



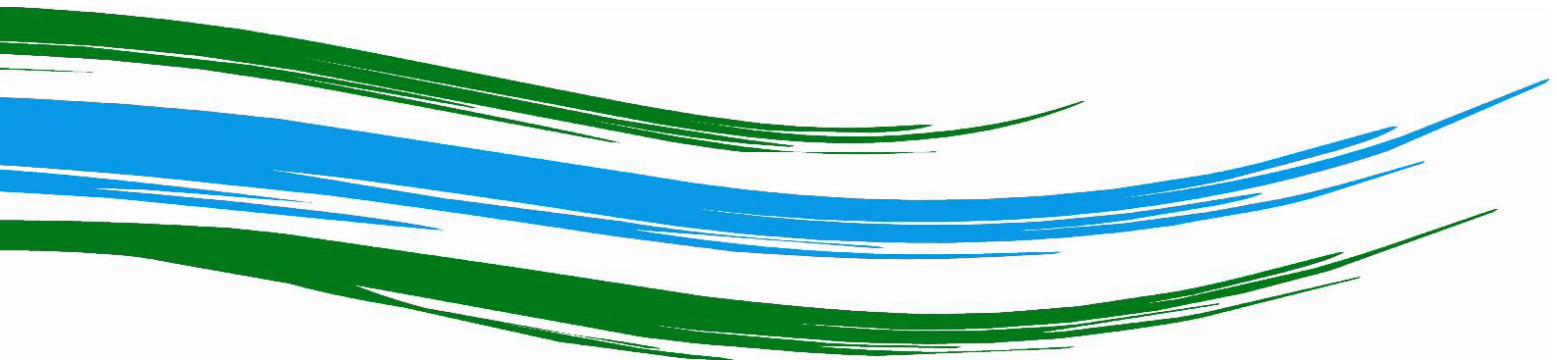
# Camden Council

## Business Paper

**Ordinary Council Meeting**  
**10 June 2014**

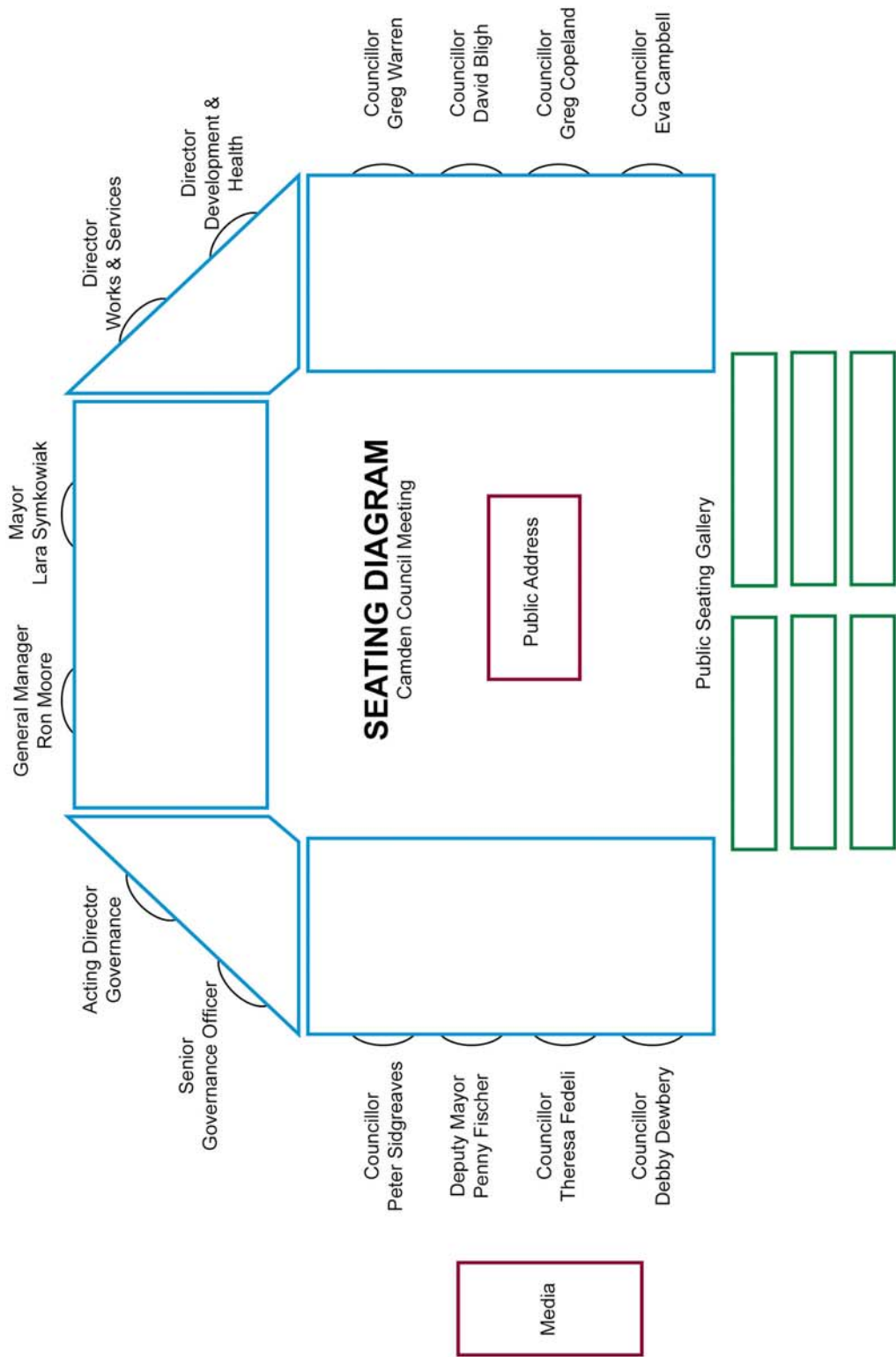
---

**Camden Civic Centre**  
**Oxley Street**  
**Camden**



## COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BCA	Building Code of Australia
CLEP	Camden Local Environmental Plan
CP	Contributions Plan
DA	Development Application
DECCW	Department of Environment, Climate Change & Water
DCP	Development Control Plan
DDCP	Draft Development Control Plan
DoPE	Department of Planning & Environment
DWE	Department of Water and Energy
DoH	Department of Housing
DoT	NSW Department of Transport
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning & Assessment Act
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
GCC	Growth Centres Commission
LAP	Local Approvals Policy
LEP	Local Environmental Plan
LGA	Local Government Area
MACROC	Macarthur Regional Organisation of Councils
OLG	Office of Local Government, Department of Premier & Cabinet
OSD	Onsite Detention
REP	Regional Environmental Plan
PoM	Plan of Management
RL	Reduced Levels
RMS	Roads & Maritime Services (incorporating previous Roads & Traffic Authority)
SECTION 149 CERTIFICATE	Certificate as to zoning and planning restrictions on properties
