

# Camden Council Attachments

# Ordinary Council Meeting 10 February 2015

# Camden Civic Centre Oxley Street Camden



## **ORDINARY COUNCIL**

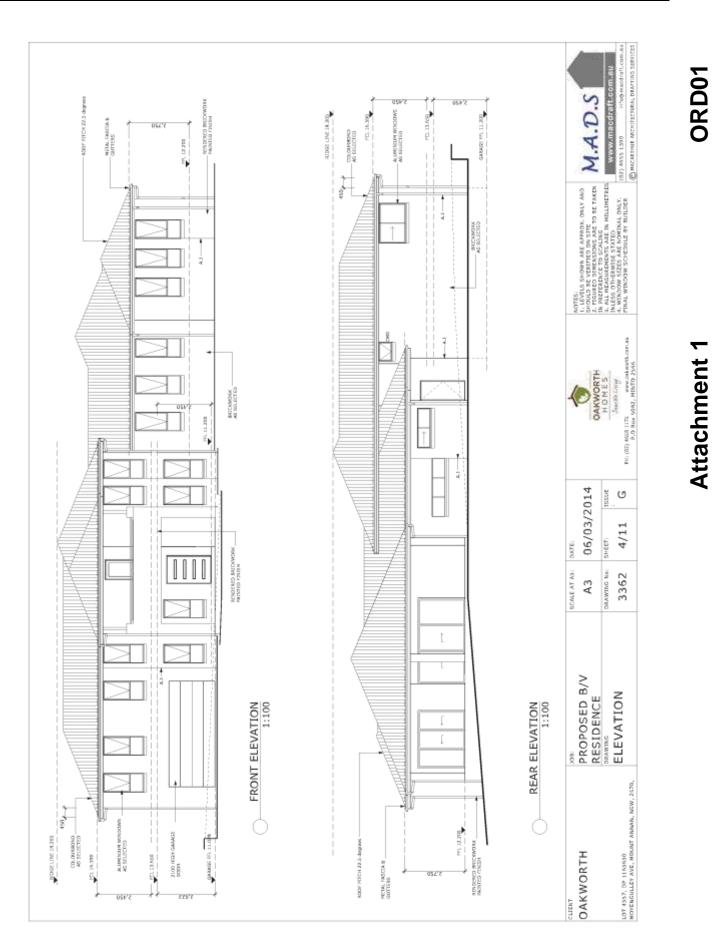
