637	623,003		
Provisions	6,712,090	6,712,090	6,712,090	6,712,090		
Total Current Liabilities	17,949,790	18,093,961	18,121,274	18,253,945		
Non-Current Liabilities						
Payables	-	-	-	-		
Borrowings	5,431,606	4,728,602	4,066,965	3,443,962		
Provisions	161,910	161,910	161,910	161,910		
Total Non-Current Liabilities	5,593,516	4,890,512	4,228,875	3,605,872		
Total Liabilities	23,543,306	22,984,473	22,350,149	21,859,817		
Net Assets	519,701,666	527,521,089	536,388,227	544,627,554		
Equity						
Accumulated Surplus	233,217,666	241,037,089	249,904,227	258,143,554		
Revaluation Reserves	286,484,000	286,484,000	286,484,000	286,484,000		
Total Equity	519,701,666	527,521,089	536,388,227	544,627,554		

Cash Flow Statement

	Budget As at		Budget As at		Budget As at	
	30 June 2020	30 June 2021	30 June 2022	30 June 2023	30 June 2020	30 June 2023
Cash Flows from Operating Activities						
Receipts						
Rates & Annual Charges	29,244,382	30,877,074	32,574,341	34,329,079		
User Charges & Fees	10,928,980	11,335,795	11,750,545	12,079,183		
Interest & Investment Revenue Received	1,418,402	1,637,212	1,805,375	1,954,277		
Grants & Contributions	11,337,828	11,143,062	10,789,659	9,468,559		
Other	4,885,268	4,814,684	4,921,154	5,038,926		
Total Receipts	57,814,859	59,807,826	61,841,074	62,870,023		
Payments						
Employee Benefits & On-Costs	21,627,557	22,168,351	22,720,688	23,337,350		
Materials & Contracts	11,820,216	12,029,966	12,136,027	12,513,027		
Borrowing Costs	3,333,907	3,091,139	2,821,867	2,611,188		
Other	9,783,252	10,032,487	10,341,563	10,818,311		
Total Payments	43,564,932	44,539,943	45,481,145	46,929,856		
Net Cash provided (or used) in Operating Activities	14,249,927	15,267,883	16,359,929	15,940,167		

Cash Flows from Investing Activities

Receipts						
Sale of Infrastructure, Property, Plant & Equipment	950,000	960,000	970,000	985,000		
Payments						
Purchase of Infrastructure, Property, Plant & Equipment	13,415,271	13,834,191	12,539,099	11,835,769		
Net Cash provided (or used) in Investing Activities	(12,465,271)	(12,874,191)	(11,569,099)	(10,850,769)		

Cash Flows from Financing Activities

Receipts						
Proceeds from Borrowings & Advances	-	-	-	-		
Payments	708,131	739,962	703,004	661,637		
Repayment of Borrowings & Advances						
Net Cash Flow provided (used) in Financing Activities	(708,131)	(739,962)	(703,004)	(661,637)		

Net Increase / (Decrease) in Cash & Cash Equivalents	1,076,525	1,653,730	4,087,826	4,427,761		
Cash at the Beginning of the Reporting Year	8,267,517	9,344,042	10,997,772	15,085,598		
Cash & Cash Equivalents - End of the Year	9,344,042	10,997,773	15,085,598	19,513,360		

If you have a comment or a question
about the Operational Plan 2019-2020
please contact us:

Email: council@burwood.nsw.gov.au

Phone: 9911 9911

Social media: @BurwoodCouncil

In person: 1-17 Elsie Street, Burwood



Burwood Council
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(ITEM 46/19) LOCAL GOVERNMENT REMUNERATION TRIBUNAL - FEES FOR MAYOR AND COUNCILLORS

File No: 19/17688

REPORT BY ACTING DEPUTY GENERAL MANAGER, CORPORATE GOVERNANCE & COMMUNITY

Summary

This Report is prepared to enable Council to set its fees payable to the Mayor and Councillors for the year 1 July 2019 to 30 July 2020.

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making

Background

The Annual Fees paid to the Mayor and Councillors are set annually by the Local Government Remuneration Tribunal which determines the fees for the next Financial Year in accordance with the *Local Government Act 1993 (the Act)*. The Tribunal has recently determined the minimum and maximum fees payable to the Mayor and Councillors for the year 1 July 2019 to 30 June 2020 which, in effect, reflects an increase of 2.5% approximately.

The Tribunal sets minimum and maximum fees that may be paid to elected members and Council has the ability to decide the level of fees that will be paid. Should Council not make a decision in this regard, then the minimum fees will be paid for that year. Historically it has been the practice of this Council to fix its Annual Fees at the maximum level.

The level of fees paid to Mayors and Councillors depends on which category Burwood Council is placed in.

Due to the amalgamation process and merger of Councils, the Tribunal examined the existing categories, used a range of statistical and demographic data and considered the views of Council and Local Government NSW. Having regard to that information, the Tribunal has determined a categorisation model which differentiates Councils primarily on the basis of their geographic location. Other factors include population, the sphere of the Council's economic influence and the degree of regional servicing. The category for Burwood Council is now "Metropolitan Small".

The Annual Fee paid to the Mayor and Councillors of class Metropolitan Small as at 1 July 2019, has been determined as follows:

Table One: Total Annual Fees Paid to the Mayor and Councillors Each 12 Month Period from July 2019 to June 2020				
Class	Councillor Annual Fee		Mayor Additional Fee*	
	Minimum	Maximum	Minimum	Maximum
Metropolitan Small	9,190	20,280	19,580	44,230

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

The Annual Fee can be set anywhere between the minimum and the maximum and is paid with effect from 1 July each year on a monthly basis in arrears.

If a Councillor is absent, with or without leave of Council, from ordinary meetings of the Council for any period of more than three months, payment will not be made for the period in excess of three months.

In circumstances where the Annual Fee adversely affects a Councillor's entitlement to a pension, benefit or allowance under any legislation of the Commonwealth, the Councillor may request that the Annual Fee be reduced or not paid. The request shall be made in writing to the General Manager.

It is each Councillor's responsibility to reconcile receipts with the Australian Tax Office for the payment of the allowance.

Financial Implications

Provision has been made in the 2019-2020 Budget for the annual fees payable to the Mayor and Councillors.

Conclusion

Council needs to resolve a position in relation to the level of fees payable to the Mayoral and Councillors for the 2019-2020 year.

Recommendation(s)

That Council fix the fees payable to the Mayor and Councillors for the 2019-2020 Financial Year in accordance with the range specified by the Local Government Remuneration Tribunal for the Metropolitan Small Council Category at the maximum.

Attachments

1 Local Government Remuneration Tribunal Report 11 Pages

Local
Government
Remuneration
Tribunal

Annual Report
and
Determination

*Annual report and determination under sections 239 and
241 of the Local Government Act 1993*

15 April
2019

[NSW Remuneration Tribunals website](#)

Local Government Remuneration Tribunal

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Local Government Remuneration Tribunal

Executive Summary

The Local Government Remuneration Tribunal (the Tribunal) is required to report to the Minister for Planning and Public Spaces by 1 May each year as to its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

Categories

The Tribunal did not undertake a broad review of the categorisation of councils and considered only those requests where an individual submission was made. The Tribunal found that the current allocation of councils into the current categories is appropriate.

The Tribunal will next consider the model, the criteria applicable to each group and the allocation of councils in detail in 2020. The criteria applicable to each of the categories are published in Appendix 1 of the determination and are unchanged from 2018.

Fees

The Tribunal has determined that the minimum and maximum fees applicable to each category will be increased by 2.5 per cent which is consistent with the government's policy on wages.

Local Government Remuneration Tribunal

Section 1 Introduction

1. The role of Assessor assisting the Local Government Remuneration Tribunal (the Tribunal), pursuant to section 236 (1) (b) of the *Local Government Act 1993* (the LG Act) was undertaken by Mr Ian Reynolds from 1 July 2015 until the expiration of his appointment on 27 November 2018. The Tribunal thanks Mr Reynolds for his contributions over those years.
2. On 28 November 2018, Dr Robert Lang was re-appointed as the Tribunal and Mr Brian Bell PSM was appointed to the role of Assessor assisting the Tribunal pursuant to section 236 (1) (b) of the LG Act. The role of Assessor assisting the Tribunal pursuant to 236 (1) (a) continues to be undertaken by Mr Tim Hurst, CEO, Office of Local Government, Department of Planning and Environment.

Section 2 Background

3. Section 239 of the LG Act provides for the Tribunal to determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories. The categories are to be determined at least once every 3 years.
4. Section 241 of the LG Act provides for the Tribunal to determine, not later than 1 May in each year, for each of the categories determined under section 239, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.
5. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required, pursuant to section 242A (1) of the LG Act, to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission. The current policy on wages is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.
6. The Tribunal is however able to determine that a council can be placed in another existing or a new category with a higher range of fees without breaching the government's wage policy pursuant to section 242A (3) of the LG Act.

Local Government Remuneration Tribunal

7. The Tribunal's determinations take effect from 1 July in each year.

Section 2 2018 Determination

1. The Tribunal considered ten requests for re-categorisation having regard to the case put forward and the criteria for each category. A multi variable approach was adopted in assessing each council against all the criteria (not only population) for the requested category and the relativities within the categories.
2. The Tribunal noted that at the time of making the determination only the population data as of 2016 was available.
3. The Tribunal found that the current categorisation for the ten councils was appropriate and noted that some of those councils seeking to be moved are likely to meet the criteria for re-categorisation in future determinations in the medium term.
4. The Tribunal's 2018 Determination was made on 17 April 2018 and provided a general increase of 2.5 per cent which was consistent with the Government's policy on wages.

Section 3 2019 Review

5. The Tribunal wrote to all mayors in December 2018 advising of the commencement of the 2019 Annual Review. In doing so the Tribunal noted that it is only required to review the categories every three years and will next consider the model, the criteria applicable to each group and the allocation of councils in detail in 2020.
6. The Tribunal also stated that it does not intend to alter the groups that apply to individual councils unless there is a very strong case to do so. Any requests for a review should be supported by evidence which would indicate that the council is more appropriately allocated in another category based on the criteria.
7. The Tribunal also wrote to the President of Local Government NSW (LGNSW) in similar terms, and subsequently met with the President and Chief Executive of LGNSW. The Tribunal thanks the President and Chief Executive for making the time to meet with the Tribunal.
8. In response to this review the Tribunal received 20 submissions from individual councils and a submission from LGNSW. Those submissions addressed the allocation of councils into

Local Government Remuneration Tribunal

those categories and fees. The Tribunal also received a submission from a joint organisation requesting that the Tribunal determine the fees for members of the boards of joint organisations. A summary of the matters raised, and the Tribunal's consideration of those matters is outlined below.

Categorisation

9. Ten submissions received from councils requested re-categorisation now and two submissions requested re-categorisation when the Tribunal considers the categories in detail in 2020. Each of the ten requests for re-categorisation now were considered having regard to the case put forward and the criteria for each category.
10. At the time of making the determination the Tribunal had available to it the 30 June 2018 population data released by the Australian Bureau of Statistics (ABS) on 27 March 2019. In reviewing the submissions received the Tribunal also applied a multi variable approach assessing each council against all the criteria (not only population) for the requested category and the relativities within the categories.
11. The Tribunal finds that the allocation of councils into the current categories is appropriate but again notes that some of those councils seeking to be moved are likely to meet the criteria for re-categorisation in future determinations.
12. A few submissions have suggested alternative categorisation models. The Tribunal will consider this in detail in the 2020 review. The Tribunal intends to commence the 2020 annual review earlier than usual to ensure there is time to review the existing model and to examine alternatives. The Tribunal is of the preliminary view that a case may exist to revise the number of categories, and their applicable criteria, particularly for regional and rural councils.
13. A summary of the Tribunal's findings for each of the 2019 applications for re-categorisation is outlined in the following paragraphs.

Metropolitan Large

14. Canterbury-Bankstown and Penrith have sought re-categorisation to new categories noting that no changes to the categories of councils are planned until 2020. Canterbury-Bankstown has proposed a new categorisation model for consideration in the 2020 review. The proposed model would provide different categories for metropolitan councils. Penrith

Local Government Remuneration Tribunal

has again sought to be re-categorised to a new category - 'Metropolitan Large – Growth Centre'.

15. Both councils may wish to provide further details for consideration in the 2020 annual review.

Metropolitan Medium Councils

16. Inner West has again sought to be re-categorised to Metropolitan Large. The Tribunal outlined in the 2018 determination that Inner West did not demonstrate enough additional criteria to warrant re-categorisation at that time, but with population growth the council would likely be more comparable with other Metropolitan Large councils in the short to medium term.
17. The Tribunal has again considered in detail the features of Inner West having regard to the other criteria for Metropolitan Large councils. The Tribunal finds that Inner West does not provide the same degree of regional servicing or have an equivalent sphere of economic influence as other Metropolitan Large councils. This is supported by development and planning information published by the Greater Sydney Commission.
18. Inner West's June 2018 population of 198,024 is below the indicative population of other Metropolitan Large councils. Based on existing growth predictions it is likely Inner West will meet the minimum population threshold for inclusion in Metropolitan Large in 2020.

Metropolitan Small Council

19. Willoughby and Camden have sought to be re-categorised to Metropolitan Medium.
20. Willoughby's June 2018 population of 80,339 is below the indicative population of Metropolitan Medium Councils. The Tribunal outlined in the 2018 determination that Willoughby sought recognition of its scale of operations and businesses and regional significance of its centres and high percentage of non-resident visitors and workers. The Tribunal found the characteristics of the council were more appropriately aligned with those of other Metropolitan Small councils and found no case for it to be re-categorised at that time.
21. Willoughby's 2019 submission argues there is an over emphasis on resident population and no recognition of the complexity or burden on high volumes of non-resident populations.
22. As previously stated, the Tribunal considers a range of factors (not only population) in determining categories as required under section 240 of the LG Act. The Tribunal has again considered in detail the features of Willoughby having regard to the other criteria for other

Local Government Remuneration Tribunal

Metropolitan Medium councils and finds that Willoughby has not demonstrated the criteria to warrant inclusion in the Metropolitan Medium group at this time.

23. Camden's 2018 population of 94,159 is below the indicative population of Metropolitan Medium councils. The Tribunal has considered the features of Camden having regard to the other criteria for Metropolitan Medium councils. The Tribunal finds that Camden does not provide the same degree of regional servicing or have an equivalent sphere of economic influence as Metropolitan Medium councils. The Tribunal notes however that the ABS identifies that Camden has the largest and fastest population growth in NSW. Based on existing growth predictions it is likely Camden will meet the minimum population threshold for inclusion in Metropolitan Medium in 2020.

Regional Strategic Area Councils

24. Central Coast has sought to be re-categorised to Regional City. The council submits that its characteristics are more like Newcastle and Wollongong (Regional City) and substantially different to Lake Macquarie (Regional Strategic Area). The Tribunal finds that Central Coast has not demonstrated the additional criteria to warrant inclusion in the Regional City group.

Regional Rural Councils

25. Shellharbour and Port Macquarie have sought re-categorisation to Regional Strategic Area.
26. Shellharbour's June 2018 population of 72,240 is significantly below the indicative population of Regional Strategic Area councils. In addition, the submission was not supported by evidence which would indicate that the council is more appropriately allocated in another category based on the criteria.
27. Port Macquarie's June 2018 population of 83,131 is significantly below the indicative population of Regional Strategic Area councils. The Tribunal finds that Port Macquarie has not demonstrated the additional criteria to warrant inclusion in the Regional Strategic Area group.
28. Port Macquarie (as an alternative) and Mid-Coast sought to be re-categorised to a new category between Regional Strategic Area and Regional Rural. Both councils may wish to provide further details for consideration in the 2020 annual review.

Rural Councils

29. Muswellbrook and Federation have sought to be re-categorised to Regional Rural.

Local Government Remuneration Tribunal

30. Muswellbrook's June 2018 population of 16,383 and Federation's June 2018 population of 12,462 are well below the indicative population of Regional Rural councils. Both councils have not demonstrated the additional criteria to warrant inclusion in the Regional Rural group.
31. The Tribunal also undertook a review of Hilltops having regard to its 2018 submission and the Tribunal's findings that re-categorisation at that time was not warranted:

"41. Hilltops Council has sought to be re-categorised from Rural to Regional Rural. The new Hilltops Council is an amalgamation of three former councils in the Rural category (Young, Boorowa and Harden). The submission states that the new council has increased complexity of business and should be recognised as Regional Rural.