SECTION 603 CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
SECTION 73 CERTIFICATE	Certificate from Sydney Water regarding Subdivision
SEPP	State Environmental Planning Policy
SRA	State Rail Authority
SREP	Sydney Regional Environmental Plan
STP	Sewerage Treatment Plant
VMP	Vegetation Management Plan
WSROC	Western Sydney Regional Organisation of Councils



*Please do not talk during Council Meeting proceedings.  
Recording of the Council Meeting is not permitted by members of the public at any time.*



---

# ORDINARY COUNCIL

## ORDER OF BUSINESS - ORDINARY COUNCIL

Prayer .....	6
Acknowledgment of Country .....	7
Recording of Council Meetings .....	8
Apologies .....	9
Declaration of Interest .....	10
Public Addresses .....	11
Confirmation of Minutes .....	12
Mayoral Minute .....	13
ORD01 Business Assurance And Risk Management Framework .....	14
ORD02 Determination Of Councillor Fees - 2014/15 - Local Government Remuneration Tribunal .....	18
ORD03 Policy Review - Policies Recommended For Removal From Policy Register .....	20



---

## ORDINARY COUNCIL

**SUBJECT: PRAYER**

---

### PRAYER

Almighty God, bless all who are engaged in the work of Local Government. Make us of one heart and mind, in thy service, and in the true welfare of the people we serve: We ask this through Christ our Lord.