### ATTACHMENTS - ORDINARY COUNCIL

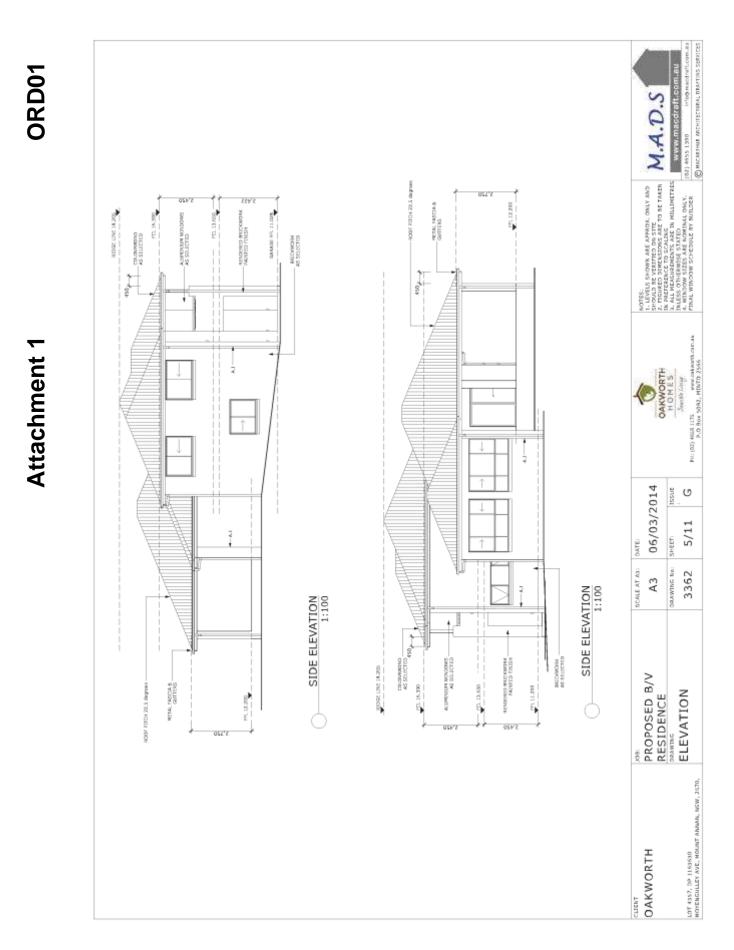
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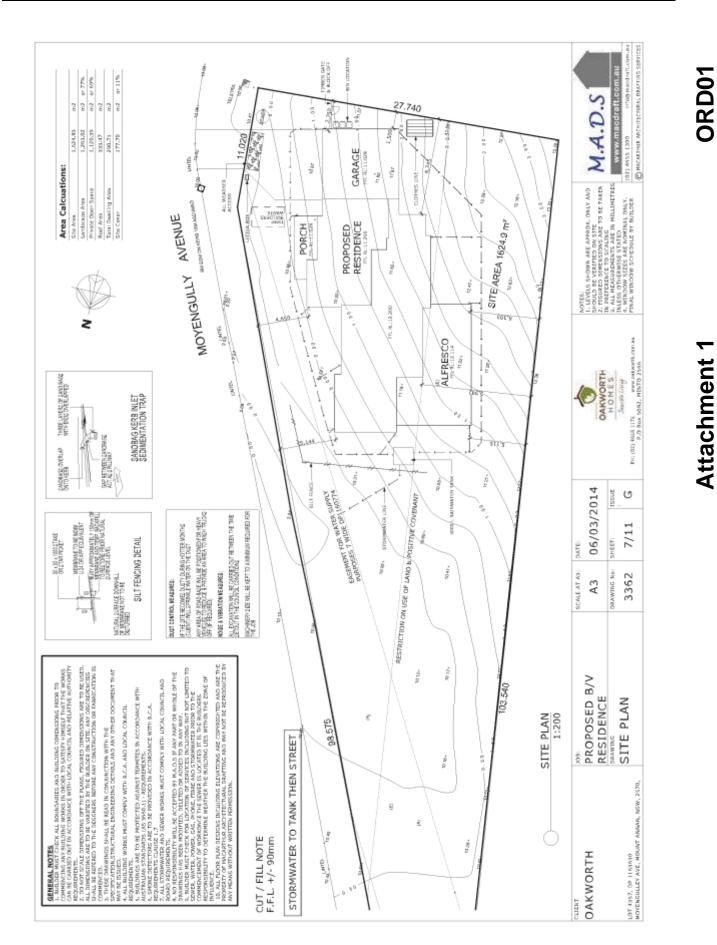