42. The Tribunal notes that Hilltops has a population of 19,150 (2016) which is just below the indicative population range of Regional Rural councils. The category of Regional Rural currently includes one council – Broken Hill – which has a population similar to that of Hilltops. Broken Hill warrants categorisation as Regional Rural in recognition of the degree of regional servicing it provides to far western NSW. It is not considered that Hilltops provides the same degree of regional services and on that basis re-categorisation is not warranted at this time."

32. Hilltops' June 2018 population of 18,782 is below the indicative population range of Regional Rural councils. The Tribunal has reviewed the additional criteria and finds no reason to alter its findings as outlined in the 2018 determination.

Fees

33. The LGNSW submission requested that the Tribunal increase fees by the allowable maximum of 2.5 per cent. The submission also repeated its view that the current arrangement for setting fees is inadequate and does not compensate elected members for the significant workload and range of responsibilities which are expanding. Comparative information was presented in respect to board fees, fees paid to mayors and councillors of councils in Queensland, and salaries for members of Parliament. A report detailing the findings of an independent review conducted on current remuneration paid to councillors and mayors was also provided. The LGNSW submission

Local Government Remuneration Tribunal

also requested that the Tribunal make a recommendation in support of the payment of superannuation.

34. Several submissions sought an increase to the allowable maximum of 2.5 per cent and raised similar issues to LGNSW in respect to the current fees not being adequate compensation for increased responsibilities and workload required to carry out mayoral and councillor duties and non-payment of superannuation. Several submissions also sought an increase significantly higher than the allowable 2.5 per cent or that fees be increased by benchmarking them to Principal CBD fees or population per councillor or using the base salary and allowances for Members of Parliament in the relevant region.
35. Two submissions also raised the matter of fees for deputy mayors. The Tribunal addressed this matter in the 2018 determination and will make no further comment.
36. The Tribunal has considered the submissions received. The Tribunal is mindful that the roles and responsibilities of councillors and mayors in NSW are outlined in the LG Act and notes that they are not necessarily comparable to the roles and responsibilities of councillors and mayors in other states, members of Parliament or members of boards and committees.
37. The Tribunal again notes that some of the other matters raised by submissions are more appropriately dealt with in the context of the current Local Government reform agenda and are outside the Tribunal's powers.
38. The Tribunal is required to have regard to the Government's wages policy when determining the increase to apply to the maximum and minimum fees that apply to councillors and mayors. The public sector wages policy currently provides for a cap on increases of 2.5 per cent.
39. The Tribunal has reviewed the key economic indicators, including the Consumer Price Index and Wage Price Index, and had regard to budgetary limitations imposed by the Government's policy of rate pegging, and finds that the full increase of 2.5 per cent is warranted. The 2.5 per cent increase will apply to the minimum and the maximum of the ranges for all existing categories.

Local Government Remuneration Tribunal

Other matters

40. The submission from LGNSW and several councils have again raised the matter of the non-payment of superannuation. The Tribunal addressed this matter in the 2018 determination as outline below and will make no further comment:

“54. The matter of the non-payment of superannuation has been previously raised in submissions to the Tribunal and is not a matter for the Tribunal to determine. Section 251 of the LG Act confirms that councillors are not employees of the council and the fee paid does not constitute a salary under the Act. The Tribunal notes that the Australian Tax Office has made a definitive ruling (ATO ID 2007/205) that allows councillors to redirect their annual fees into superannuation on a pre-tax basis and is a matter for councils (Ref: Councillor Handbook, Oct 2017, Office of Local Government p.69).”

41. The Tribunal also received a submission from the Canberra Region Joint Organisation (CRJO) although no invitation to do so was issued by the Tribunal. The CRJO has requested that the Tribunal set chair and member fees for joint organisations in the 2019 annual determination.
42. The Tribunal is constituted under Chapter 9, Part 2, Division 4 of the LG Act. The Tribunal’s determinations apply to Councils, Mayors and Councillors within the meaning of Chapter 9 of the LG Act.
43. Joint organisations, including the Board of a joint organisation, are constituted under Chapter 12, Part 7 of the LG Act. The Tribunal’s jurisdiction does not apply to joint organisations, as provided for in section 400ZH(3)(e) of the LG Act.
44. On that basis the Tribunal has no power to consider the CRJO submission and it is a matter that the CRJO may wish to raise with the Minister for Planning and Public Spaces who is the Minister responsible for the LG Act. The Tribunal has written to the CRJO in the above terms.

Conclusion

45. The Tribunal’s determinations have been made with the assistance of the two Assessors - Mr Brian Bell and Mr Tim Hurst. The allocation of councils into each of the categories,

Local Government Remuneration Tribunal

pursuant to section 239 of the LG Act, is outlined in Determination No. 1. The maximum and minimum fees paid to councillors and mayors and members and chairpersons of county councils, pursuant to section 241 of the LG Act, are outlined in Determination No. 2.

The Local Government Remuneration Tribunal

(Signed)

Dr Robert Lang

Dated: 15 April 2019

Local Government Remuneration Tribunal

Section 4 Determinations

Determination No. 1- Determination Pursuant to Section 239 of Categories of Councils and County Councils Effective From 1 July 2019

Table 1: General Purpose Councils - Metropolitan

Principal CBD (1)	Major CBD (1)
Sydney	Parramatta
Metropolitan Large (8)	Metropolitan Medium (9)
Blacktown	Bayside
Canterbury-Bankstown	Campbelltown
Cumberland	Georges River
Fairfield	Hornsby
Liverpool	Ku-ring-gai
Northern Beaches	Inner West
Penrith	Randwick
Sutherland	Ryde
	The Hills
Metropolitan Small (11)	
Burwood	
Camden	
Canada Bay	
Hunters Hill	
Lane Cove	
Mosman	
North Sydney	
Strathfield	
Waverley	
Willoughby	
Woollahra	

Local Government Remuneration Tribunal

Table 2: General Purpose Councils – Non-Metropolitan

Regional City (2)		Regional Strategic Area (2)	
Newcastle		Central Coast	
Wollongong		Lake Macquarie	
Regional Rural (37)		Rural (57)	
Albury	Balranald	Kyogle	
Armidale	Bellingen	Lachlan	
Ballina	Berrigan	Leeton	
Bathurst	Bland	Liverpool Plains	
Bega	Blayney	Lockhart	
Blue Mountains	Bogan	Moree Plains	
Broken Hill	Bourke	Murray River	
Byron	Brewarrina	Murrumbidgee	
Cessnock	Cabonne	Muswellbrook	
Clarence Valley	Carrathool	Nambucca	
Coffs Harbour	Central Darling	Narrabri	
Dubbo	Cobar	Narrandera	
Eurobodalla	Coolamon	Narromine	
Goulburn Mulwaree	Coonamble	Oberon	
Griffith	Cootamundra-Gundagai	Parkes	
Hawkesbury	Cowra	Snowy Valleys	
Kempsey	Dungog	Temora	
Kiama	Edward River	Tenterfield	
Lismore	Federation	Upper Hunter	
Lithgow	Forbes	Upper Lachlan	
Maitland	Gilgandra	Uralla	
Mid-Coast	Glen Innes Severn	Walcha	
Mid-Western	Greater Hume	Walgett	
Orange	Gunnedah	Warren	
Port Macquarie-Hastings	Gwydir	Warrumbungle	
Port Stephens	Hay	Weddin	
Queanbeyan-Palerang	Hilltops	Wentworth	
Richmond Valley	Inverell	Yass	
Shellharbour	June		
Shoalhaven			
Singleton			
Snowy Monaro			
Tamworth			
Tweed			
Wagga Wagga			
Wingecarribee			
Wollondilly			

Local Government Remuneration Tribunal

Table 3: County Councils

Water (4)
Central Tablelands
Goldenfields Water
Riverina Water
Rous

Other (6)
Castlereagh-Macquarie
Central Murray
Hawkesbury River
New England Tablelands
Upper Hunter
Upper Macquarie

Local Government Remuneration Tribunal

Determination No. 2- Determination Pursuant to Section 241 of Fees for Councillors and Mayors

Pursuant to s.241 of the *Local Government Act 1993*, the annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2019 are determined as follows:

Table 4: Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	27,640	40,530	169,100	222,510
	Major CBD	18,430	34,140	39,160	110,310
	Metropolitan Large	18,430	30,410	39,160	88,600
	Metropolitan Medium	13,820	25,790	29,360	68,530
	Metropolitan Small	9,190	20,280	19,580	44,230
General Purpose Councils - Non-metropolitan	Regional City	18,430	32,040	39,160	99,800
	Regional Strategic Area	18,430	30,410	39,160	88,600
	Regional Rural	9,190	20,280	19,580	44,250
	Rural	9,190	12,160	9,780	26,530
County Councils	Water	1,820	10,140	3,920	16,660
	Other	1,820	6,060	3,920	11,060

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

The Local Government Remuneration Tribunal

(Signed)

Dr Robert Lang

Dated: 15 April 2019

Local Government Remuneration Tribunal

Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety has been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

Local Government Remuneration Tribunal

Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum population of 200,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum population of 100,000.

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

Metropolitan Small

Councils categorised as Metropolitan Small will typically have a population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

Local Government Remuneration Tribunal

Regional City

Councils categorised as Regional City will typically have a population above 150,000. These councils are metropolitan in nature with major residential, commercial and industrial areas. These Councils typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development.

These councils provide a full range of higher order services and activities along with arts, culture, recreation and entertainment facilities to service the wider community and broader region. These councils typically also contain ventures which have a broader State and national focus which impact upon the operations of the council.

Newcastle City Council and Wollongong City Councils are categorised as Regional City.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Rural category on the basis of their significant population. Councils categorised as Regional Strategic Area will typically have a population above 200,000. These councils contain a mix of urban and rural settlements. They provide a range of services and activities including business, office and retail uses, along with arts, culture, recreation and entertainment facilities to service the wider community. These councils host tertiary education campuses and health facilities.

While councils categorised as Regional Strategic Area may have populations which exceed those of Regional City, they would not typically provide the same range of regional services or have an equivalent sphere of economic influence.

Central Coast Council and Lake Macquarie Council are categorised as Regional Strategic Area.

Regional Rural

Councils categorised as Regional Rural will typically have a minimum population of 20,000.

Other features which distinguish them from other non-metropolitan councils include:

- a major town or towns with the largest commercial component of any location in the surrounding area
- a significant urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages or may be located on or close to the coast with high levels of population and tourist facilities
- provide a full range of higher-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- regional services to the wider community through principal referral hospitals, tertiary education services and major regional airports
- these councils may also attract large visitor numbers to established tourism ventures.

Local Government Remuneration Tribunal

Rural

Councils categorised as Rural will typically have a population below 20,000.

Other features which distinguish them from other non-metropolitan councils include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Noxious Weeds Act 1993*.

(ITEM 47/19) ADOPTION - CODE OF MEETING PRACTICE AND RESULTS OF PUBLIC EXHIBITION AND ADOPTION - REVISED COUNCILLOR INDUCTION, BRIEFINGS AND WORKSHOPS POLICY

File No: 19/18077

REPORT BY ACTING DEPUTY GENERAL MANAGER, CORPORATE GOVERNANCE & COMMUNITY

Summary

Council resolved at its meeting on 26 March 2019 to place the draft Code of Meeting Practice on public exhibition for comment. The closing date for submissions was 8 May 2019 and no submissions were received.

This report seeks adoption of the draft Code of Meeting Practice together with the revised Councillor Induction, Briefings and Workshops Policy.

On 13 June 2019 the Office of Local Government (OLG) via a circular has introduced *consultation on webcasting guidelines* for all NSW councils where webcasting of council and committee meetings are required under the new Model Code of Conduct. The meetings that are to be webcast are those where the membership comprises only of councillors.

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making

Background

Model Code of Meeting Practice

The Office of Local Government issued the new Model Code of Meeting Practice for Local Councils in NSW on 18 December 2018, with a requirement for Councils to adopt a code by 14 June 2019.

The Model Code is made under Section 360 of the *Local Government Act 1993* (the Act) and Clause 232 of the *Local Government (General) Regulation 2005* (the Regulation).

All Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Code issued by the Office.

The draft Code of Meeting Practice also incorporates the non-mandatory provisions of the Model Code and other supplementary provisions.

Councillor Induction, Briefings and Workshops Policy

The Councillor Induction, Briefings and Workshop Policy sets the policy framework for decision making at these types of meetings, attendees and detailed information on the differences of each meeting type.

Webcasting of meetings

As part of the Model Code, Council is required to commence webcasting of meetings of the Council and committees of which all members are councillors from 14 December 2019.

The requirements provided by the OLG in relation to the webcasting of meetings are as follows:

- The Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code)

provides that all meetings of councils and committees whose membership comprises only of councillors should be webcast to increase the transparency of council decision making and to allow access to those who may not be physically able to attend meetings.

- Irrespective of whether they have adopted a code of meeting practice based on the Model Meeting Code, all councils will be required to webcast meetings of the council and committees whose membership comprises only of councillors from 14 December 2019.
- The requirement to webcast meetings may be met simply by posting an audio or video recording of the meeting on the council's website meaning that all councils, irrespective of their size, resources and location will be able to comply

Through its recent circular (*Circular 19-10 consultation on webcasting guidelines*), the OLG is seeking submissions from councils who already webcast their meetings about their experience, in order to then provide guidelines to those councils that do not currently do so. The deadline for submissions is Friday 12 July 2019.

The guidelines that will be issued by the OLG will include:

1. Case studies of different models for webcasting meetings
2. Strategies for managing defamation and other legal risks
3. Information about councils' obligations with respect to privacy and records management when webcasting meetings

Given the consultation process and the impending guidelines from the OLG it is recommended that Burwood Council does not make a decision at this point as to the type of webcast that it will be delivering. It is recommended that a further report be tabled to Council once the guidelines are provided with a view to have the webcast up and running prior to 14 December 2019.

Proposal

Council endorsed the draft Code of Meeting Practice at the March 2019 Council Meeting for placement on public exhibition.

The draft Code was placed on public exhibition in accordance with the requirements of the *Local Government Act 1993* for a period of 28 days and a total of 42 days were allowed for submissions to be made. That total period expired on 8 May 2019 and no submissions were received.

The draft Code of Meeting Practice and the draft Revised Councillor Induction, Briefings and Workshops Policy are now referred to Council for adoption.

Consultation

The draft Code was advertised in a local paper and made available for the public to view at Council's Customer Service Centre, the Burwood Library and on Council's website for the period 27 March 2019 to 24 April 2019. Written submissions were accepted until 8 May 2019.

Planning or Policy Implications

If adopted, this Code will be Council's policy for the conduct of Council Meetings and the Induction, Briefing and Workshops Policy for other meetings which Council requires.

Once adopted by the Council the Code of Meeting Practice and the Councillor Induction, Briefing and Workshops Policy will be published on Council's website and the Councillor Portal. Council Officers will be advised via the internal Council newsletter.

Financial Implications

No financial implications at this stage.

Conclusion

The draft Code of Meeting Practice complies with the requirements of the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and the Model Code issued by the Office of Local Government. The revised Councillor Induction, Briefings and Workshops Policy also complies with all requirements.

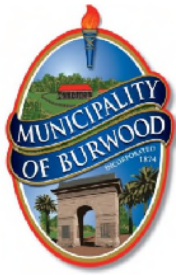
It is now in order for Council to adopt the draft Code of Meeting Practice and to adopt the revised Councillor Induction, Briefings and Workshops Policy.

Recommendation(s)

1. That the draft Code of Meeting Practice, as placed on public exhibition be now adopted as Council's Code of Meeting Practice.
2. That Council adopts the revised Councillor Induction, Briefings and Workshops Policy.

Attachments

- | | | |
|---|--|----------|
| 1 | Draft - Code of Meeting Practice | 11 Pages |
| 2 | Revised - Councillor Induction, Briefings and Workshops Policy | |
| 3 | OLG Circular Consultation on webcasting guidelines | |



Burwood Council

heritage ■ progress ■ pride

DRAFT – CODE OF MEETING PRACTICE

Model Code of Meeting Practice for Local Council – Office of Local Government

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Public Document
Adopted by Council: <Date>
Ref. No.: 18/46523
Version No.: 7
Ownership: Governance

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1. INTRODUCTION

This Code of Meeting Practice for Local Councils in NSW (the Code) is made under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

The Code applies to all meetings of Burwood Council and Committees of which all the members are Councillors (committees of Council). Council committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise.

All Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code issued by the Office of Local Government.

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

A Council and a committee of the Council of which all the members are Councillors must conduct its meetings in accordance with the Code of Meeting Practice adopted by the Council.

The Model Meeting Code also applies to meetings of the boards of joint organisations. Burwood Council does not have boards of joint organisations, therefore, the provisions relating to these have been deleted.

2. MEETING PRINCIPLES

2.1 Council and committee meetings should be:

- **Transparent** - Decisions are made in a way that is open and accountable.
- **Informed** - Decisions are made based on relevant, quality information.
- **Inclusive** - Decisions respect the diverse needs and interests of the local community.
- **Principled** - Decisions are informed by the principles prescribed under Chapter 3 of the Act.
- **Trusted** - The community has confidence that Councillors and Officers act ethically and make decisions in the interests of the whole community.
- **Respectful** - Councillors, Officers and meeting attendees treat each other with respect.
- **Effective** - Meetings are well organised, effectively run and skilfully chaired.
- **Orderly** - Councillors, Officers and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3. BEFORE THE MEETING

Timing of Ordinary Council Meetings

3.1 Ordinary Meetings of the Council will be held on the following occasions:

- On the 4th Tuesday of each month (February to December) at 6.00 pm in the Council Chamber, Administration Building, Suite 1, Level 2, 1-17 Elsie Street, Burwood and in accordance with Council's adopted meeting schedule.

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

Extraordinary Meetings

- 3.3 If the Mayor receives a request in writing, signed by at least two Councillors, the Mayor must call an extraordinary meeting of the Council to be held as soon as practicable, but in any event, no more than 14 days after receipt of the request. The Mayor can be one of the two Councillors requesting the meeting.

Note: Clause 3.3 reflects section 366 of the Act.

Notice to the Public of Council Meetings

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

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

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

Notice to Councillors of Ordinary Council Meetings

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

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

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

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

Notice to Councillors of Extraordinary Meetings

- 3.9 Notice of less than three days may be given to Councillors of an extraordinary meeting of the Council in cases of emergency.

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

Giving Notice of Business to be considered at Council Meetings

- 3.10 A Councillor may give notice of any business they wish to be considered by the Council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted to the General Manager by the Monday two weeks before the meeting is to be held.
- 3.11 A Councillor may, in writing to the General Manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

- 3.12 If the General Manager considers that a notice of motion submitted by a Councillor for consideration at an ordinary meeting of the Council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the General Manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the Council.
- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the General Manager must either:
- a. prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the Council
 - b. by written notice sent to all Councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the Council to such a date specified in the notice, pending the preparation of such a report.

Questions with Notice

- 3.14 A Councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the General Manager about the performance or operations of the Council.
- 3.15 A Councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the General Manager or a member of Officers of the Council, or a question that implies wrongdoing by the General Manager or a member of Officers of the Council.
- 3.16 The General Manager or their nominee may respond to a question with notice submitted under clause 3.14 of the Regulation by way of a report included in the business papers for the relevant meeting of the Council or orally at the meeting.

Questions without Notice (Burwood Council Clause)

- 3.16a Councillors are permitted to ask a maximum of three questions per Council Meeting. The Regulation which states that Council must not transact business unless due notice has been given that is three days prior to the Council Meeting. Councillors are not to address personalities.
- 3.16b Any Questions without Notice to Council Officers which in the opinion of the Chair with the referral to the General Manager that requires action involving the employment of unbudgeted resources shall not be allowed (but rather should be the basis of a Notice of Motion(s) duly moved under the Code of Meeting Practice).
- 3.16c Councillors are required to submit their question(s) to the Chair in writing as at the agenda item 'Question without Notice' when it comes to the forum. Councillors must word question(s), succinctly and without argument and may contain supporting information.
- 3.16d The Chair (at the appropriate time during the meeting) will read out the name of the Councillor asking the question and the question itself. No discussion is to take place. Questions without Notice will be recorded in the Minutes of Council Meetings.
- 3.16e Answers will not be provided at the Meeting, however, they will be provided to all

Councillors within ten days after the meeting. An Information Item with the answers will be submitted to the following Council Meeting for public information.

Agenda and Business Papers for Ordinary Meetings

- 3.17 The General Manager must cause the agenda for a meeting of the Council or a committee of the Council to be prepared as soon as practicable before the meeting.
- 3.18 The General Manager must ensure that the agenda for an ordinary meeting of the Council states:
- a. all matters to be dealt with arising out of the proceedings of previous meetings of the Council
 - b. if the Mayor is the Chairperson – any matter or topic that the Chairperson proposes, at the time when the agenda is prepared, to put to the meeting
 - c. all matters, including matters that are the subject of Officers reports and reports of committees, to be considered at the meeting
 - d. any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the Mayor to put a Mayoral Minute to a meeting under clause 8.6.
- 3.20 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.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the meeting is closed to the public, the General Manager must ensure that the agenda of the meeting:
- a. identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public)
 - b. states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.21 reflects section 9(2A)(a) of the Act.

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

Availability of the Agenda and Business Papers to the Public

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

Note: Clause 3.23 reflects section 9(2) and (4) of the Act.

- 3.24 Clause 3.23 does not apply to the business papers for items of business that the General Manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.24 reflects section 9(2A)(b) of the Act.

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

Note: Clause 3.25 reflects section 9(3) of the Act.

- 3.26 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.

Note: Clause 3.26 reflects section 9(5) of the Act.

Agenda and Business Papers for Extraordinary Meetings

- 3.27 The General Manager must ensure that the agenda for an extraordinary meeting of the Council deals only with the matters stated in the notice of the meeting.

- 3.28 Despite clause 3.27, business may be considered at an extraordinary meeting of the Council, even though due notice of the business has not been given, if:

- a. a motion is passed to have the business considered at the meeting
- b. the business to be considered is ruled by the Chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council

- 3.29 A motion moved under clause 3.28(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

- 3.30 Despite clauses 9.20–9.30, only the mover of a motion moved under clause 3.28(a) can speak to the motion before it is put.

- 3.31 A motion of dissent cannot be moved against a ruling of the Chairperson under clause 3.28(b) on whether a matter is of great urgency.

Pre-Meeting Briefing Sessions

- 3.32 Prior to each ordinary meeting of the Council, the General Manager may arrange a pre-meeting briefing session to brief Councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the Council and meetings of committees of the Council.

- 3.33 Pre-meeting briefing sessions are to be held in the absence of the public.

- 3.34 The General Manager or a member of Officers nominated by the General Manager is to preside at pre-meeting briefing sessions.

- 3.36 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal Council or committee meeting at which the item of business is to be considered.

- 3.37 Councillors (including the Mayor) must declare and manage any conflicts of interest they

may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a Council or committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the Councillor who made the declaration.

4. COMING TOGETHER

Attendance by Councillors at Meetings

- 4.1 All Councillors must make reasonable efforts to attend meetings of the Council and of committees of the Council of which they are members.

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

- 4.2 A Councillor cannot participate in a meeting of the Council or of a committee of the Council unless personally present at the meeting.
- 4.4 Where a Councillor is unable to attend one or more ordinary meetings of the Council, the Councillor should request that the Council grant them a leave of absence from those meetings. This clause does not prevent a Councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 4.5 A Councillor's request for leave of absence from Council meetings should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 4.6 The Council must act reasonably when considering whether to grant a Councillor's request for a leave of absence.
- 4.7 A Councillor's civic office will become vacant if the Councillor is absent from three consecutive ordinary meetings of the Council without prior leave of the Council, or leave granted by the Council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the Council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.7 reflects section 234(1)(d) of the Act.

- 4.8 A Councillor who intends to attend a meeting of the Council despite having been granted a leave of absence should, if practicable, give the General Manager at least two (2) days' notice of their intention to attend.

The Quorum for a Meeting

- 4.9 The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office at that time and are not suspended from office (a quorum is four Councillors).

Note: Clause 4.9 reflects section 368(1) of the Act.

- 4.10 Clause 4.9 does not apply if the quorum is required to be determined in accordance with

directions of the Minister in a performance improvement order issued in respect of the Council.

Note: Clause 4.10 reflects section 368(2) of the Act.

- 4.11 A meeting of the Council must be adjourned if a quorum is not present:
- a. at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - b. within half an hour after the time designated for the holding of the meeting, or
 - c. at any time during the meeting.
- 4.12 In either case, the meeting must be adjourned to a time, date and place fixed:
- a. by the Chairperson, or
 - b. in the Chairperson's absence, by the majority of the Councillors present, or
 - c. failing that, by the General Manager.
- 4.13 The General Manager must record in the Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the Council, together with the names of the Councillors present.
- 4.14 Where, prior to the commencement of a meeting, it becomes apparent that the safety and welfare of Councillors, Council Officers and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the Mayor may, in consultation with the General Manager and, as far as is practicable, with each Councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the Council's website and in such other manner that the Council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 4.15 Where a meeting is cancelled under clause 4.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the Council or at an extraordinary meeting called under clause 3.3.

Entitlement of the Public to Attend Council Meetings

- 4.16 Everyone is entitled to attend a meeting of the Council and committees of the Council. The Council must ensure that all meetings of the Council and committees of the Council are open to the public.
- Note: Clause 4.16 reflects section 10(1) of the Act.**
- 4.17 Clause 4.16 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 4.18 A person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or a committee of the Council if expelled from the meeting:
- a. by a resolution of the meeting, or
 - b. by the person presiding at the meeting if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 4.18 reflects section 10(2) of the Act.

Addressing of Council and Committee Meetings by Members of the Public (Burwood Council Clause)**Open Forum**

- 4.18a The Public may address Council at an Ordinary Council Meeting on a matter that is not on the agenda of that meeting. The Forum takes place after the adoption of the minutes of the previous meeting.
- 4.18b Members of the Public are required to either register fifteen minutes prior to the Meeting or by contacting one of Council's Governance Team Members.

The guidelines, which apply to public address, are:

1. a time limit of three minutes per speaker
2. discussion, debate or questions involving Councillors or Council Officers are not permitted
3. the subject matter only is to be discussed
4. personalities are not to be addressed

Address by the Public on Agenda Items

- 4.18c The Public may address items listed on the Council or Committee Agendas.
- 4.18d Persons from the Public gallery may address the Council or Council Committee and answer questions from Council or Council Committee Members. Persons who have registered will be invited to speak at the beginning of the item before the Council or Committee.
- 4.18e Members of the Public are required to either register 15 minutes prior to the Meeting or by contacting one of Council's Governance Team Members.

The guidelines, which apply to public address, are:

1. a time limit of three minutes per speaker
2. discussion, debate or questions involving Councillors or Council Officers are not permitted
3. the subject matter only is to be discussed
4. personalities are not to be addressed

- 4.18f The Council or Council Committee can grant an extension of time for a speaker by a motion to that effect being put and carried.
- 4.18g The Council may further resolve to alter the order of business of the meeting and bring forward the matter for consideration at the conclusion of the address, by means of a procedural motion.

Webcasting of Meetings

- 4.19 All meetings of the Council and committees of the Council are to be webcast on the Council's website.

Note: Councils will be required to webcast meetings from 14 December 2019. Councils that do not currently webcast meetings should take steps to ensure that meetings are webcast by 14 December 2019.

Note: Councils must include supplementary provisions in their adopted codes of

meeting practice that specify whether meetings are to be livestreamed or recordings of meetings uploaded on the Council's website at a later time. The supplementary provisions must also specify whether the webcast is to comprise of an audio visual recording of the meeting or an audio recording of the meeting.

- 4.20 Clause 4.19 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.
- 4.21 At the start of each meeting the Chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.
- 4.22 A recording of each meeting of the Council and committee of the Council is to be retained on the Council's website for **indefinitely**. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the General Manager and Other Officers at Meetings

- 4.23 The General Manager is entitled to attend, but not to vote at, a meeting of the Council or a meeting of a committee of the Council of which all of the members are Councillors.

Note: Clause 4.23 reflects section 376(1) of the Act.

- 4.24 The General Manager is entitled to attend a meeting of any other committee of the Council and may, if a member of the committee, exercise a vote.

Note: Clause 4.24 reflects section 376(2) of the Act.

- 4.25 The General Manager may be excluded from a meeting of the Council or a committee while the Council or committee deals with a matter relating to the standard of performance of the General Manager or the terms of employment of the General Manager.

Note: Clause 4.25 reflects section 376(3) of the Act.

- 4.26 The attendance of other Council Officers at a meeting, (other than as members of the public) shall be with the approval of the General Manager.

5. THE CHAIRPERSON

The Chairperson at Meetings

- 5.1 The Mayor, or at the request of or in the absence of the Mayor, the Deputy Mayor (if any) presides at meetings of the Council.

Note: Clause 5.1 reflects section 369(1) of the Act.

- 5.2 If the Mayor and the Deputy Mayor (if any) are absent, a Councillor is elected to chair the meeting by the Councillors present presides at a meeting of the Council.

Note: Clause 5.2 reflects section 369(2) of the Act.

Election of the Chairperson in the Absence of the Mayor and Deputy Mayor

- 5.3 If no Chairperson is present at a meeting of the Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a Chairperson to preside at the meeting.

- 5.4 The election of a Chairperson must be conducted:
- a. by the General Manager or, in their absence, an employee of the Council designated by the General Manager to conduct the election, or
 - b. by the person who called the meeting or a person acting on their behalf if neither the General Manager nor a designated employee is present at the meeting, or if there is no General Manager or designated employee.
- 5.5 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.
- 5.6 For the purposes of clause 5.5, the person conducting the election must:
- a. arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
 - b. then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 5.7 The candidate whose name is on the drawn slip is the candidate who is to be the Chairperson.
- 5.8 Any election conducted under clause 5.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have Precedence

- 5.9 When the Chairperson rises or speaks during a meeting of the Council:
- a. any Councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
 - b. every Councillor present must be silent to enable the Chairperson to be heard without interruption.

6. MODES OF ADDRESS

- 6.1 If the Chairperson is the Mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 6.2 Where the Chairperson is not the Mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 6.3 A Councillor is to be addressed as 'Councillor [surname]'.
- 6.4 A Council Officer is to be addressed by their official designation or as Mr/Ms [surname].

7. ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

- 7.1 The general order of business for an ordinary meeting of the Council shall be:
1. Acknowledgement of Country
 2. Prayer
 3. Apologies/Leave of absence
 4. Declarations of Interests by Councillors
 5. Declaration of Political Donations
 6. Open Forum
 7. Confirmation of minutes

8. Address by the Public on agenda items
9. Mayoral Minutes
10. Notices of Motion
11. Reports of Committees
12. General Business
13. Information Items
14. Confidential Matters
15. Questions Without Notice

Note: Councils must use either clause 7.1 or 7.2.

- 7.2 The order of business as fixed under clause 7.1 may be altered for a particular meeting of the Council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: Part 13 allows Council to deal with items of business by exception.

- 7.3 Despite clauses 9.20–9.30, only the mover of a motion referred to in clause 7.2 may speak to the motion before it is put.

8. CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a Council Meeting

- 8.1 The Council must not consider business at a meeting of the Council:
- a. unless a Councillor has given notice of the business, as required by clause 3.10, and
 - b. unless notice of the business has been sent to the Councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 8.2 Clause 8.1 does not apply to the consideration of business at a meeting, if the business:
- a. is already before, or directly relates to, a matter that is already before the Council, or
 - b. is the election of a Chairperson to preside at the meeting, or
 - c. subject to clause 8.9, is a matter or topic put to the meeting by way of a Mayoral minute, or
 - d. is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the Council.
- 8.3 Despite clause 8.1, business may be considered at a meeting of the Council even though due notice of the business has not been given to the Councillors if:
- a. a motion is passed to have the business considered at the meeting, and
 - b. the business to be considered is ruled by the Chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.
- 8.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 9.20–9.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 8.5 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 8.3(b).