Amen

\*\*\*\*\*

Almighty God, give thy blessing to all our undertakings. Enlighten us to know what is right, and help us to do what is good: We ask this through Christ our Lord.

Amen

\*\*\*\*\*

Almighty God, we pause to seek your help. Guide and direct our thinking. May your will be done in us, and through us, in the Local Government area we seek to serve: We ask this through Christ our Lord.

Amen

\*\*\*\*\*

### AFFIRMATION

We affirm our hope and dedication to the good Government of Camden and the well being of all Camden's residents, no matter their race, gender or creed.

We affirm our hope for the sound decision making by Council which can improve the quality of life in Camden.

*Either – "So help me God" or "I so affirm" (at the option of councillors)*

\*\*\*\*\*

We pledge ourselves, as elected members of Camden Council, to work for the provision of the best possible services and facilities for the enjoyment and welfare of the people of Camden.

*Either – "So help me God" or "I so affirm" (at the option of councillors)*

\*\*\*\*\*

---

## **ORDINARY COUNCIL**

**SUBJECT:       ACKNOWLEDGMENT OF COUNTRY**

---

I would like to acknowledge the traditional custodians of this land on which we meet and pay our respect to elders both past and present.

## **ORDINARY COUNCIL**

**SUBJECT: RECORDING OF COUNCIL MEETINGS**

---

In accordance with Camden Council's Code of Meeting Practice and as permitted under the Local Government Act this meeting is being audio recorded by Council staff for minute taking purposes.



---

## ORDINARY COUNCIL

**SUBJECT: APOLOGIES**

---

Leave of absence tendered on behalf of Councillors from this meeting.

### **RECOMMENDED**

**That leave of absence be granted.**

---

## ORDINARY COUNCIL

**SUBJECT:       DECLARATION OF INTEREST**

---

NSW legislation provides strict guidelines for the disclosure of pecuniary and non-pecuniary Conflicts of Interest and Political Donations.

Council's Code of Conduct also deals with pecuniary and non-pecuniary conflict of interest and Political Donations and how to manage these issues (Clauses 7.5 -7.27).

Councillors should be familiar with the disclosure provisions contained in the Local Government Act 1993, Environmental Planning and Assessment Act, 1979 and the Council's Code of Conduct.

This report provides an opportunity for Councillors to disclose any interest that they may have or Political Donation they may have received relating to a Report contained in the Council Business Paper and to declare the nature of that interest.

### **RECOMMENDED**

**That the declarations be noted.**

---

## ORDINARY COUNCIL

**SUBJECT: PUBLIC ADDRESSES**

---

The Public Address segment (incorporating Public Question Time) in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper agenda or on any matter within the Local Government area which falls within Council jurisdiction.

Speakers must book in with the Council office by 4.00pm on the day of the meeting and must advise the topic being raised. Only seven (7) speakers can be heard at any meeting. A limitation of one (1) speaker for and one (1) speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' and should only be considered where the total number of speakers does not exceed seven (7) at any given meeting.

Where a member of the public raises a question during the Public Address segment, a response will be provided where Councillors or staff have the necessary information at hand; if not a reply will be provided at a later time. There is a limit of one (1) question per speaker per meeting.

All speakers are limited to 4 minutes, with a 1 minute warning given to speakers prior to the 4 minute time period elapsing.

Public Addresses are recorded for administrative purposes. It should be noted that speakers at Council meetings do not enjoy any protection from parliamentary-style privilege. Therefore they are subject to the risk of defamation action if they make comments about individuals. In the event that a speaker makes potentially offensive or defamatory remarks about any person, the Mayor/Chairperson will ask them to refrain from such comments.

The Mayor/Chairperson has the discretion to withdraw the privilege to speak where a speaker continues to make inappropriate or offensive comments about another person.

### **RECOMMENDED**

**That the public addresses be noted.**

## **ORDINARY COUNCIL**

**SUBJECT: CONFIRMATION OF MINUTES**

---

Confirm and adopt Minutes of the Ordinary Council Meeting held 27 May 2014

### **RECOMMENDED**

**That the Minutes of the Ordinary Council Meeting held 27 May 2014, copies of which have been circulated, be confirmed and adopted.**



---

## **ORDINARY COUNCIL**

**SUBJECT:       MAYORAL MINUTE**

---

Consideration of Mayoral Minute (if any).