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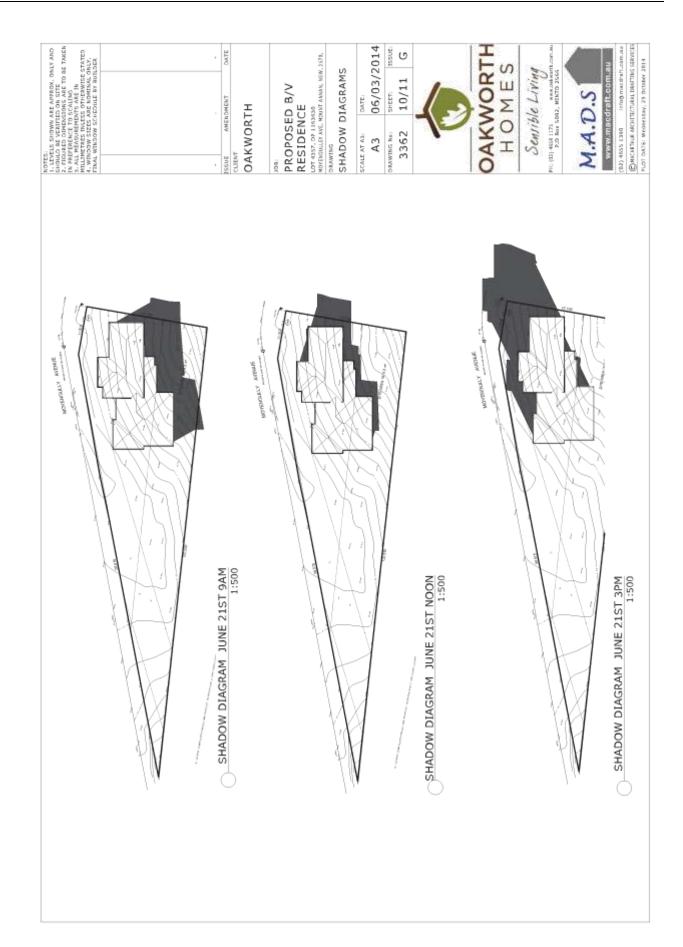
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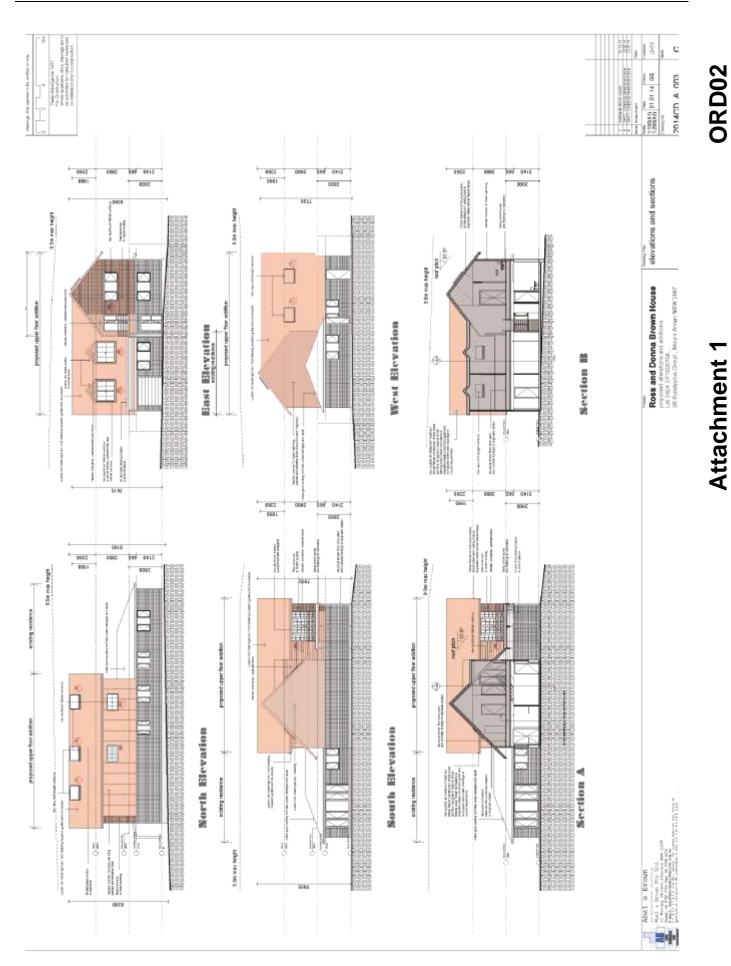