Mayoral Minutes

- 8.6 Subject to clause 8.9, if the Mayor is the Chairperson at a meeting of the Council, the Mayor may, by minute signed by the Mayor, 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.
- 8.7 A Mayoral minute, when put to a meeting, takes precedence over all business on the Council's agenda for the meeting. The Chairperson (but only if the Chairperson is the Mayor) may move the adoption of a Mayoral minute without the motion being seconded.
- 8.8 A recommendation made in a Mayoral minute put by the Mayor is, so far as it is adopted by the Council, a resolution of the Council.
- 8.9 A Mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the Council before the next scheduled ordinary meeting of the Council.
- 8.10 Where a Mayoral Minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the Mayoral minute does not identify a funding source, the Council must defer consideration of the matter, pending a report from the General Manager on the availability of funds for implementing the recommendation if adopted.

Officers Reports

- 8.11 A recommendation made in a Council Officers report is, so far as it is adopted by the Council, a resolution of the Council.

Reports of Committees of Council

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

Questions

- 8.14 A question must not be asked at a meeting of the Council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 8.15 A Councillor may, through the Chairperson, put a question to another Councillor about a matter on the agenda.
- 8.16 A Councillor may, through the General Manager, put a question to a Council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the General Manager at the direction of the General Manager.
- 8.17 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. Where a Councillor or Council employee to whom a question is put is unable to respond to the question at the meeting at which it is

put, they may take it on notice and report the response to the next meeting of the Council.

- 8.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 8.19 The Chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a Councillor or Council Officer.

9. RULES OF DEBATE

Motions to be Seconded

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

Notices of Motion

- 9.2 A Councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 9.3 If a Councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to Councillors, the Councillor may request the withdrawal of the motion when it is before the Council.
- 9.4 In the absence of a Councillor who has placed a notice of motion on the agenda for a meeting of the Council:
- a. any other Councillor may, with the leave of the Chairperson, move the motion at the meeting, or
 - b. the Chairperson may defer consideration of the motion until the next meeting of the Council.

Chairperson's Duties with Respect to Motions

- 9.5 It is the duty of the Chairperson at a meeting of the Council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 9.6 The Chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 9.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the Chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 9.8 Any motion, amendment or other matter that the Chairperson has ruled out of order is taken to have been lost.

Motions Requiring the Expenditure of Funds

- 9.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the Council must defer consideration of the matter, pending a report from the General Manager on the availability of funds for implementing the motion if adopted.

Amendments to Motions

- 9.10 An amendment to a motion must be moved and seconded before it can be debated.
- 9.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the Council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the Chairperson.
- 9.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 9.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one motion and one proposed amendment can be before Council at any one time.
- 9.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 9.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 9.16 An amendment may become the motion without debate or a vote where it is accepted by the Councillor who moved the original motion.

Foreshadowed Motions

- 9.17 A Councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the Council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 9.18 Where an amendment has been moved and seconded, a Councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the Council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 9.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the Number and Duration of Speeches

- 9.20 A Councillor who, during a debate at a meeting of the Council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 9.21 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.

- 9.22 A Councillor must not, without the consent of the Council, speak more than once on a motion or an amendment, or for longer than five minutes at any one time.
- 9.23 Despite clause 9.22, 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 on that motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 9.24 Despite clause 9.22, the Council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 9.25 Despite clauses 9.20 and 9.21, a Councillor may move that a motion or an amendment be now put:
- a. if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it, or
 - b. if at least two Councillors have spoken in favour of the motion or amendment and at least two Councillors have spoken against it.
- 9.26 The Chairperson must immediately put to the vote, without debate, a motion moved under clause 9.25. A seconder is not required for such a motion.
- 9.27 If a motion that the original motion or an amendment be now put is passed, the Chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 9.20.
- 9.28 If a motion that the original motion or an amendment be now put is lost, the Chairperson must allow the debate on the original motion or the amendment to be resumed.
- 9.29 All Councillors must be heard without interruption and all other Councillors must, unless otherwise permitted under this code, remain silent while another Councillor is speaking.
- 9.30 Once the debate on a matter has concluded and a matter has been dealt with, the Chairperson must not allow further debate on the matter.

10. VOTING

Voting Entitlements of Councillors

- 10.1 Each Councillor is entitled to one vote.
- Note: Clause 10.1 reflects section 370(1) of the Act.**
- 10.2 The person presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote.
- Note: Clause 10.2 reflects section 370(2) of the Act.**
- 10.3 Where the Chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at Council Meetings

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

- 10.6 If a Councillor who has voted against a motion put at a Council meeting so requests, the General Manager must ensure that the Councillor's dissenting vote is recorded in the Council's minutes.
- 10.7 The decision of the Chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two Councillors rise and call for a division.
- 10.8 When a division on a motion is called, the Chairperson must ensure that the division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the Council's minutes for the meeting.
- 10.9 When a division on a motion is called, any Councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 10.5 of this code.
- 10.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the Council may resolve that the voting in any election by Councillors for Mayor or Deputy Mayor is to be by secret ballot.
- 10.11 All voting at Closed Sessions of Council meetings, must be recorded in the minutes of meetings with the names of Councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

Voting on Planning Decisions

- 10.12 The General Manager must keep a register containing, for each planning decision made at a meeting of the Council or a Council committee (including, but not limited to a committee of the Council), the names of the Councillors who supported the decision and the names of any Councillors who opposed (or are taken to have opposed) the decision.
- 10.13 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the Council or a Council committee.
- 10.14 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.
- 10.15 Clauses 10.12–10.14 apply also to meetings that are closed to the public.

Note: Clauses 10.12–10.15 reflect section 375A of the Act.

Note: The requirements of clause 10.12 may be satisfied by maintaining a register of the minutes of each planning decision.

11. COMMITTEE OF THE WHOLE

- 11.1 The Council may resolve itself into a committee to consider any matter before the Council.
Note: Clause 11.1 reflects section 373 of the Act.
- 11.2 All the provisions of this code relating to meetings of the Council, so far as they are applicable, extend to and govern the proceedings of the Council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 9.20–9.30 limit the number and duration of speeches.

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

12. CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which Meetings can be Closed to the Public

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

Note: Clause 12.1 reflects section 10A(1) and (2) of the Act.

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

Note: Clause 12.2 reflects section 10A(3) of the Act.

Matters to be Considered When Closing Meetings to the Public

- 12.3 A meeting is not to remain closed during the discussion of anything referred to in clause 12.1:
- a. except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - b. if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 12.3 reflects section 10B(1) of the Act.

- 12.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 12.1(g) unless the advice concerns legal matters that:
- a. are substantial issues relating to a matter in which the Council or committee is involved, and
 - b. are clearly identified in the advice, and
 - c. are fully discussed in that advice.

Note: Clause 12.4 reflects section 10B(2) of the Act.

- 12.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 13.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 13.1.

Note: Clause 12.5 reflects section 10B(3) of the Act.

- 12.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- a. a person may misinterpret or misunderstand the discussion, or
 - b. the discussion of the matter may:
 - i. cause embarrassment to the Council or committee concerned, or to Councillors or to employees of the Council, or
 - ii. cause a loss of confidence in the Council or committee.

Note: Clause 12.6 reflects section 10B(4) of the Act.

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

Note: Clause 12.7 reflects section 10B(5) of the Act.

Notice of Likelihood of Closure Not Required in Urgent Cases

- 12.8 Part of a meeting of the Council, or of a committee of the Council, may be closed to the public while the Council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- a. it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 12.1, and
 - b. the Council or committee, after considering any representations made under clause 12.9, resolves that further discussion of the matter:
 - i. should not be deferred (because of the urgency of the matter), and
 - ii. should take place in a part of the meeting that is closed to the public.

Note: Clause 12.8 reflects section 10C of the Act.

Representations by Members of the Public

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

Note: Clause 12.9 reflects section 10A(4) of the Act.

12.10 A representation under clause 12.9 is to be made after the motion to close the part of the meeting is moved and seconded.

12.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 12.9, members of the public must first make an application to the Council in the approved form. Applications must be received by **close of business Monday** before the meeting at which the matter is to be considered.

12.12 The General Manager (or their delegate) may refuse an application made under clause 12.11. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.

12.13 All members of the public who wish to speak are to be permitted to make representations under clause 12.9.

12.14 Where it is deemed that too many speakers apply to make representations under clause 12.9, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the Council. If the speakers are not able to agree on whom to nominate to make representations under clause 12.9, the General Manager or their delegate is to determine who will make representations to the Council.

12.15 The General Manager (or their delegate) is to determine the order of speakers.

12.16 Where the Council or a committee of the Council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the Chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The Chairperson is to permit all members of the public to make representations in such order as determined by the Chairperson.

12.17 Each speaker will be allowed **three** minutes to make representations, and this time limit is to be strictly enforced by the Chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.

Expulsion of Non-Councillors from Meetings Closed to the Public

12.18 If a meeting or part of a meeting of the Council or a committee of the Council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a Councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

12.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using 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 for the remainder of the meeting.

Information to be Disclosed in Resolutions Closing Meetings to the Public

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

Note: Clause 12.20 reflects section 10D of the Act.

Resolutions Passed at Closed Meetings to be Made Public

- 12.21 If the Council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 12.22 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the Chairperson under clause 12.21 during a part of the meeting that is webcast.

13. KEEPING ORDER AT MEETINGS

Points of Order

- 13.1 A Councillor may draw the attention of the Chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 13.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 13.3 A point of order must be taken immediately it is raised. The Chairperson must suspend the business before the meeting and permit the Councillor raising the point of order to state the provision of this code they believe has been breached. The Chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of Order

- 13.4 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.
- 13.5 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.
- 13.6 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.

- 13.7 The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of Dissent

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

Acts of Disorder

- 13.11 A Councillor commits an act of disorder if the Councillor, at a meeting of the Council or a committee of the Council:
- a. contravenes the Act or any regulation in force under the Act or this code, or
 - b. assaults or threatens to assault another Councillor or person present at the meeting, or
 - c. moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or the committee, or addresses or attempts to address the Council or the committee on such a motion, amendment or matter, or
 - d. insults or makes personal reflections on or imputes improper motives to any other Council official, or alleges a breach of the Council's code of conduct, or
 - e. says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or the committee into disrepute.
- 13.12 The Chairperson may require a Councillor:
- a. to apologise without reservation for an act of disorder referred to in clauses 13.11(a) or (b), or
 - b. to withdraw a motion or an amendment referred to in clause 13.11(c) and, where appropriate, to apologise without reservation, or
 - c. to retract and apologise without reservation for an act of disorder referred to in clauses 13.11(d) and (e).

How Disorder at a Meeting May be Dealt With

- 13.13 If disorder occurs at a meeting of the Council, 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 Chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.

Expulsion from Meetings

- 13.14 All Chairpersons of meetings of the Council and committees of the Council are authorised under this code to expel any person, including any Councillor, from a Council or

committee meeting, for the purposes of section 10(2)(b) of the Act.

- 13.15 Clause 13.14, does not limit the ability of the Council or a committee of the Council to resolve to expel a person, including a Councillor, from a Council or committee meeting, under section 10(2)(a) of the Act.
- 13.16 A Councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for having failed to comply with a requirement under clause 14.12. 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.
- 13.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for engaging in or having engaged in disorderly conduct at the meeting.
- 13.18 Where a Councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 13.19 If a Councillor or a member of the public fails to leave the place where a meeting of the Council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using 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 of the public from re-entering that place for the remainder of the meeting.

Use of Mobile Phones and the Unauthorised Recording of Meetings

- 13.20 Councillors, Council Officers and members of the public must ensure that mobile phones are turned to silent during meetings of the Council and committees of the Council.
- 13.21 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the Council or a committee of the Council without the prior authorisation of the Council or the committee.
- 13.22 Any person who contravenes or attempts to contravene clause 13.21, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 13.23 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using 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 for the remainder of the meeting.

14. CONFLICTS OF INTEREST

- 14.1 All Councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the Council and committees of the Council in accordance with the Council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

15. DECISIONS OF THE COUNCIL

Council Decisions

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

Note: Clause 15.1 reflects section 371 of the Act in the case of Councils

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

Rescinding or Altering Council Decisions

- 15.3 A resolution passed by the Council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

Note: Clause 15.3 reflects section 372(1) of the Act.

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

Note: Clause 15.4 reflects section 372(2) of the Act.

- 15.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.

Note: Clause 15.5 reflects section 372(3) of the Act.

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

Note: Clause 15.6 reflects section 372(4) of the Act.

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

Note: Clause 15.7 reflects section 372(5) of the Act.

- 15.8 The provisions of clauses 15.5–15.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 15.8 reflects section 372(7) of the Act.

- 15.9 A notice of motion submitted in accordance with clause 15.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

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

Note: Clause 15.11 reflects section 372(6) of the Act.

- 15.12 Subject to clause 15.7, in cases of urgency, a motion to alter or rescind a resolution of the Council may be moved at the same meeting at which the resolution was adopted, where:
- a. a notice of motion signed by three Councillors is submitted to the Chairperson, and
 - b. a motion to have the motion considered at the meeting is passed, and
 - c. the Chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.
- 15.13 A motion moved under clause 15.12(b) can be moved without notice. Despite clauses 9.20–9.30, only the mover of a motion referred to in clause 15.12(b) can speak to the motion before it is put.
- 15.14 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 15.12(c).

16. TIME LIMITS ON COUNCIL MEETINGS

- 16.1 Meetings of the Council and committees of the Council are to conclude no later than **11pm**.
- 16.2 If the business of the meeting is unfinished at **11pm** a maximum extension of **30** minutes, the Council or the committee may, by resolution, extend the time of the meeting.
- 16.3 If the business of the meeting is unfinished at **11pm** and the Council does not resolve to extend the meeting, the Chairperson must either:
- a. defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the Council, or
 - b. adjourn the meeting to a time, date and place fixed by the Chairperson.
- 16.4 Clause 18.3 does not limit the ability of the Council or a committee of the Council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 16.5 Where a meeting is adjourned under clause 16.3 or 16.4, the General Manager must:
- a. individually notify each Councillor of the time, date and place at which the meeting will reconvene, and
 - b. publish the time, date and place at which the meeting will reconvene on the Council's website and in such other manner that the General Manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

17. AFTER THE MEETING

Minutes of Meetings

- 17.1 The Council is to keep full and accurate minutes of the proceedings of meetings of the Council.
- Note: Clause 17.1 reflects section 375(1) of the Act.**
- 17.2 At a minimum, 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 moved

- to it,
- b. the names of the mover and seconder of the motion or amendment,
- c. whether the motion or amendment was passed or lost, and
- d. such other matters specifically required under this code.

17.3 The minutes of a Council meeting must be confirmed at a subsequent meeting of the Council.

Note: Clause 17.3 reflects section 375(2) of the Act.

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

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

Note: Clause 17.5 reflects section 375(2) of the Act.

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

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

Access to Correspondence and Reports Laid on the Table at, or Submitted to, a Meeting

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

Note: Clause 17.8 reflects section 11(1) of the Act.

17.9 Clause 17.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 17.9 reflects section 11(2) of the Act.

17.10 Clause 17.8 does not apply if the Council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 17.10 reflects section 11(3) of the Act.

17.11 Correspondence or reports to which clauses 18.9 and 17.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of Decisions of the Council

17.12 The General Manager is to implement, without undue delay, lawful decisions of the Council.

Note: Clause 17.12 reflects section 335(b) of the Act.

18. COUNCIL COMMITTEES

Application of this Part

18.1 This Part only applies to committees of the Council whose members are all Councillors.

Council Committees whose members are all Councillors

18.2 The Council may, by resolution, establish such committees as it considers necessary.

18.3 A committee of the Council is to consist of the Mayor and such other Councillors as are elected by the Councillors or appointed by the Council.

18.4 The quorum for a meeting of a committee of the Council is to be:

- a. such number of members as the Council decides, or
- b. if the Council has not decided a number – a majority of the members of the committee.

Functions of Committees

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

Notice of Committee Meetings

18.6 The General Manager must send to each Councillor, regardless of whether they are a committee member, at least three days before each meeting of the committee, a notice specifying:

- a. the time, date and place of the meeting
- b. the business proposed to be considered at the meeting

18.7 Notice of less than three days may be given of a committee meeting called in an emergency.

Attendance at Committee Meetings

18.8 A committee member (other than the Mayor) ceases to be a member of a committee if the committee 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, or
- 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.