## ORDINARY COUNCIL

ORD01

**SUBJECT: BUSINESS ASSURANCE AND RISK MANAGEMENT FRAMEWORK**  
**FROM:** Acting Director Governance  
**TRIM #:** 13/17429

### PURPOSE OF REPORT

On 13 May 2014 and as part of the Review of the Organisational Structure, Council resolved to establish a Business Assurance and Risk Committee, with a further report to be submitted to Council recommending Committee arrangements.

The purpose of this report is to recommend the Committee arrangements and establish a framework for Business Assurance and Risk Management within Camden Council.

### BACKGROUND

Clause 209 of the *Local Government (General) Regulations 2005* state that:

*The General Manager of a council must ensure that:*

- (a) The provisions of the Act, this Regulation and any other written law relating to councils' financial obligations or the keeping of accounts by councils are complied with, and*
- (b) Effective measures are taken to secure the effective, efficient and economical management of financial operations within each division of the council's administration; and*
- (c) Authorising and recording procedures are established to provide effective control over the council's assets, liabilities, revenue and expenditure and secure the accuracy of the accounting records, including a proper division of accounting responsibilities among the council's staff, and*
- (d) Lines of authority and the responsibilities of members of the council's staff for related tasks are clearly defined.*

The Office of Local Government has strongly recommended that all councils have an internal audit/business assurance function made up of the following:

- a Business Assurance Auditor; and
- a Business Assurance and Risk Committee.

This combined internal business assurance function provides the following:

- supports internal governance;
- ensures consistency with other levels of government;
- improves the effectiveness of risk management, control and governance processes; and
- helps instil public confidence in an organisation's ability to operate effectively.

In order to have an established and effective business assurance and risk management system at Camden Council, it is necessary to establish the following:

- a Business Assurance Auditor; and
- a Business Assurance and Risk Committee with associated Charter (**attached**).

---

## MAIN REPORT

### **Appointment of a Business Assurance Auditor**

A Business Assurance Auditor's role is primarily one of providing independent assurance over the internal controls and risk management framework of Council. Management has primary day to day responsibility for the design, implementation and operation of internal controls.

The Business Assurance Auditor has no direct involvement in the day to day operations, but it has a direct functional relationship with the General Manager and the Business Assurance and Risk Committee.

As part of the Review of the Organisational Structure, Council resolved on 13 May 2014 to appoint a Business Assurance Auditor and establish a Business Assurance and Risk Committee.

### **Implementation of a Business Assurance and Risk Committee**

The establishment of a Business Assurance and Risk Committee at Camden Council will provide a key role with independent oversight and monitoring of Council's internal control activities. This includes internal and external reporting, risk management, internal and external audit and compliance. A strong relationship between the Business Assurance and Risk Committee and the Business Assurance Auditor will enable the Committee to meet its responsibilities and carry out its functions. A Business Assurance and Risk Committee will also establish the importance and direction of the Business Assurance Auditor and ensure that Council achieves maximum value from the internal audit function.

The Business Assurance and Risk Committee will achieve its independence by having a majority of independent members appointed, and ideally the Committee should consist of at least three and preferably no more than five members. The selection and appointment of committee members is set out in the **attached** Business Assurance and Risk Committee Charter.

It is important that sufficient funds are allocated to the implementation of the Committee for it to operate effectively. Accordingly, Council must resolve to provide a budget and funds for the Business Assurance and Risk Committee and should include fees payable to the independent external committee members. Based upon other Council practices, it appears the market rate for external committee members are approximately \$500 per meeting for an independent Chairperson and \$400 per meeting for independent members.

The Office of Local Government recommends that the Chair of the Committee should be independent and should not be the Mayor or a member of the elected Council. It is also recommended that the Business Assurance Auditor, Risk Management Officer, Manager Finance and Corporate Planning and Senior Governance Officer attend all meetings of the Committee. The General Manager may attend each meeting but will permit the Committee to meet separately with the Business Assurance Auditor and the External Auditor in the absence of management on at least one occasion per year. The External Auditor for the Council should also be invited to attend as an independent advisor.