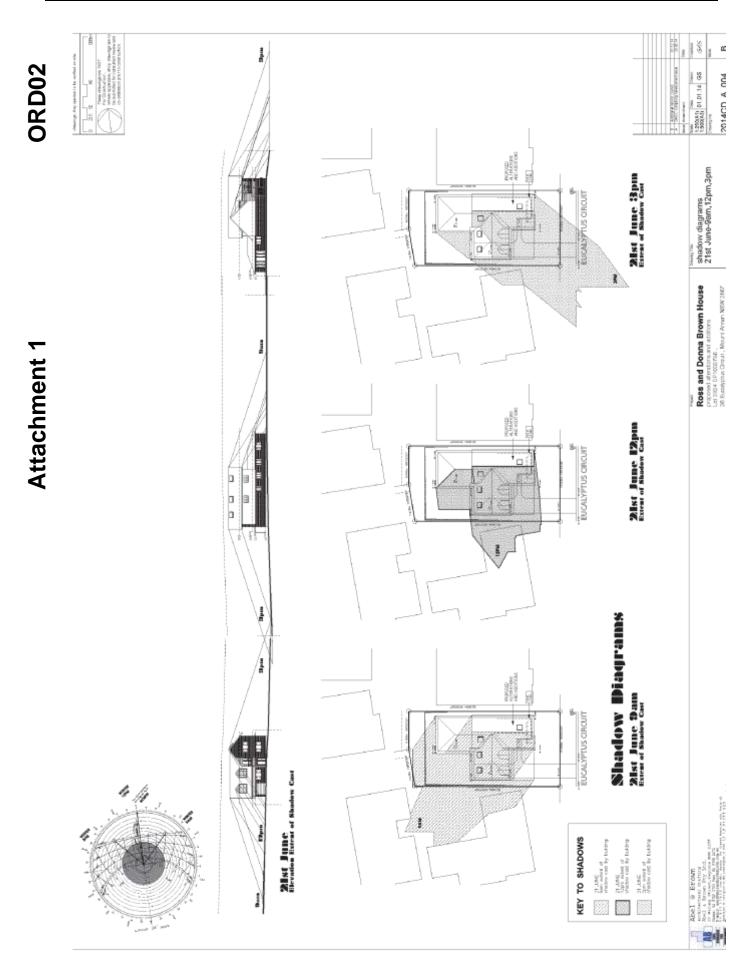




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Attachment





Site Plans





Supporting Documents for the Ordinary Council Meeting held on 10 February 2015 - Page 14

**ORD03** 

Attachment 1





Attachment 1







3 Marist Place Parramatta NSW 2150

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heritage@heritage.nsw.gov.au www.heritage.nsw.gov.au

Contact; Marc Allas Phone: (02) 9873 8558 Fax: (02) 9873 8599 Email: marc.allas@environment.nsw.gov.au File: SF14/31340 Our Ref: doc14/178785; 14/IDA/83 Your Ref: DA 659/2014

Camden Council PO Box 183 CAMDEN NSW 2570

Attention: Mareid O'Connell

Dear Ms O'Connell

#### INTEGRATED DEVELOPMENT APPLICATION, HERITAGE ACT 1977 RE: CAMELOT, SHR NO. 00385, 151 Kirkham Lane, Kirkham

Proposal: Temporary marquee tent as a function centre, associated facilities.

#### Information received with the IDA application:

- Visual assessment 'Statement to accompany photomontage images prepared for a proposed temporary wedding and functions centre marquee at 'Camelot', by Allman Johnston Architects, 11 December 2014.
- Statement of Heritage Impact, for the State Heritage Registered item Camelot House and Gardens, prepared by Rein Warry & Co dated 1 April 2014;
- Statement of Environmental Effects, by Rein Warry & Co, dated 9 December 2014;
- Traffic and Parking Management plan, for temporary use of Camelot as function centre, Rein Warry & Co, April 2014;
- Sketch plan, Rein Warry & Co, Plan 7235 DA2, 6/11/14, Plan for the approval of a temporary wedding and function centre at Camelot Lot 32 DP 785487 Kirkham Lane', sheets 1-3;
- Koikas Acoustics report, Acoustic Assessment, Camelot, March 2014.

#### Additional information requested: 18/11/14

#### Date additional information received: 5/1/15

As delegate of the Heritage Council of NSW, I have considered the above integrated development application. In accordance with Section 91A of the *Environmental Planning and Assessment Act 1979*, the Heritage Council of NSW hereby informs that the following terms of approval are proposed to be granted. This is conditional upon the Heritage Council receiving the prescribed application fee.