18.9 Clause 18.8 does not apply if all of the members of the Council are members of the committee.

Non-Members Entitled to Attend Committee Meetings

18.10 A Councillor who is not a member of a committee of the Council is entitled to attend, and to speak at a meeting of the committee. However, the Councillor is not entitled:

- a. to give notice of business for inclusion in the agenda for the meeting, or
- b. to move or second a motion at the meeting, or

- c. to vote at the meeting.

Chairperson and Deputy Chairperson of Council Committees

- 18.11 The Chairperson of each committee of the Council must be:
- a. the Mayor, or
 - b. if the Mayor does not wish to be the Chairperson of a committee, a member of the committee elected by the Council, or
 - c. if the Council does not elect such a member, a member of the committee elected by the committee.
- 18.12 The Council may elect a member of a committee of the Council as deputy Chairperson of the committee. If the Council does not elect a deputy Chairperson of such a committee, the committee may elect a deputy Chairperson.
- 18.13 If neither the Chairperson nor the deputy Chairperson of a committee of the Council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting Chairperson of the committee.
- 18.14 The Chairperson is to preside at a meeting of a committee of the Council. If the Chairperson is unable or unwilling to preside, the deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the deputy Chairperson is able or willing to preside, the acting Chairperson is to preside at the meeting.

Procedure in Committee Meetings

- 18.15 Subject to any specific requirements of this code, each committee of the Council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the Council unless the Council or the committee determines otherwise in accordance with this clause.
- 18.16 Whenever the voting on a motion put to a meeting of the committee is equal, the Chairperson of the committee is to have a casting vote as well as an original vote unless the Council or the committee determines otherwise in accordance with clause 19.15.
- 18.18 Voting at a Council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of Committee Meetings to the Public

- 18.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the Council to the public in the same way they apply to the closure of meetings of the Council to the public.
- 18.20 If a committee of the Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the Chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the Council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 18.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the Chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in Committee Meetings

- 18.22 The provisions of the Act and this code relating to the maintenance of order in Council meetings apply to meetings of committees of the Council in the same way as they apply to meetings of the Council.

Minutes of Council Committee Meetings

- 18.23 Each committee of the Council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- a. details of each motion moved at a meeting and of any amendments moved to it,
 - b. the names of the mover and seconder of the motion or amendment,
 - c. whether the motion or amendment was passed or lost, and
 - d. such other matters specifically required under this code.
- 18.25 The minutes of meetings of each committee of the Council must be confirmed at a subsequent meeting of the committee.
- 18.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 18.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 18.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 18.29 The confirmed minutes of a meeting of a committee of the Council must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of meetings of committees of the Council on its website prior to their confirmation.

19. IRREGULARITIES

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

Note: Clause 19.1 reflects section 374 of the Act.

20. DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech

business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
Chairperson	in relation to a meeting of the Council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the Council’s adopted code of meeting practice
committee of the Council	means a committee established by the Council in accordance with clause 20.2 of this code (being a committee consisting only of Councillors) or the Council when it has resolved itself into committee of the whole under clause 12.1
Council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two Councillors under clause 11.7 of this code requiring the recording of the names of the Councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a Councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a Councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a Council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act

21. RECESS PERIOD DELEGATIONS

- 21.1 During the December/January recess it is standard procedure for Council to delegate certain functions to the Mayor and General Manager to ensure matters of urgency can be adequately dealt with. This is done via a Council resolution in November/December.
- 21.2 Functions with the exception of the functions listed under Section 377 and Chapter 7 of the *Local Government Act 1993* equally to the Mayor and General Manager where both are required to agree in their decision and sign off on the matters.
- 21.3 The regulatory functions under Chapter 7 of the Regulation is delegated solely to the General Manager (the most senior employee of Council) during the recess period (Section 379 of the Act).
- 21.4 All decisions made under the above delegations are subsequently reported to the 1st Council Meeting in February for the information of Councillors.

Note: section 226 of the Act.

22. REVIEW

When directives are issued by the Office of Local Government or where changes to legislation have be enacted.

23. CONTACT

Manager Governance 9911 9910



Burwood Council

heritage ■ progress ■ pride

REVISED - COUNCILLOR INDUCTION, BRIEFINGS AND WORKSHOPS POLICY

PO Box 240, BURWOOD NSW 1805
Suite 2 Level, 1, 1-17 BURWOOD NSW 2134
Phone: 9911-9911 Fax: 9911-9900
Email: council@burwood.nsw.gov.au
Website: www.burwood.nsw.gov.au

Public Document
Adopted by Council:
Document No.: 19/ 1996
Ownership: Governance
Version No. 4

Purpose

Briefing Sessions, Induction Sessions and Workshops are informal gatherings and are not to be used for detailed or advanced discussion where agreement is reached and/or a (de-facto) decision is made. This is to be left to the open forum of a formal Council or Committee Meeting. They are a means which enable Councillors to bring an informed mind to the appropriate decision making forum.

The information discussed at Councillor Briefing Sessions, Induction Sessions and Workshops may be specific to a particular matter submitted to Council, such as clarification of Development Applications or the matter could relate to matters which may impact on codes, policies or major strategic or operational change.

The Policy does not cover Development Application Mediation.

Scope

This Policy applies to Councillors, Council Officers and external parties.

Definitions

Induction – training/educational sessions for Councillors.

Briefings – sessions at which information is presented prior to items being put forward at a Council/Committee Meeting.

Councillor Workshops –sessions which working groups meet to discuss and/or have input into Council strategies.

Members of the Public are **NOT** permitted to attend induction, briefing meetings and workshops.

Community Workshop –sessions which the Public attend where information is shared and discussions are held on community issues such as the Burwood 2030 community consultation process or Council Social Plan consultation process.

Procedural Steps

What time are they held?

- Councillor Briefings are usually held on a Council Meeting night commencing at 5.00 pm and concluding at 6.00 pm.
- Information Sessions or Workshops are usually held on a Monday or Tues (not held on a Council Meeting night) and commence at 5.00 pm and must conclude by 7.00 pm.
- By agreement times may be altered.

Who can call for these sessions?

- Mayor, a Councillor or the General Manager.

Who can attend?

- **Induction Sessions** – presentations may be conducted by external parties and are **NOT** open to members of the public. All Councillors will be invited to attend via email. The email will include:
 - A summary of the items to be discussed and any relevant documentation
 - Councillors will be advised of any external presenters
 - Councillors will be reminded that:

- At Inductions Sessions the Council will not:
 - a. *Formally consider any specific reports containing recommendations; or*
 - b. *Make a binding decision in relation to any matters discussed during the briefing information session or workshop*
- All Councillors are encouraged, but not compelled to attend.
- **Briefing Sessions** - presentations may be conducted by external parties and are **NOT** open to members of the public. All Councillors will be invited to attend via email. The email will include:
 - A summary of the items to be discussed and any relevant documentation
 - Councillors will be reminded that:
 - o At these meetings the Council will not:
 - a. *Formally consider any specific reports containing recommendations; or*
 - b. *Make a binding decision in relation to any matters discussed during the briefing information session or workshop*
 - All Councillors are encouraged, but not compelled to attend.
 - Councillors may ask questions for the purpose of seeking information or clarification.
- **Pre-Council Meeting Briefing Sessions** – prior to each ordinary or extraordinary council meeting of the Council, the General Manager, may arrange a pre-council meeting briefing session to brief the Councillors on business to be considered at the meeting. These sessions are **NOT** open to members of the public. The General Manager or a person nominated by the General Manager is responsible for chairing the meeting.
 - All Councillors will be invited to attend via email. The email will include:
 - A summary of the items to be discussed
 - Councillors will be reminded that:
 - o At these meetings the Council will not:
 - a. *Formally consider any specific reports containing recommendations; or*
 - b. *Make a binding decision in relation to any matters discussed during the briefing information session or workshop*
 - c. *Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a Council or committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the Councillor who made the declaration.*
- **Councillor Workshops** – Members of the Public are **NOT** permitted to attend and external parties and Councillors will attend by invitation. Councillors will be invited to attend via email. All Councillors are encouraged, but not compelled to attend. The email will include:
 - A summary of the items to be discussed and any relevant documentation
 - Councillors will be reminded that:
 - o At these meetings Council will not:
 - d. *Formally consider any specific reports containing recommendations; or*

- e. *Make a binding decision in relation to any matters discussed during the briefing information session or workshop*

- **Community Workshops** – members of the public (community) will attend and presentations may be conducted by external parties. Attendees will be invited by either formal notification or via Council's website and the Mayoral Column in the local newspaper. Examples of these sessions are the Burwood2030 community consultation process or Council Social Plan consultation process.

Who chairs the meeting?

- The meetings are chaired by the General Manager or another senior Council Officer where the General Manager is not available. The General Manager will read out aloud that:
 - At these meetings Council will not:
 - a. *Formally consider any specific reports containing recommendations; or*
 - b. *Make a binding decision in relation to any matters discussed during the briefing information session or workshop*

What is recorded at the meeting?

- Minutes and recordings of the meeting will not be taken but a formal record of the briefing/information session or workshop will be kept by the Personal Assistant to the General Manager detailing:
 - Date
 - Subject
 - Those present
 - Purpose of briefing/Information session or workshop
 - Documents distributed

Can the public inspect workshop documents?

- Documentation given out at Councillor Induction, Briefings and Workshops Policy becomes a document of the Council and can be inspected and copied subject to the provisions of the *Local Government Act 1993* or the *Government Information (Public Access) Act 2009*.

Related Information/Glossary

- Council's Code of Meeting Practice
- Meetings Practice Note (Practice Note No. 16) – August 2009 former Division of Local Government
- Code of Conduct and the Administration of the Code of Conduct Procedures
- *Government Information (Public Access) Act 2009*
- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*

Review

This Policy will be reviewed every four years.

Contact

Manager Governance on 9911-9910



Circular Details	19-10 / 13 June 2019 / A638257
Previous Circular	18-45 Commencement of the new Model Code of Meeting Practice for Local Councils in NSW
Who should read this	General Managers / Governance and IT staff
Contact	Council Governance / (02) 4428 4100 / olg@olg.nsw.gov.au
Action required	Response to OLG

Consultation on webcasting guidelines

What's new or changing

- On and from 14 December 2019, all councils in NSW will be required to webcast meetings of the council and committees whose membership comprises only of councillors.
- Many councils already webcast their meetings. The Office of Local Government (OLG) is seeking to utilise the experience and expertise of these councils to provide guidance to those councils that do not currently webcast meetings.
- The guidance will include:
 - case studies of different models for webcasting meetings
 - strategies for managing defamation and other legal risks
 - information about councils' obligations with respect to privacy and records management when webcasting meetings.

What this will mean for your council

- OLG is seeking to provide in its guidance a range of case studies of different webcasting practices. These will offer councils considering options for webcasting their meetings a broad range of examples to draw from.
- OLG is seeking submissions from councils that are willing to be included as a case study. In particular, OLG is seeking the following information from councils for use in case studies:
 - How does your council webcast its meetings?
 - What equipment/technical facilities does the council use to webcast meetings?
 - What were the costs associated with installing equipment and fitting out the chamber for webcasting and what are the ongoing costs of webcasting?
 - Does your council hold meetings in multiple locations and if so, how does it webcast meetings held at venues other than the main council chamber?
 - What are the advantages and/or disadvantages associated with your council's method of webcasting?
 - What strategies does your council use to manage defamation and other legal risks when webcasting meetings?
 - How does your council comply with its privacy and records management obligations when webcasting meetings?
 - Does your council have a policy on the webcasting of meetings (and if so, please provide a copy or a link)?

- Is there anything else councils should be aware of when webcasting their meetings?
- Submissions may be made to olg@olg.nsw.gov.au, labelled 'Webcasting Consultation' and marked to the attention of OLG's Council Governance Team.
- Submissions should be made by COB **Friday 12 July 2019**.

Key points

- The Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) provides that all meetings of councils and committees whose membership comprises only of councillors should be webcast to increase the transparency of council decision making and to allow access to those who may not be physically able to attend meetings.
- Irrespective of whether they have adopted a code of meeting practice based on the Model Meeting Code, all councils will be required to webcast meetings of the council and committees whose membership comprises only of councillors from 14 December 2019.
- The requirement to webcast meetings may be met simply by posting an audio or video recording of the meeting on the council's website meaning that all councils, irrespective of their size, resources and location will be able to comply.

Where to go for further information

- Contact OLG's Council Governance Team by telephone on 02 4428 4100 or by email at olg@olg.nsw.gov.au.



Tim Hurst
Chief Executive

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5 O'Keefe Avenue NOWRA NSW 2541
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E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 44 913 630 046

**(ITEM 48/19) MULTICULTURAL ADVISORY COMMITTEE
RECOMMENDED NOMINATIONS**

File No: 19/23829

REPORT BY ACTING DEPUTY GENERAL MANAGER, CORPORATE GOVERNANCE & COMMUNITY

Summary

This report recommends the appointment of one member and an alternative representative to Council's Multicultural Advisory Committee.

In accordance with its terms of reference, the Multicultural Advisory Committee (MAC) includes four local representatives and two alternative representatives from a culturally and linguistically diverse background (CALD) who are willing and able to advise Council on matters relating to multicultural communities in Burwood.

Operational Plan Objective

1.4.2 Engage with Culturally and Linguistically Diverse communities

Background

The MAC was established by Council resolution in February 2018 and has been meeting monthly since that time. The main role of MAC representatives is to highlight relevant CALD issues and provide information from Council back to their communities.

In November 2018, Committee Member Ms Sun Yoon tendered her resignation. As a result, this vacant position and two vacant alternative positions were advertised. An application was received from Ms Hwa Sur Park and was assessed as meeting the selection criteria for the committee.

Proposal

Hwa Sur Park is a Korean woman who has an established connection to the Burwood Local Government Area. Ms Park is the Public Officer of Dae Hahn Culture School (DHCS) which comprises mostly of senior members of the ethnic Korean Community in Burwood. The DHCS runs a weekly program at Woodstock Community Centre where they provide lectures and cultural activities to over 200 Korean Burwood residents throughout the year. This year the DHCS received \$1000 from Council's Community Grants Program to fund the Ethnic Korean Senior Choir.

Ms Park has previously worked for the Department of Immigration and Multicultural Affairs. She currently works as an NAATI Certified Interpreter/ Translator for NSW Department of Health, Multicultural NSW and the Department of Home Affairs. Ms Park's work as a translator has brought her to the Burwood Local Government Area, providing interpreting services at Burwood Local Court, Burwood Police Station, the Department of Family and Community Services Burwood, local doctor's clinics and more.

It is proposed that Ms Hwa Sur Park be appointed to Council's MAC as a member. Ms Park has a sound understanding of Burwood's multicultural community through her work as an interpreter and role as Public Officer of DHCS. In accordance with the terms of reference, Ms Park would be appointed until the next Council election.

As there is provision for the appointment of two further community representatives to act as alternatives (when MAC representatives are not available), it is proposed that Council continues to seek suitable appointees to fill these roles. Any further applications will be assessed and a further report submitted to Council to recommend an appointment.

Consultation

The need for the MAC was determined during consultation undertaken during the development of Council's Multicultural Strategy.

Planning or Policy Implications

It is intended that that the MAC will provide guidance to Council regarding the development of future plans relating to the multicultural community in the Burwood Local Government Area.

Financial Implications

A budget of \$1,000 is available to support the operations of the MAC. The MAC is also able to seek an additional budget allocation from Council to deliver specific projects.

Options

Council can opt to:

1. Endorse the recommend nominee to the MAC until the next Council election.
2. Not accept the staff recommendation and continue to seek a suitable representative for the MAC.

Conclusion

The MAC will continue to provide Council with an enhanced understanding of the needs of the local CALD community and a greater capacity to respond to the community's priorities. The two individuals recommended for appointment to the MAC will provide invaluable assistance to Council and help to ensure that the committee works effectively within its terms of reference.

Recommendation(s)

1. That Council endorses the appointment of Ms Hwa Sur Park as a member of the Multicultural Advisory Committee until the next Council election.
2. That Council continues to seek suitable appointees to fill the alternative roles.