It is the elected Council's responsibility to approve a Business Assurance and Risk Committee Charter to set out the roles and responsibilities of the Business Assurance

and Risk Committee. The review of the Charter going forward will then become the responsibility of the Committee, subject to Council approval.

According to the Office of Local Government's Guidelines, the Business Assurance and Risk Committee should meet at least four times a year. It is also considered appropriate to have meetings dedicated to considering the annual external audit plan, and Council's audited annual financial reports.

The broad responsibilities for the Business Assurance and Risk Committee include risk management, the control framework, external accountability, legislative compliance, internal audit, external audit, approving the internal audit charter, contributing to and approving an internal audit's long-term strategic plan and annual audit plan, making enquiries of management and the Business Assurance Auditor to determine if there is scope or budgetary limitations that impede an auditor's ability to function properly, and approving the scope of an external assessment or equivalent internal assessment of internal audit to be undertaken every 5 years.

The Business Assurance and Risk Committee Charter allows for the appointment of Committee members for a term of up to four years (subject to Council resolution) to coincide with the elected term of Councillors.

A Business Assurance & Risk Committee is a key component to corporate governance and is fundamental to assisting the General Manager and Council with their oversight function to:

- ensure all key controls are operating effectively;
- ensure all key controls are appropriate for achieving corporate goals and objectives;
- meet their statutory and financial duties;
- provide a forum for discussing problems and issues that may affect the operations of the audit group and act as a forum for discussion;
- provide a forum for discussion to identify areas worthy of examination by an audit group; and
- review the implementation of the annual audit plan and implementation of audit recommendations.

It is noted that the Business Assurance and Risk Committee Charter has been drafted in accordance with the Office of Local Government Guidelines as **attached** to this report.

### **FINANCIAL IMPLICATIONS**

The appointment of a fulltime Business Assurance Auditor forms part of Council's recent adoption of the organisational structure, the funding for which, has been allowed for in the 2014/15 Operational Plan (budget). It is however noted that the funding is subject to Council adopting the Operational Plan (budget) at its ordinary Council meeting of 24 June 2014.

It is recommended that program expenses of \$20,000 and a Committee members fees budget of \$6,500 (based on 4 meetings per year plus a 1 meeting contingency) be allocated to ensure the Business Assurance Auditor and Business Assurance and Risk Management Committee can fulfil their function. This allocation can be funded from savings realised as part of the 2013/14 year-end budget review.



---

## **CONCLUSION**

The implementation of a business assurance and risk framework at Camden Council, consisting of both a Business Assurance Auditor and Business Assurance and Risk Committee will bring Council's practices in line with the Guidelines issued by the Office of Local Government and enhance risk management, business improvement, compliance and internal governance at Camden Council. This is also consistent with the Review of the Organisational Structure adopted by Council at its ordinary meeting of 13 May 2014.

## **RECOMMENDED**

### **That Council:**

- i. subject to the adoption of the 2014/15 Operational Plan (Budget) and consistent with the Review of the Organisational Restructure recently adopted by Council on 13 May 2014, endorse the implementation of a business assurance and risk management framework consisting of a Business Assurance Auditor, and the establishment of a Business Assurance and Risk Committee;**
- ii. resolve to remunerate external Business Assurance and Risk Committee members at the rate of \$500 per meeting for the independent Chairperson and \$400 per meeting for external members, such rates being inclusive of GST, travel and all on-costs in accordance with the attached Business Assurance and Risk Committee Charter;**
- iii. fund program expenses of \$20,000 (exclusive of GST) and Committee members fees of \$6,500 (inclusive of GST) from the 2013/14 year-end budget review and that these funds be re-voted to the 2014/15 Operational Plan (budget);**
- iv. adopt the Business Assurance and Risk Committee Charter attached to this report;**
- v. instruct the General Manager to seek an expression of interest for external Business Assurance and Risk Committee members including an independent Chairperson for the remainder of the Council term, and prepare a report to be brought back to Council for their appointment; and**
- vi. nominate two Councillors to act as members on the Business Assurance and Risk Committee for the remainder of the Council term.**

### **ATTACHMENTS**

1. Business Assurance and Risk Committee Charter
2. Internal Audit Guidelines



ORD02

## ORDINARY COUNCIL

ORD02

**SUBJECT: DETERMINATION OF COUNCILLOR FEES - 2014/15 - LOCAL GOVERNMENT REMUNERATION TRIBUNAL**

**FROM:** Acting Director Governance

**TRIM #:** 14/71370

### PURPOSE OF REPORT

To advise Councillors of a determination by the Local Government Remuneration Tribunal for the level of Councillor fees payable for the 2014/15 financial year.