- All work must be carried out in accordance with the following documents (except where amended by conditions below):
  - a. Visual assessment 'Statement to accompany photomontage images prepared for a proposed temporary wedding and functions centre marquee at 'Camelot'', by Allman

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Heritage Council

**3 Marist Place** Parramatta NSW 2150

Locked Bag 5020 Parramatta NSW 2124 **DX 8225 PARRAMATTA**  Telephone: 61 2 9873 8500 Facsimile: 61 2 9873 8599

heritage@heritage.nsw.gov.au www.heritage.nsw.gov.au

- Johnston Architects, 11 December 2014.
- b. Statement of Heritage Impact, for the State Heritage Registered item Camelot House and Gardens, prepared by Rein Warry & Co dated 1 April 2014
- c. Statement of Environmental Effects, by Rein Warry & Co, dated 9 December 2014, including a Code of Conduct for guests;
- d. Sketch plan by Rein Warry & Co, plan for the approval of a temporary wedding and function centre at Camelot, Drawing no 7235, DA 2, 6/11/13, sheets 1-3.
- e. Sketch plan, Rein Warry & Co, Plan showing indicative marquee for Camelot Function centre, sheet 1.

#### EXCEPT AS AMENDED by the conditions of this approval:

Maximum number of functions

- This approval is limited to 2 years duration, from the date of development consent.
- No more than 200 guests are permitted for each function. The car park must have no more than 120 vehicles.
- 4. Signage for the wedding function on Kirkham Lane may consist of a small temporary Aframe that is displayed only for the day on which a function is held.
- 5. The marguee must use temporary wooden flooring. It must not have permanent paved flooring.
- The applicant must maintain the grass areas affected by the marguee and access paths in a fit and proper state. The applicant must remediate any adverse impacts (such as compaction) to the grass affected from the marquee's flooring and foot traffic in general.

#### Aboriginal cultural heritage

Should any Aboriginal objects be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Office of Environment & Heritage (Enviroline 131 555) is to be notified in accordance with Section 89A of the National Parks and Wildlife Act 1974 (NPW Act). Aboriginal objects in NSW are protected under the NPW Act. Unless the objects are subject to a valid Aboriginal Heritage Impact Permit, work must not recommence until approval to do so has been provided by the Office of Environment & Heritage.

#### Archaeology

8. The Applicant must ensure that if historic archaeological deposits/relics are discovered, the Heritage Council must be notified in writing in accordance with section 146 of the Heritage Act 1977. Work must cease in the affected area(s) and a suitably qualified and experienced archaeologist must be contacted to assess the archaeological material. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Compliance:

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9. Following the determination of the development application by the Local Council, an application under Section 60 of the *Heritage Act* 1977 must be submitted to and approved by the NSW Heritage Council prior to works commencing.

If you have any questions regarding the above matter please contact Marc Allas at the Heritage Division, Office of Environment and Heritage on (02) 9873 8558.

Yours sincerely

Rochelle Johnston Manager, Conservation Heritage Division Office of Environment and Heritage

As Delegate of the NSW Heritage Council 28 January 2015 **DRD03** 

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NSW Police Force www.police.nsw.gov.au

Mairead O'Connell Camden Council 37 John Street. Camden 2570.

Received RMU 1 6 JAN 2015 Camden Council

9 January 2015.

DA 659/2014, Lot: 32 DP: 785487, 151 Kirkham Lane Kirkham.

On Friday 9 January 2015, a Safer by Design Evaluation was conducted on DA 659/2014, for the temporary use of part of the subject site as a function centre on the property containing a heritage item listed on the State heritage Register ( item No. 1124).

In April 2001 the NSW Minister for Planning introduced Crime Prevention Guidelines to Section 79C of the Environmental Planning and assessment Act, 1979. These guidelines require consent authorities to ensure that development provides safety and security to users and the community. 'If a development presents a crime risk, the guidelines can be used to justify modification of the development on the grounds that crime risk cannot be appropriately minimised'.

The Guidelines contain two parts. 'Part A details the need for a formal crime risk assessment (Safer by Design Evaluation) to be done in conjunction with trained police, and Part B outlines basic Crime Prevention Through Environmental Design (CPTED) principles and strategies that can be used by consent authorities to justify the modification proposals to minimise risk'. (DUAP 2001:2)

#### Crime Prevention Through Environmental Design (CPTED)

NSW POLICE FORCE

Crime Prevention Through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles that reduce the likelihood of essential crime ingredients from intersecting in time and space.