Attachments

- 1 Multicultural Advisory Committee Terms of Reference



Burwood Council

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Phone: 9911-9911 - Fax: 9911-9900

Email: council@burwood.nsw.gov.au

Website: www.burwood.nsw.gov.au

MULTICULTURAL ADVISORY COMMITTEE TERMS OF REFERENCE

Public Document

Approved by the General Manager: 14 December 2015

Amended: 28 November 2017

Version: 3

Trim No. 17/52387

Ownership: Community Development

Functions/Purpose

The Committee has been established primarily to provide community views to Council in relation to matters that may have an impact on the multicultural community in the Burwood Local Government Area and to enable the dissemination of relevant information to local multicultural communities.

The Committee will have the following functions:

- Raise emerging issues associated with multicultural needs in the Burwood Local Government Area and recommend goals and actions
- Provide informed and timely advice on Council matters relating to multicultural communities in the Burwood Local Government Area
- Actively participate in the development of Council's multicultural programs and policies
- Monitor the implementation of Council's Multicultural Strategy (or equivalent)
- Provide a two way mechanism for communication between Council and the multicultural communities in Burwood Local Government Area regarding relevant information

Chairperson and Committee Members

Membership is limited to the representatives listed below:

- The Mayor or other appointed Councillor will represent Council as Chairperson.
- Four community representatives and two alternative representatives will be appointed for a two year term or until a Council election. These representatives will come from a culturally and linguistically diverse (CALD) background, preferably in a leadership role representing one of the main language groups in Burwood Local Government Area.

Nominations

Nominations for community representative positions on the committee will be invited through Council's website.

Selection Criteria

Applications will be assessed in accordance with the selection criteria below (adapted from Community Advisory Committees Procedure for Selection of Community Representatives).

Multicultural Advisory Committee Terms of Reference

Applicants must:

1. Reside, work (in a paid or voluntary capacity) or have an interest in the Burwood Local Government Area and represent a CALD community, preferably representing one of the main language groups in Burwood Local Government Area in a leadership role
2. Demonstrate a high level of understanding, interest, experience and/or expertise in multicultural issues in the Burwood Local Government Area
3. Be available to attend meetings and demonstrate a willingness to volunteer time to work on issues
4. Participate in relevant working parties
5. Undertake to provide feedback to the sector of the community represented
6. Be willing to work within the Committee Constitution.

Representatives of political parties are excluded.

Recommendations for appointment to the Committee will be submitted to Council for approval. The Committee does not have the authority to co-opt anyone else to its membership without the approval of Council.

Committee Proceedings

- a. Meetings shall be held at least bi-monthly.
- b. Meeting agendas shall be compiled by Executive Assistant to the Mayor listing all items of business and must be issued to the Committee Members at least five working days prior to the scheduled meeting date.
- c. Meetings shall be held at Council Offices or another location approved by the Chairperson.
- d. Meetings will not proceed unless the Chairperson and at least two of the community representatives are in attendance within 30 minutes of the scheduled start time.
- e. Apologies must be given in advance for non-attendance. Where three consecutive absences have occurred, the General Manager can recommend to Council that a Committee Member's membership be cancelled.
- f. Recommendations at meetings will be by way of consensus.
- g. Committee meetings shall be conducted in a spirit of cooperation and mutual respect, and members must adhere to Council's Code of Conduct (to be circulated).
- h. Council's Community Development Co-ordinator will attend the Committee in a support role.
- i. Other Council officers will attend as required.
- j. Technical experts and specialists may be invited to attend meetings by consensus of the Committee to provide advice when required.
- k. Senior representatives from local multicultural community services may also be invited to participate on the Committee.

Minutes

Minutes of the meetings will be taken by the Executive Assistant to the Mayor, who will attend meetings as a non-Committee member. Minutes are to be submitted to the first available ordinary Council Meeting for review and approval.

Review

The Terms of Reference will be reviewed every four years.

(ITEM 49/19) INVESTMENT REPORT AS AT 31 MAY 2019

File No: 19/24211

REPORT BY CHIEF FINANCE OFFICER

Summary

In accordance with Clause 212 of the *Local Government (General) Regulation 2005*, this report details all money that Council has invested under Section 625 of the *Local Government Act 1993*.

Operational Plan Objective

2.3.1 Identify and maintain additional revenue sources to ensure financial sustainability

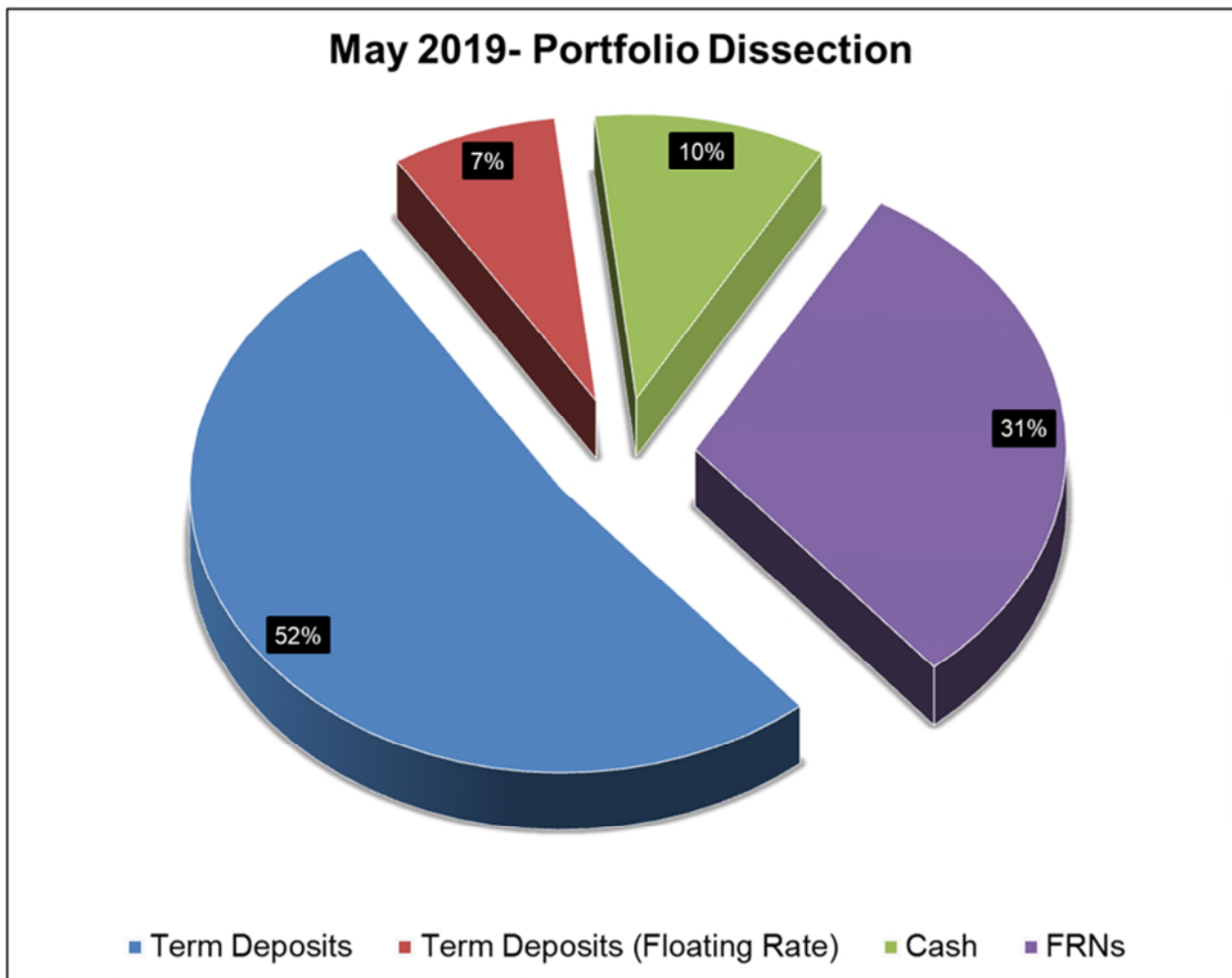
Background

As provided for in Clause 212 of the *Local Government (General) Regulation 2005*, a report listing Council's investments must be presented to Council.

Council's investments are made up of a number of direct investments some of which are managed or advised by external agencies.

Investment Portfolio

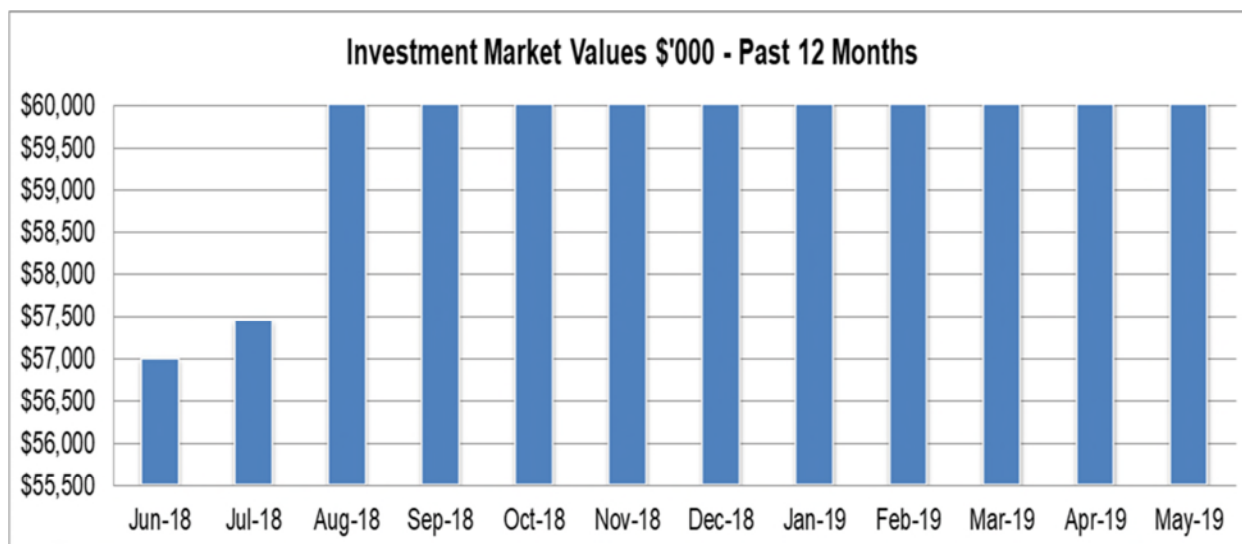
Council has a diversified investment portfolio and has a number of direct investments in term deposits. Its investment portfolio as at 31 May 2019 is:



As at 31 May 2019 Council held the following term deposits:

Purchase Date	Financial Institution	Principal Amount	Interest Rate	Investment Days	Maturity Date
06 Dec 18	Bank of Queensland	3,000,000	2.80%	182	06 Jun 19
01 Jun 18	AMP Bank (Imperium)	3,000,000	2.75%	368	04 Jun 19
14 Jun 18	National Australia Bank	3,000,000	2.80%	365	14 Jun 19
11 Jul 18	National Australia Bank	3,000,000	2.80%	365	11 Jul 19
24 Jul 18	Westpac - Quarterly Interest	2,000,000	2.79%	365	24 Jul 19
31 Aug 18	Westpac	3,000,000	2.70%	365	31 Aug 19
23 Oct 17	ING Bank (Curve)	3,000,000	2.96%	730	23 Oct 19
30 Oct 17	ING Bank (Imperium)	2,000,000	2.91%	730	30 Oct 19
07 Nov 17	ING Bank (Imperium)	2,000,000	2.90%	730	07 Nov 19
07 Dec 17	ING Bank (Imperium)	3,000,000	2.83%	732	09 Dec 19
31 Aug 18	National Australia Bank	3,000,000	2.80%	731	31 Aug 20
18 Oct 18	Bankwest	3,000,000	2.70%	271	16 Jul 19
26 Nov 18	National Australia Bank	3,000,000	2.75%	365	26 Nov 19
Total		36,000,000			

The following graph highlights Council's investment balances for the past 12 months:



Council's investment portfolio is recognised at market value and some of its investments are based on the midpoint valuations of the underlying assets and are subject to market conditions that occur over the month.

Council's investment balances as at reporting date and for the previous two months are detailed in Attachment 1. Definitions on the types of investments are detailed in Attachment 2.

Investment Performance and Market Commentary

The Reserve Bank of Australia (RBA) at its 4 June 2019 Board Meeting lowered the official cash rate by 0.25% per annum to 1.25% per annum. According to the RBA Governor "...The Board took this decision to support employment growth and provide greater confidence that inflation will be consistent with the medium-term target. The outlook for the global economy remains reasonable, although the downside risks stemming from the trade disputes have increased. Growth in international trade remains weak and the increased uncertainty is affecting investment intentions in a number of countries. In China, the authorities have taken steps to support the economy, while addressing risks in the financial system.

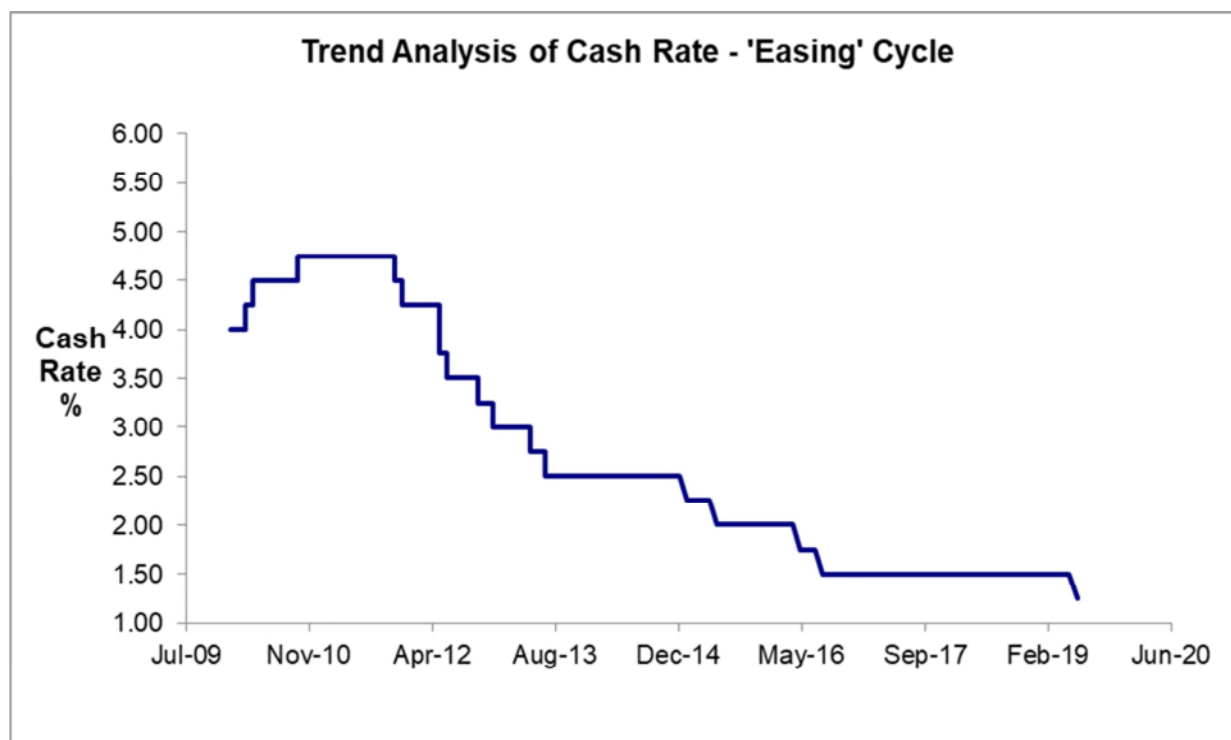
The central scenario is for the Australian economy to grow by around 2¾ per cent in 2019 and

2020. This outlook is supported by increased investment in infrastructure and a pick-up in activity in the resources sector, partly in response to an increase in the prices of Australia's exports. The main domestic uncertainty continues to be the outlook for household consumption, which is being affected by a protracted period of low income growth and declining housing prices. Some pick-up on growth in household disposable income is expected and this should support consumption.

The Australian labour market remains strong. Continued improvement in the labour market should see some further lift in wages growth over time, although this is still expected to be a gradual process. Inflation data in the March quarter was noticeably lower than expected and suggests subdued inflationary pressures across much of the economy. The central scenario is for underlying inflation to be 1¼ per cent this year and 2 per cent in 2020 and a little higher after that.