### MAIN REPORT

The Local Government Remuneration Tribunal (the Tribunal) sets the range of annual fees payable to Councillors and Mayors in NSW each year. Under the *Local Government Act 1993* (the *LG Act*), Council may fix the annual fees paid to the Councillors and the Mayor. The annual fees must be in accordance with the range determined by the Tribunal. Under section 249 of the *LG Act*, the Mayor must be paid an annual fee in addition to the fee paid to the Mayor as a Councillor. Section 249 also provides that Council may pay the Deputy Mayor a fee for such time as the Deputy Mayor acts in the office of the Mayor. The amount of the fee so paid – which is determined by Council – must be deducted from the Mayor's annual fee.

Should Council decide not to fix the annual fees payable to the Councillors and the Mayor, it must pay the appropriate minimum fee determined by the Remuneration Tribunal.

The Tribunal has concluded its annual review and, having regard to key economic data and the views of the assessors, it has determined that an increase of 2.5% in fees for Councillors and the Mayor is appropriate. The increases are effective on and from 1 July 2014.

Section 239 of the *LG Act* requires the Tribunal to determine the categories of councils and to place each council in a category at least every three years. A review was not undertaken this year as the Tribunal undertook a review of the categories in 2012. As such, Camden Council is still categorised as a Metropolitan Council and the revised fees payable for a Metropolitan Council for 2014/15 are as follows:

COUNCILLOR / MEMBER Annual Fee		MAYOR Additional Fee	
<i>Minimum</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Maximum</i>
\$8,130	\$17,930	\$17,310	\$39,110

The current Councillor fees are \$15,573.60 per annum for Councillors and \$34,000.30 per annum for the Mayor.

Based on the present level of fees payable to the Mayor and Councillors as above, a 2.5% increase would amount to an increase of \$389.34 per annum for each Councillor, bringing the total to \$15,962.94 per annum, and an increase of \$850.01 for the Mayor,

---

totalling \$34,850.31 per annum. Alternatively, Council may adopt the maximum amount payable in each case.

### **FINANCIAL IMPLICATIONS**

A 2.5% increase to Councillors' fees would result in additional expenditure totalling \$4,354.07. The 2014/15 Operational Plan (including budget) includes a provision for an increase of expenditure of 3.0%, which represents an amount of \$5,224.90. If Council elects to increase Councillor fees by 2.5%, this will represent a saving to the 2014/15 Operational Plan of \$870.83 which could be adjusted at the September Quarterly Budget Review.

### **RECOMMENDED**

**That Council determine the level of fees payable to Councillors and Mayor for the 2014/2015 financial year.**

**ORD02**

## ORDINARY COUNCIL

ORD03

**SUBJECT: POLICY REVIEW - POLICIES RECOMMENDED FOR REMOVAL FROM POLICY REGISTER**

**FROM:** Acting Director Governance

**TRIM #:** 14/52866

### PURPOSE OF REPORT

The purpose of this report is to inform Council of a number of Council policies which have been identified as redundant and, to seek approval to remove those policies from Council's Policy Register.

### BACKGROUND

Over the last 12 months Council has undertaken a comprehensive review of all Policies within the organisation. The first step in the process involved a review by Managers of their team's policies contained in Council's Policy Register. Several policies were identified as redundant as a result of being superseded, incorporated into other policies, or no longer of relevance.

This Report, which seeks Council approval to remove these redundant policies from the Policy Register, is the next step in the policy review process.

The remainder of the review process can be summarised as follows:

- i. Review/update existing policies.
- ii. Prepare new policies (as required).
- iii. Regular policy review - in accordance with statutory deadlines or on an annual basis.