CAMDEN Local Area Command Narellan Police Station 278 Camden Valley Way, NARELLAN NSW 2567 Telephone 02 46324459 Facsimile 02 46324455 ENet 84459 EFax 84455 TTY 9211 3776 (Hearing/Speech impaired) ABN 43 402 613 120 ABN 43 402 613 120

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Predatory offenders often make cost-benefit assessments of potential victims and locations before committing crime. CPTED aims to create the reality (or perception) that the costs of committing crime are greater than the likely benefits. This is achieved by creating environmental and social conditions that:

- Maximise risk to offenders (increasing the likelihood of detection, challenge and apprehension).
- Maximise the effort required to commit crime (increasing the time, energy and resources required to commit crime)
- Minimise the actual and perceived benefits of crime (removing, minimising or concealing crime attractors and rewards) and
- Minimise excuse making opportunities (removing conditions that encourage/facilitate rationalisation of inappropriate behaviour)

CPTED employs four key strategies. These are surveillance, access control, territorial re-enforcement and space/activity management.

- o Surveillance
- o Access Control,
- o Territorial re-enforcement and
- o Space/activity management.

#### Site Description

The proposed development is for the temporary use of part of the subject site as a function centre on the property containing a heritage item listed on the State heritage Register ( item No. 1124).

#### Site Risk Rating

The NSW Police Safer by Design Evaluation process is based upon Australia and New Zealand Risk Management Standard ANZS4360:1999. It is a contextually flexible, transparent process that identifies and quantifies crime hazards and location risk. Evaluation measures include crime likelihood (statistical probability), consequence (crime outcome), distributions of reported crime (hotspot analysis), socio-economic conditions (relative disadvantage), situational hazards and crime opportunity.

After conducting this process the rating for this development has been identified as, Low Crime Risk.

#### 1. Surveillance

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**DRD03** 

Natural surveillance is achieved when normal space users can see and be seen by others. This highlights the importance of building layout, orientation and location; the strategic use of design; landscaping and lighting. *Natural surveillance* is a by-product of well-planned, well-designed and well-used space. *Technical/mechanical Surveillance* is achieved through mechanical/electronic measures such as CTV, help points and mirrored building panels. *Technical/mechanical Organised) Surveillance* is achieved through the tactical positioning of guardians. An example would be the use of on-site supervisors at higher risk locations.

3

*Natural surveillance* is an important element capable guardianship. When supervision is lacking, the perception of surveillance can be created to deter opportunistic criminals. Offenders often scan their surroundings to see if they are being watched. Objects, areas and structures capable of concealing an offender (especially near pedestrian routes) increase crime risk.

#### Recommended Conditions of Consent:

- Entry points should be designed so as to maximize surveillance opportunities to and from location.
- Vegetation to be maintained in and around the dwelling to maximise natural Surveillance.
- CCTV cameras installed externally of the dwelling, i.e Entry and exit points covering the vehicles and person entering and existing the location.

#### Lighting-

There is a proven correlation between poor lighting, fear of crime, the avoidance of public places and crime opportunity (Painter, 1997). Good lighting can assist in increasing the usage of an area. Lighting needs to be considered around the car parking areas.

Lighting should meet minimum standards. Crime and fear reduction are specified as key objectives in Australian lighting standard AS1158 for public streets, car parks and pedestrian areas.

Effective lighting contributes to public safety by reducing fear, increasing community activity, improving visibility and increasing the chance that offenders will be detected and apprehended. The Canadian METRAC Group (Toronto City Council) recommends a 15 metre facial recognition test in public places. This yardstick is often applied as a non-technical measure of lighting effectiveness.

Walking from overtly bright places into dark places, or dark to light places can lessen a pedestrian's ability to see and recognize people, objects and colours. Transition lighting can help to reduce (night) vision impairment.

General Comments in Design for Lighting:

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- Lighting should be designed to the Australian and New Zealand Lighting Standards.
- Australia and New Zealand Lighting Standard 1158.1 Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels.