Taking account of the available information, the Board judged it appropriate to lower the cash rate which will help make further inroads into the spare capacity in the economy. It will assist with faster progress in reducing unemployment and achieve more assured progress towards the inflation target. Given this assessment, the Board will be paying close attention to developments in the labour market closely and adjust monetary policy to support sustainable growth in the economy and the achievement of the inflation target over time...." Statement by Philip Lowe, Governor: Monetary Policy Decision – 4 June 2019

The following graph provides information on the current RBA monetary policy:



Recommendations(s)

1. That the investment report for 31 May 2019 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

Attachments

- | | | |
|---|------------------------------|--------|
| 1 | Investment Register May 2019 | 1 Page |
| 2 | Investment Types | 1 Page |

Investment Register May 2019

BURWOOD COUNCIL
INVESTMENT PORTFOLIO
as at 31 May 2019

Investment/Issuer	Issuer	ADI or N-ADI	Investment Name	Type	Rating S&P	Invested Amount	Market Value as at 31 March 2019	Market Value as at 30 April 2019	Market Value as at Reporting Date	% of Total Investment
Cash										16.93
Council	Commonwealth Bank	ADI	Operating Account	Cash	AA-	6,939,595	6,043,959	5,263,941	6,539,595	10.04
Council	Commonwealth Bank	ADI	Online Saver	AI Call	AA-	34	34	34	34	0.00
Council	AMP Bank Limited	ADI	AMP Business Saver & Notice Account	AI Call / Notice 30 days	A	66,511	66,270	66,365	50,511	0.09
Term Deposits										52.96
Council	ING Bank (Interim)	ADI	ING Bank	Term Deposit	A	2,000,000	2,000,000	2,000,000	2,000,000	2.89
Council	ING Bank (Interim)	ADI	ING Bank	Term Deposit	A	3,000,000	3,000,000	3,000,000	3,000,000	4.34
Council	ING Bank (Interim)	ADI	ING Bank	Term Deposit	A	3,000,000	3,000,000	3,000,000	3,000,000	4.34
Council	ANZ Bank (Interim)	ADI	ANZ Bank	Term Deposit	A	3,000,000	3,000,000	3,000,000	3,000,000	4.34
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	3,000,000	3,000,000	3,000,000	3,000,000	4.34
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	3,000,000	3,000,000	3,000,000	3,000,000	4.34
Council	Westpac	ADI	Westpac	Term Deposit	AA-	2,000,000	2,000,000	2,000,000	2,000,000	2.89
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	3,000,000	3,000,000	3,000,000	3,000,000	4.34
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	BBB+	3,000,000	3,000,000	3,000,000	3,000,000	4.34
Council	ING Bank (Interim)	ADI	ING Bank	Term Deposit	AA-	3,000,000	3,000,000	3,000,000	3,000,000	4.34
Council	Westpac	ADI	Westpac	Term Deposit	AA-	2,000,000	2,000,000	2,000,000	2,000,000	2.89
Term Deposits - Fixed & Floating Rates										7.23
Council	Commonwealth Bank	ADI	Commonwealth Bank	Global Fixed Income Deposit 0.5 Yr Fixed Rate 4.3% (BBSW + 0.80 bps)	AA-	2,000,000	2,000,000	2,000,000	2,000,000	2.89
Council	Westpac	ADI	Westpac	Global Fixed Income Deposit 3 Yr Fixed Rate 4.3% (BBSW + 1.05 bps)	AA-	3,000,000	3,000,000	3,000,000	3,000,000	4.34
Floating Rate Notes										36.58
Council	Suncorp-Metway Limited	ADI	Suncorp-Metway Limited	Floating Rate Notes (90 day BBSW mid + 84 bps)	A+	2,000,000	2,002,780	2,003,216	2,002,580	2.90
Council	Bank of Queensland	ADI	Bank of Queensland	Floating Rate Notes (90 day BBSW + 102 bps)	BBB+	1,000,000	1,002,805	1,002,608	1,002,265	1.45
Council	Bendigo-Adeelaide	ADI	Bendigo Bank & Adelaide Bank	Floating Rate Notes (90 day BBSW + 110 bps)	BBB+	1,000,000	1,004,345	1,004,447	1,004,195	1.45
Council	Suncorp-Metway Limited	ADI	Suncorp-Metway Limited	Floating Rate Notes (90 day BBSW mid + 94 bps)	A+	1,500,000	1,507,748	1,510,556	1,510,836	2.19
Council	Bendigo-Adeelaide	ADI	Bendigo Bank & Adelaide Bank	Floating Rate Notes (90 day BBSW mid + 105 bps)	BBB+	1,500,000	1,502,738	1,505,107	1,505,828	2.19
Council	ANZ Group	ADI	ANZ Group	Floating Rate Notes (90 day BBSW mid + 77 bps)	AA-	2,000,000	2,001,770	2,006,396	2,004,530	2.90
Council	Newcastle Permanent Building Society	ADI	Newcastle Permanent Building Society	Floating Rate Notes (90 day BBSW + 140 bps)	BBB	1,250,000	1,252,044	1,259,359	1,260,405	1.82
Council	AMP Bank Limited	ADI	AMP Bank Limited	Floating Rate Notes (90 day BBSW + 119 bps)	A	750,000	750,566	750,471	749,897	1.09
Council	Members Equity Bank Pty Ltd	ADI	ME Bank	Floating Rate Notes (90 day BBSW mid + 127 bps)	BBB	2,500,000	2,506,363	2,510,868	2,512,263	3.63
Council	Bank Australia Ltd	ADI	Bank Australia Ltd	Floating Rate Notes (90 day BBSW + 130 bps)	BBB	1,500,000	1,506,663	1,507,961	1,507,296	2.18
Council	Commonwealth Bank of Australia	ADI	Commonwealth Bank of Australia	Floating Rate Notes (90 day BBSW + 133 bps)	AA-	2,000,000	2,007,650	2,013,214	2,011,370	2.81
Council	Commonwealth Bank of Australia	ADI	Commonwealth Bank of Australia	Floating Rate Notes (90 day BBSW + 113 bps)	AA-	4,000,000	4,044,776	4,059,348	4,052,212	5.66
Grand Total						60,846,129	64,194,929	67,547,690	65,123,648	100.00

Credit Ratings	Extremely strong capacity to meet financial commitments
AAA	Extremely strong capacity to meet financial commitments
AA	Very strong capacity to meet financial commitments
A	Strong capacity to meet financial commitments but somewhat susceptible to adverse economic conditions and changes in circumstances.
BBB	Adequate capacity to meet financial commitments. Our more subject to adverse economic conditions.
CCC	Substantial doubt regarding capacity to meet financial commitments and economic conditions to meet financial commitments
D	Payment default on financial commitments
+	Means that a rating may be lowered
-	Means that a rating may be lowered

Certificate of Responsible Accounting Officer

I hereby certify that the investments listed have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policies at the time of their placement.

W. Armitage
Wayne Armitage

Chief Finance Officer

Investment Types

Types of Investments

Council's investment portfolio consists of the following types of investment:

1. **Cash and Deposits at Call** – Cash and Deposits at Call accounts are a flexible savings facility providing a competitive rate of interest for funds which are at call (available within 24hours). These accounts enable us to control Council's cashflows along with council's General Fund Bank account. Interest rates are updated in accordance with movements in market rates.

The following investments are classified as Cash and Deposits at Call:

- Commonwealth Bank of Australia – Operating Bank Account AA-
- Commonwealth Bank of Australia – Online Saver AA-
- AMP Business Saver and Notice – At Call/Notice A

2. **Floating Rate Notes (FRN)** - FRNs are a contractual obligation whereby the issuer has an obligation to pay the investor an interest coupon payment which is based on a margin above bank bill. The risk to the investor is the ability of the issuer to meet the obligation.

FRNs are either sub-debt or senior-debt which means that they are guaranteed by the bank that issues them with sub-debt notes rated a notch lower than the bank itself. The reason for this is that the hierarchy for payments of debt in event of default is:

- a. Term Deposits
- b. Global Fixed Income Deposits
- c. Senior Debt
- d. Subordinated Debt
- e. Hybrids
- f. Preference shares
- g. Equity holders

In the case of default, the purchaser of subordinated debt is not paid until the senior debt holders are paid in full. Subordinated debt is therefore more risky than senior debt.

(ITEM 50/19) DISCLOSURE BY COUNCILLORS AND DESIGNATED PERSONS RETURN REGISTER (PECUNIARY INTEREST RETURNS AND REGISTER) 2018/2019 AND PRIMARY RETURNS

File No: 19/22222

REPORT BY ACTING DEPUTY GENERAL MANAGER, CORPORATE GOVERNANCE & COMMUNITY

Summary

In accordance with Section 450A of the *Local Government Act 1993*:

- The General Manager must keep a Register of Pecuniary Interest Returns and the Returns must be available for inspection by members of the public.
- The General Manager must arrange for the tabling of the Returns at the first meeting held after the last day of the period for lodgement (i.e. the first Council meeting after the end of September).

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making

Background

Primary Disclosures by Designated Persons Returns are to be completed within three months of attaining the position of Designated Person with Council.

The exiting General Manager, Bruce Macdonnell, completed his return date 1 July 2018 to 24 May 2019.

Receipt of Returns for Senior Staff and Designated Persons lodged are as follows:

REGISTER OF DISCLOSURE OF INTEREST RETURNS FOR JUNE 2019

Position	Incumbent Staff	Received
Primary Return		
Acting Group Manager Strategic Planning, Heritage and Place Planning	Mina Suh	1 May 2019
Group Manager Corporate Planning and communications	Lawrence Hennessy	5 June 2019
Senior Staff		
Former General Manager	Bruce Macdonnell	28 May 2019

Recommendation(s)

That the Disclosures by Senior Staff and Designated Persons (Pecuniary Interest) Returns received up to 5 June 2019 and primary returns be noted and accepted as tabled.

Attachments

There are no attachments for this report.

(ITEM IN15/19) ENDING OF COUNCIL'S COMMERCIAL WASTE COLLECTION SERVICE

File No: 19/24791

REPORT BY DEPUTY GENERAL MANAGER, LAND INFRASTRUCTURE & ENVIRONMENT

Summary

This is to inform Council as to the ending of Council's commercial waste collection service effective 30 June 2019. It is understood that the matter was raised with the Council through the Mayor by the General Manager and it was advised there were no objections to ceasing the service.

Operational Plan Objective

3.2.2 Identify emerging waste management solutions

Background

Council has for many years been providing a commercial waste service for non-residential properties in the Local Government Area. The service is for premises such as shops, offices and other commercial premises and also non-rateable properties such as Churches.

Council is required under *the Local Government Act 1993* (the Act) to provide a residential or domestic waste service but is not required to provide a commercial waste service. The service is not a mandated service under the Local Government Act.

Council competes with other waste service providers and has been operating the service as a separate business unit and cannot subsidise or support the service through the general Council revenue.

There are many other commercial waste collection providers that operate throughout the metropolitan area. Their business models allow them to be more flexible and responsive to client requests. This is particularly evident in their ability to be able to negotiate prices on site with clients. Council is not in a position to be this flexible as there is process to be followed in fixing fees and charges.

Council formed a working group and has reviewed and considered the delivery of the commercial waste service and has determined that we cannot remain competitive in the private commercial waste collection sector.

It was agreed that in light of the many commercial providers that do operate, Council should no longer deliver the commercial waste service. All clients have been advised of the cessation of the service effective 30 June 2019 and have been provided with information as to the contact details for other waste service providers.

There has been staff consultation in relation to this matter and it has been agreed that the staff currently involved in this operation can be better used attending to more immediate municipal functions, including carrying out of additional clean ups, street cleanliness and removal of dumped rubbish. Affected Council Officers are in support of this decision.

Many of the existing 240 clients have already made alternate arrangements with other waste collection companies.

No Decision – Information Item Only

Attachments

There are no attachments for this report.

(ITEM IN16/19) RE-NOTIFICATION OF VOLUNTARY PLANNING AGREEMENT FOR 1-3 MARMADUKE STREET AND 7 DEANE STREET BURWOOD

File No: 19/25557

REPORT BY DEPUTY GENERAL MANAGER, LAND INFRASTRUCTURE AND ENVIRONMENT

Summary

The draft Voluntary Planning Agreement (VPA) for 1-3 Marmaduke and 7 Deane Street Burwood will be re-notified on account of recent revisions to the agreement's content. The re-notification is in accordance with the EP&A Regulation (Clause 25D) and confirmed by legal advice obtained by Council.

Operational Plan Objective

1.2.1 Inform the community of Council's activities, facilities and services using accessible communication

Background

Council at its meeting on 23 February 2016 resolved to enter into the draft VPA for the abovementioned site. The draft VPA involves the developer paying a monetary contribution of \$872,960 in exchange for an additional 10% of floor space within the site's development.

Before the draft VPA could be executed, the then developer (Sky Profit Properties Development Pty Ltd) transferred the development site to a new developer, Dean Street Holdings Pty Ltd. As such, the draft VPA is required to be revised to reflect the new developer's details, and their relationship to the development. Some other minor revisions were made to the draft VPA, including updating references to the status of development consents, legislation, Council's plans and resolutions, and Council's Power of Attorney. A reporting clause has also been added to the draft VPA to be consistent with other recent draft agreements involving Council.

The EP&A Act requires that the draft VPA be re-notified on account of the revisions to the draft VPA. Accordingly, the draft VPA will be placed on public notification for 28 days in accordance with the relevant legislation.

If there are no public submissions during the notification period, the revised draft VPA will be executed. Should significant public submissions be received during the notification period, the submissions will be reviewed by Council's Acting General Manager and a determination made whether the draft VPA is to be progressed, amended, or reported to the elected Council.

No Decision – Information Item Only

Attachments

There are no attachments for this report.

(ITEM IN17/19) COMMUNITY GRANTS 2018 - 2019 OUTCOMES

File No: 19/22198

REPORT BY ACTING DEPUTY GENERAL MANAGER, CORPORATE GOVERNANCE & COMMUNITY

Summary

Through its Community Grants Program, Burwood Council has provided funding to local and regional community services, church groups and not-for-profit organisations for over 10 years to undertake projects that benefit the local community. In 2017-2018, the total amount of funding available was increased from \$30,000 to \$40,000 through a Council resolution.

This year, 21 organisations applied for a total of \$130,698 in funding. Each application was assessed against the *Community Grants Program Policy* criteria and 14 projects were provided with full or partial funding. Applications not recommended for funding were generally inconsistent with the desired outcomes of the program.

In accordance with appropriate delegations, the recommendations for funding were approved by the General Manager on 20 May 2019. The full list of funded projects is attached to this report.

A ceremony took place on Thursday 30 May 2019 to acknowledge the successful applications and the significant contributions made to the Burwood community by the funded organisations. The Mayor was present to congratulate grant recipients.