The reporting of new and amended policies to Council will be completed on a quarterly basis with the exception of statutory policies which will be reported in accordance with the statutory deadlines. It is noted that all policies will be reviewed and submitted to Council over the next 12 months as part of Council's comprehensive policy review process.

### MAIN REPORT

As part of the policy review, Managers, Directors and the Executive Leadership Group, have identified twelve (12) policies to be removed from Council's Policy Register. The Table below lists each of the policies by name, the date the policy was adopted by Council (if any) and the reason for the proposed withdrawal from the Policy Register.

	<b>Policy</b>	<b>Date Adopted Minute No.</b>	<b>Reason for Rescission</b>
1	5.4 Advice to Person with Matters before Council	Internally Adopted Policy	Incorporated into Code of Meeting Practice.

	Policy	Date Adopted Minute No.	Reason for Rescission
2	5.44 Budget Review Process	26 Feb 1996 No.056/96	Major elements of the Policy are covered under the <i>Local Government Act 1993</i> and Financial Regulations. Additionally, this Policy is not relevant to current budget process and is operational in nature.
3	5.38 Consolidation of Section 355 Community Committees & Other Appropriate Instrumentalities	26 Feb 1996 No.056/96	Relevant sections consolidated into Council's adopted Section 355 Manual.
4	1.1 Construction of Stables and Keeping of Horses	10 July 1989 No.335/89	Changes to the legislation allows this to be dealt with under the <i>Local Government (General) Regulation 2005</i> .
5	5.42 Depreciation	26 Feb 1996 No.056/96	Relevant sections consolidated into Council's adopted Asset Management Policy.
6	5.37 General Accounting Policies	26 Feb 1996 No.056/96	Accounting Standard no longer relevant (AASB 27).
7	3.4 Landing of Balloons	28 Aug 2000 No.109/00	Covered by legislation regulated by the Commonwealth Civil Aviation Safety Authority (CASA) (eg. <i>Civil Aviation Act 1988</i> and <i>Regulations</i> ).
8	5.49 Measurement of Assets - Revaluations	13 Aug 2001 No.RS042/01	Relevant sections consolidated into Council's adopted Asset Management Policy.
9	1.7 Resiting of Dwellings	10 July 1989 No.335/89	Legislation has changed requiring the lodgement of a DA for the resiting of dwellings.
10	2.7 Road Infrastructure Asset Management	28 Aug 2000 No.109/00	Relevant sections consolidated into Council's adopted Asset Management Policy.
11	3.7 Roadside Trading	13 Sept 1993 No.572/93	Changes to legislation allows this to be dealt with under provisions within the <i>Local Government Act 1993</i> and <i>Roads Act 1993</i> .
12	3.3 South Creek Flood Levels	Internally Adopted Policy	Superseded by Council's Flood Risk Management Policy.

Not all policies listed above are Council-adopted policies. However, in the interests of clarity and for the purpose of consideration by Council, it was deemed appropriate that all policies proposed to be withdrawn be reported together.

---

## **FINANCIAL IMPLICATIONS**

There are no financial implications arising from the proposed withdrawal of policies.

## **CONCLUSION**

Given that Council's policy documents constitute *open access information* under section 18 of the *Government Information (Public Access) Act 2009*, it is appropriate for the above-named policies to be removed in order for Council's Policy Register to be kept up-to-date.

## **RECOMMENDED**

**That Council remove and rescind the policies referred to above from its Policy Register.**

## ATTACHMENTS

1. Attachment 1 - Advice to Persons with Matters before Council
2. Attachment 2 - Budget Review Process
3. Attachment 3 - Consolidation of Section 355 Community and Committees
4. Attachment 4 - Construction of Stables and Keeping of Horses
5. Attachment 5 - Depreciation
6. Attachment 6 - General Accounting Policies
7. Attachment 7 - Landing of Balloons
8. Attachment 8 - Measurement of Assets-Revaluations
9. Attachment 9 - Resiting of Dwellings
10. Attachment 10 - Road Infrastructure Asset Management
11. Attachment 11 - Roadside Trading
12. Attachment 12 - South Creek Flood Levels