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Lighting layout for the outdoor areas should be Anti Vandal type lights which are a better option, for both lighting and maintenance.

#### Recommended Conditions of Consent:

- a A lighting maintenance policy needs to be established for the development.
- Australian and New Zealand Lighting Standard 1158 Car Parks, must be used.
- Public area lighting must be bright and even (to permit facial recognition of approaching persons at 15 metres).
- Outdoor lighting to be addressed i.e sensor lights installed around car parks and exit and entry points.
- All lighting should be vandal proof throughout the complex.

#### Natural Surveillance /Landscaping

Landscaping can be used to enhance the appearance of the development and assist in reducing opportunities for vandalism. However, landscaping can also provide concealment or entrapment areas for people involved in criminal behaviour.

#### General Conditions of Consent:

- Some predatory offenders, seek pockets and enclosures created by vegetation/landscaping. When selecting and maintaining vegetation, consideration should be given to the possibility of areas becoming entrapment sites in the future especially at rear open space areas.
- A safety convention is to have 3-5 metres of cleared space on either side of pathways. Thereafter, vegetation is stepped back in height to maximise sightlines.
- A safety convention for vegetation is: lower tree limbs should be above average head height, and shrubs should not provide easy concealment.
- Landscaping can greatly interfere with residential setbacks (such as front yards). These areas require good sight lines from private vantage points to public areas therefore it is important that landscaping does not inhibit surveillance.

#### Recommended Conditions of Consent:

- Landscaping close to the building should be regularly maintained to ensure branches cannot act as natural ladders to gain access to higher parts of the buildings.
- Vegetation to be 3-5 metres clear of pathways.

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Attachment 3

Safer by Design – Camelot House 151 Kirkham Lane Kirkham Technical Surveillance. CCTV.

#### **CCTV** Conditions

- An In Venue CCTV must maintain a CCTV system that meets the following requirements:
- A camera must be located at the main entrance to the venue and positioned to record any person entering through this entrance. The CCTV recordings of this camera must be sufficient to enable the identity on an individual to be established beyond a reasonable doubt when:

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- The person represents not less than 100% of screen height and there is an obstructed view of the persons face.
- In addition, CCTV cameras must be maintained throughout the premises with camera coverage to specifically record images of the following area: All other public entrances and exits whether or not in use at the time, such as staircases in multilevel premises, all portions of the floor area accessible to the public where entertainment is provided, i.e toilet external entrances, all general areas accessible by the public, and the footpath area directly adjacent to the premises.
- The CCTV recordings of these cameras must be sufficient to enable the recognition of a person. A viewer must be able to say with a high degree of certainty whether or not an individual shown is the same as someone they have seen before when the person represents not less that 50% of screen height and, there is an unobstructed view of the persons face.
- Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.
- Camera recordings must meet the standards set in (a) and (c) at all times, either by way of camera technology and settings and, or by maintenance of lighting, camera positioning, camera shades and other environmental factors', Recordings must be in digital format, record at a minimum of ten frames per second and, commence 1 hour prior to opening and operate continuously until at least 1 hour after closure.
- The correct time date and camera identification must be automatically embedded on all recordings and be able to be read when image is played back on a different system without interfering with the view of the target area.
- Recordings should be retained for a period of 30 days before being reused or destroyed. The licensee shall ensure that no person is able to delete or alter any recordings within the 30 day period.
- When the venue is open and trading, at least one person shall be at the venue that is capable of accessing the CCTV system and is able to immediately review recordings and produce copies,
- Immediate access to the CCTV systems and the ability to review recordings on the system is to be granted to members of the NSW Police Force, inspectors of the Office of Liquor Gaming & Racing or any other regulatory officer upon request.
- The CCTV system shall be able to reproduce a copy of the recordings on compact disk, DVD or USB memory stick and must be provided within one working day to members of the NSW Police Force inspectors of the Office of Liquor Gaming & Racing or any other regulatory officer upon request. Prior to

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the commencement of trade each day, the CCTV system shall be checked to ensure the equipment is in full operating order. If during the daily check or at any other time, it is discovered that the equipment is not in full operating order, the licensee is to notify the Local Area Commander or delegate within 2 days. All reasonable steps must be undertaken to repair the system as soon as practicable.