Operational Plan Objective

1.1.1 Provide a diverse range of strategies and initiatives that meet the needs of the community

No Decision – Information Item Only**Attachments**

1 Community Grants Applications and Funding Outcomes 2018 -2019

BURWOOD COUNCIL'S COMMUNITY GRANTS SCHEME 2018-2019			
		Ref No. 19/18272	Page 1
No.	Name of Organisation	Project Description	Recommendation
1	Child Abuse Prevention Service (CAPS)	Safe Children, Safe Families Program for Children with Special Needs and their Carers - is an integrated 6 x 45-60 minutes interactive community education program for children with special needs, their parents and childcare workers. The aim is to provide children with information and skills needed to reduce their vulnerability to abuse and to enhance the child protection and awareness capabilities of their caregivers. This program will be facilitated by CAPS in early learning centres, preschools, childcare centres and playgroups. Funding for Facilitators fees, printing, stationery.	6,000
2	Milk Crate Theatre	Creative Arts Workshop Series - Milk Crate Theatre and Women & Girls Emergency Centre are looking to work in partnership again to deliver a 16 week creative arts program including workshops and activities at Jeanie's House in Burwood. Jeanie's is a refuge for women and children that are experiencing homelessness or are at risk of homelessness and for domestic and family violence. The workshops culminate in a showcase and celebration of the creative performing art works. Funding for Tutors costs, Equipment hire, Venue hire, Promotional material, catering etc.	6,000
3	Metro Assist Ltd	Sustaining Communities - the project will provide 7 educational & art based workshops to 15 participants living in Burwood LGA. Reverse Garbage will facilitate the workshops to build skills & knowledge around being environmentally sustainable and build awareness around recycling and waste. Participants will be provided with recycling materials to create art pieces for a community art exhibition. Funding for Tutor Fees, Workshops catering, materials, printing.	5,000

BURWOOD COUNCIL'S COMMUNITY GRANTS SCHEME 2018-2019		Page 2	
No.	Name of Organisation	Project Description	Recommendation
4	Summer Hill Family Support (auspiced under Weldon Children's Services)	Postnatal Anxiety and Depression Therapy Support Group - this will be 8 weeks 2 hour sessions. Therapeutic program for mothers and their babies with free child care. This program aims to provide therapy, support & psycho-education to mothers in Burwood & Inner West who are experiencing anxiety, depression and stress in adjusting to their new parenting role. Also includes partners evenings and reunions for mothers and babies. Funding for Child care workers, venue hire.	4,000
5	Usman Khawaja Foundation Ltd	2019 Chance to Shine Cricket Program - Burwood - this is an introductory Free 6 week, off-season cricket program for those new to the game featuring developmental hubs and a national Usman Khawaja Cup. The program intends to reach and engage primary school children especially those from non-traditional cricketing disadvantaged communities including new immigrants and refugees. Funding is for this program to be run in Burwood LGA and aims to attract 75 participants, girls and boys aged 6-12 years old. Cost Inc: Advertising, 2 x Program Coordinator Fees, equipment, photographer etc.	3,000
6	The Shepherd Centre - for Deaf Children	In the Shoes of a Child with Hearing Loss - Virtual Reality for Teachers and Peers in the Burwood area - The Program aims to create understanding and awareness for the child's peers and teachers. The tool enables the teacher/s and peers to understand potential difficulties associated with hearing loss in a school environment. Funding for Virtual Reality Oculus Go headset, headphones, Therapist visits, Project Management and coordination and project evaluations.	1,100

BURWOOD COUNCIL'S COMMUNITY GRANTS SCHEME 2018-2019		Page 3	
No.	Name of Organisation	Project Description	Recommendation
7	Participate Australia Ltd	Literacy Training Program for Young People with Intellectual Disabilities - the project will deliver a 10 week literacy and training program to young people (14 - 25yr olds) with intellectual disabilities to develop their reading and writing skills, to increase their ability to take part in daily activities and develop communication skills necessary for full participation and inclusion in society. 15% participants from Burwood LGA. Funding for Project Facilitators fees, Tutor costs, resources, promotion, Support Workers.	1,500
8	St Merkorious Charly Association Inc.	St Merkorious Charly Food Service - the program aims to help people struggling financially by providing them with healthy food, clothing and essential items for day-to-day living. Funding to assist with running costs for this program.	3,000
9	The Infants' Home Child & Family Services	Multilingual Playgroup Facilitation for Gurung Playgroup - the Funding is for continuing to employ a multilingual (speaking English, Mandarin and Arabic.) playgroup facilitator to assist delivery of the weekly Gurung Play Group at Croydon Park Public School.	1,500
10	Special Children Services Centre Inc.	Community Participation & Social Interaction Training for People with Disabilities and their Carers - This is a community participation program consisting of 3 specialised programs, group activities and 4 Museum excursions for children with intellectual disabilities including Autism, Downs Syndrome and their carers during term breaks. Funding for Gymnastics fees, Excursions entry fees and refreshments, travel costs, volunteer allowances etc.	2,000
11	Chinese Australian Services Society Ltd	Speakers Corner - A Place for Migrants to Practice Oral English - the aim is to help migrants settle into Australian community by providing a platform for them to learn and use day to day English in a relaxed environment. It offers volunteer tutors the opportunity to interact with people from different cultural backgrounds and put their teaching skill into practice. Funding to cover costs for admin, advertising, travel expenses.	2,000

BURWOOD COUNCIL'S COMMUNITY GRANTS SCHEME 2018-2019			Page 4
No.	Name of Organisation	Project Description	Recommendation
12	Asian Women at Work Inc.	Developing, Enabling and Valuing Migrant Women Leaders and Volunteers - This organisation relies on their volunteers to assist in their work. This project aims to strengthen their capacity to have volunteers assist Asian Women at Work in different volunteering tasks by training Volunteers to increase their confidence and learn skills in engaging with the community. This includes - 20 week leadership development training and 10 weeks team building activity. Funding for Catering, Venue, Tudor cossis.	2,400
13	The Greek Orthodox Parish & Community of Burwood & District	Greek Street Fair Burwood 2019 - Opportunity to celebrate Greek culture and heritage. It is a celebration of diversity in Burwood bringing together people of all cultural backgrounds, with music, food and children's activities. This is a free event. Funding for Graphic designer-promotion, catering, band, decorations etc.	1,500
14	Dae Hahn Culture School	The Ethnic Korean Senior Choir - the project is to form an ethnic Korean Senior Choir from the Dae Hahn Culture School to learn and perform choir pieces of Australian and Korean music once a week for 40 weeks. They will perform for the Burwood community, for hospitals and retirement homes. Funding for Conductor, pianist, catering, venue hire and advertising.	1,000
15	Australian Trust for Conservation Volunteers	Growing Healthy Habits and Cultivating Culture in Sustainable Schools: Constructing Educational Green Spaces on Campus - working in collaboration with Presbyterian Ladies College and First Hand Solutions to design and build an interactive bush tucker garden on the Croydon campus which will be used as a long term educational tool. This project will build awareness in the students in the environment, conservation and indigenous culture heritage. Allows students to work alongside local community volunteers. Funding for CVA project management, First Hand Solutions support and materials.	Not Recommended

BURWOOD COUNCIL'S COMMUNITY GRANTS SCHEME 2018-2019			Page 5
No.	Name of Organisation	Project Description	Recommendation
16	Burwood Community Welfare Services Inc.	From Persia to Aussie - is an innovative, 6 week program which develops the skills, knowledge and awareness amongst women, especially Persian women/mothers from Iran who have chosen to settle in Australia. The program includes information sessions about available resources to assist them covering child abuse and child protection in Australia and developing their skills in parenting and communication. Funding for Child Care, Instructors, Therapists, Equipment, interpreter services, catering, venue hire etc.	Not Recommended
17	Western Suburbs Touch Football Association Inc.	Updated Equipment for Wests Touch Football to assist with Volunteer's tasks, improve participation and engagement of community - the project is to purchase several items of equipment to ensure they offer a long term effective and safe environment for the competitive sporting activities for the community. Funding for digital timers, tables, chairs, first aid kits, footballs.	Not Recommended
18	Burwood Asian Business Partnership Inc. (BABP)	Burwood Asian Business Community Outreach Program - the program is to unite and bring together the Asian Business Community in Burwood LGA. The aim is to create a link between each business, Burwood Council and the Community to work collaboratively via WeChat account, by hosting information & educational sessions and to host a Burwood Asian Food Festival in second half of 2019. Funding for Printing, Advertising and Venue Hire.	Not Recommended

BURWOOD COUNCIL'S COMMUNITY GRANTS SCHEME 2018-2019			Page 6
No.	Name of Organisation	Project Description	Recommendation
19	CatholicCare Sydney	The ABC's of AOD: Information for Parent's around Alcohol, Drugs and Young People - the project will develop 8 free educational sessions throughout the year for parents of adolescents about the use of alcohol, drugs and adolescent development and will work with Schools and other organisations in the area to facilitate and assist with referrals and support services. Funding for Tutor costs, Printing, catering, admin.	Not Recommended
20	Sydney Shaxxing Opera Troupe Inc.	Multicultural Activities by Sydney Shaxxing Opera Troupe - to stage 2 special stage performances to benefit local residents living in Burwood and Ashfield. Funding for Venue Hire, Catering and Advertising etc.	Not Recommended
21	Eurella Community Services Inc.	Eurella Community Services Incorporating Allied Health Services in an Early Childhood Early Intervention Service - aims to redesign the early intervention service including NDIS. The vision is to provide a centre of learning for children 0-6 years and their parents, students and allied health services (AHPs) demonstrating excellence and innovation in early intervention and in clinical education. The Faculty of Health Sciences, University of Sydney Work Integrated Learning team will contribute their expertise to design and deliver a service model incorporating students as a key part of delivery. Funding for WIL Consultancy, WIL Advisory, Indirect costs.	Not Recommended
			\$40,000

**(ITEM IN18/19) POWER OF ATTORNEY FOR THE GENERAL MANAGER -
MARCH 2019 TO MAY 2019**

File No: 19/15275

REPORT BY ACTING GENERAL MANAGER

Summary

At the Council Meeting of 24 October 2017, Council resolved to delegate to Bruce Gordon Macdonnell a general Power of Attorney.

The resolution included a request for a report to Council every three months on all documents signed under the general Power of Attorney.

Council notes that the following document was signed under Power of Attorney between March 2019 and May 2019:

- Suite C1A, 1-17 Elsie Street Burwood, Execution of Lease of Council's premises from ANZ Invest Pty Limited to AUPAC International Pty Limited. Presented to Council on 28 September 2010, Item 116/10.

It is noted that the Power of Attorney has since been delegated to the current Acting General Manager, Tommaso Briscese.

Operational Plan Objective

2.1.3 Ensure transparent and accountability in decision making

No Decision – Information Item Only**Attachments**

There are no attachments for this report.

(ITEM IN19/19) PETITIONS

File No: 19/23775

REPORT BY ACTING DEPUTY GENERAL MANAGER, CORPORATE GOVERNANCE & COMMUNITY

Summary

Petitions received are reported to Council on a monthly basis. Council has received one petition since the April 2019 Council Meeting.

Operational Plan Objective

2.1.1 Provide opportunities for discussions and report decisions back to the community

Background

Date Received	Petition Subject	No. of Households and Businesses within the LGA	No. of Households outside the LGA	Responsible Council Division
7 May 2019	Petition received in objection to development application BD.2018.90 – Childcare centre at 12 Minna Street Burwood, and the revised development application submission – Land and Environmental Court Appeal (amended plans).	8	0	Land, Infrastructure and Environment

Comments

That Council notes that the Petitions have been referred to the appropriate Council Officers for attention.

No Decision – Information Item Only**Attachments**

There are no attachments for this report.

(ITEM IN20/19) ANSWERS TO QUESTIONS WITHOUT NOTICE - COUNCIL MEETING OF 28 MAY 2019

File No: 19/26291

REPORT BY ACTING DEPUTY GENERAL MANAGER, CORPORATE GOVERNANCE & COMMUNITY

Summary

At the Council Meeting of 28 May 2019 the following Questions without Notice (QWN) were submitted by Councillors. Council Officers responded to the QWN and Councillors were notified on 13 June 2019 of the outcome of the QWN.

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making

These are now submitted as part of the Council Agenda for Public Notification:

QUESTIONS WITHOUT NOTICE – COUNCIL MEETING OF 28 MAY 2019	
Question	Response
<p><u>Councillor Lesley Furneaux-Cook</u></p> <p>Question 1:</p> <p>Following on from my last QWN, residents continue to notice A frames on Burwood Road - including mobile phone repairs, clairvoyant (corner of George Street and Burwood Road) and massage parlours.</p> <ul style="list-style-type: none"> ▪ What notices have been sent? ▪ Like shopping trolleys, can these be confiscated? ▪ Do they have permits? 	<p><u>Group Manager Compliance</u></p> <p>A-Frames along Burwood Road are permitted with approval. Approvals are issued every year and permissible for twelve months. Council has a policy permitting the use of the footpath for this activity and a review of all approved A-Frame in this area has indicated that 24 licenses have been issued this period. A Council Officer conducted an inspection several weeks ago and two A-frames were displayed without approval. All others A-frames displayed during this inspection were approved. A Council officer spoke with the A-frame owners and they were removed during the inspection. A warning letter has been issued. If these two companies are observed displaying A-frames without approval after this warning; fines will be issued and A-frames may be confiscated if left unattended.</p>
<p><u>Councillor Lesley Furneaux-Cook</u></p> <p>Question 2:</p> <p>A resident has expressed concern that food delivery couriers are using Council's footpath, therefore endangering pedestrians. Can the General Manager investigate such situations?</p>	<p><u>Group Manager Compliance</u></p> <p>The complaint does not provide specific complaint details regarding locations and possible offenders. However if the complaint is referring to motor bike delivery food orders parking on the footpath then this activity is not permitted and usually fines are issued when observed. If the complaint deals with motor bikes driving along the footpath, then the Local</p>

QUESTIONS WITHOUT NOTICE – COUNCIL MEETING OF 28 MAY 2019	
	Police should be also informed to regulate driving on the footpath. Council could also issue an Order against any company informing them to prevent this activity. If further information about a possible offending company and location could be provided, this would assist Council in targeting the matter and reducing the activity.
<p><u>Councillor Lesley Furneaux-Cook</u></p> <p>Question 3:</p> <p>Why are there no recycling bins at Henley and Wangal Parks?</p>	<p><u>Group Manager Environment & Health</u></p> <p>The lack of recycling bins at Henley and Wangal Parks is an oversight. With the commencement of the new waste and recycling collection contract on 1 July, staff will be carrying out an audit of all of our parks and reserves to ensure there are adequate and accessible recycling facilities available to meet community needs.</p>
<p><u>Councillor Joseph Del Duca</u></p> <p>Question 1:</p> <p>Roadworks to improve sewerage are currently occurring on Ann St, Enfield. Whilst these works are undoubtedly important, they are occurring during the morning peak time and blocking the entire road for up to 10 minutes at a time, making access for residents impossible. This is problematic at a time of the day when many local residents are rushing to meet morning deadlines. What measures are taken to balance the needs for Council Works Staff to access a site with the needs of local residents to meet their morning deadlines?</p>	<p><u>Group Manager Operations</u></p> <p>The works are being undertaken by Sydney Water under the provisions of the Water Supply Act. Sydney Water was notified of the QWN and the Project Engineer has responded with the following:</p> <p><i>I am aware of only one incident where a lady was asked to wait for a short period from a traffic controller as we placed a road plate for her to leave. Traffic Management attended the vehicle as soon as it approached the works area and provided her access as soon as they could and it was safe to do so. I have observed traffic controllers and we have conducted internal company inspections on their performance; and to date they have been doing an excellent job managing vehicles in the area very swiftly.</i></p> <p>Sydney Water have confirmed that resident access and egress is permitted at all times. Traffic control is in place during the works and they will monitor this accordingly.</p>
<p><u>Councillor Joseph Del Duca</u></p> <p>Question 2:</p> <p>A Croydon resident has asked me to follow up on a Compliance report they first raised with Council on 12 November 2018 (#123327).</p> <p>This matter is still unresolved and the resident</p>	<p><u>Group Manager Compliance</u></p> <p>This matter relates to a DA matter whereby a work shed was constructed in accordance with the plans. The complainant was seeking a privacy screen to be installed and did not raise such objections during DA consultation period.</p>

QUESTIONS WITHOUT NOTICE – COUNCIL MEETING OF 28 MAY 2019	
has not heard from Council since 5 March 2019. Can I get an update on the status of this investigation and an understanding as to why this process has taken so long?	Council's Building & Development Team had inspected the site and formed the belief that there are minimum impacts and the works are in accordance with the plans. A Mayoral and Deputy Mayoral Memo was completed on the matter on 14 May 2019 highlighting these facts.
<p><u>Councillor Joseph Del Duca</u></p> <p>Question 3:</p> <p>I have received a number of comments from concerned residents about the lights at the intersection of Liverpool and Wentworth Rd in Enfield.</p> <p>Residents have told me that the signal allowing motorists to turn right onto Wentworth Rd has been significantly shortened in length.</p> <p>This has allegedly led to increased traffic congestion and frustration as cars try to cross over from the middle lane in order to make the lights, therefore putting drivers at risk.</p> <p>Have there been changes to the signal frequency at this intersection over the past 12 months and what effects have been noted? Could this right hand turn signal be referred to the relevant body for review?</p>	<p><u>Manager Traffic & Transport</u></p> <p>The operation of traffic signals falls under the jurisdiction of Roads and Maritime Services (RMS). RMS have advised that no changes to the signal phasing has been made at this intersection since 2012, however they too have received recent complaints about the delays to vehicles turning right into Wentworth Road. RMS will be undertaking a full review of the signals with a view of improving the level of service for all users.</p>

No Decision – Information Item Only

Attachments

There are no attachments for this report.