#### Access Control.

Decrease the crime opportunity – Attract, channel or restrict the movement of people or vehicles through landscaping, barriers and or personnel I.e. Security guards. By making it clear where people are permitted to go or not go, it becomes difficult for potential offenders to reach and victimise people and their property. Illegible boundary markers and confusing spatial definition make it easy for criminals to make excuses for being in the restricted area.

#### Organised- Security Guards.

- TWO licensed security operatives for crowd control and property protection duties to be considered.
- A minimum of two licensed security operatives to be engaged by the event organiser and management, to be on site until 30 minutes after the event finishes. If the situation warrants, any major functions, events, or entertainment additional security operatives are to be engaged by event manager at a ratio of 1:100 patrons.

#### Announcement and Display Signs – Leave Function Quietly.

#### Territorial Re-enforcement

Criminals rarely commit crime in areas where the risk of detection and challenges are high. People who have guardianship or ownership of areas are more likely to provide effective supervision and to intervene in crime than passing strangers. Effective guardians are often ordinary people who are spatially 'connected' to a place and feel an association with, or responsibility for it. *Territorial Re-enforcement* uses actual and symbolic boundary markers, spatial legibility and environmental cues to 'connect' people with space, to encourage communal responsibility for public areas and facilities, and to communicate to people where they should/not be, and what activities are appropriate.

#### General Conditions of Consent:

 The boundaries of the dwelling are reasonably well defined and re-enforced by fencing and landscaping.

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- A security Guard located at the front entrance to the function to re direct unwanted persons entering the function.
- Consider signage, which might be used in and around the dwelling Confusion resulting from vague entry design can legitimise exploration, trespassing and excuse making by opportunistic criminals. Entries should be legible and inviting.
- Car park design and definitional legibility can help (or hinder) way finding. Knowing how and where to enter/exit and find assistance can impact perceptions of safety, victim vulnerability and crime opportunity. Signage should reinforce (not be an alternative to effective design).

#### Environmental Maintenance

All space, even well planned and well-designed areas need to be effectively used and maintained to maximise community safety. Places that are infrequently used are commonly abused. There is a high correlation between urban decay, fear of crime and avoidance behaviour.

#### Recommended Conditions of Consent:

N/A

#### Activity and Space Management

Space /Activity management strategies are an important way to develop and maintain *natural* community control. Space management involves the formal supervision, control and care of the development. All space, even well planned and well-designed areas need to be effectively used and maintained to maximize community safety. Places that are infrequently used are commonly abused. There is a high correlation between urban decay, fear of crime and avoidance behaviour.

#### General Comments:

- As residents within this area have been targeted for malicious damage, break enter and steal, and stealing's, it is important that access to and from the dwelling be established and maintained.
- Natural ladders are building features, trees or nearby structures that can help a criminal to climb to balconies, rooftops, ledges and windows.

<u>Conclusion</u>; Police are of the opinion that the following points have been considered in this DA application-

8

- 1. Security.
  - 2. General safety of patrons..
  - 3. Access.
  - 4. Noise.
  - 5. Car parking.
  - 6. Lighting.

We would like to thank you for the opportunity of inspecting the plans for this development and should you require further information on the subjects mentioned within this report feel free to contact Constable Greg Louden, Crime Prevention Officer, Camden Local Area Command, phone 46324459 or Email loud1gre@police.nsw.gov.au

Yours faithfully,

Ward Hanson. Superintendent Commander Camden Local Area Command.

Disclaimer

The New South Wales Police have a vital interest in ensuring the safety of members of the community and their property. By using the recommendations contained in this evaluation, any person who does so acknowledges that:-1. It is not possible to make areas evaluated by the New South Wales Police, absolutely safe for members of the community or their property.

2. It is based upon the information provided to the New South Wales Police, at the time the evaluation was made.

3. The evaluation is a confidential document and is for use by the consent authority or organization referred to on page 1 only.

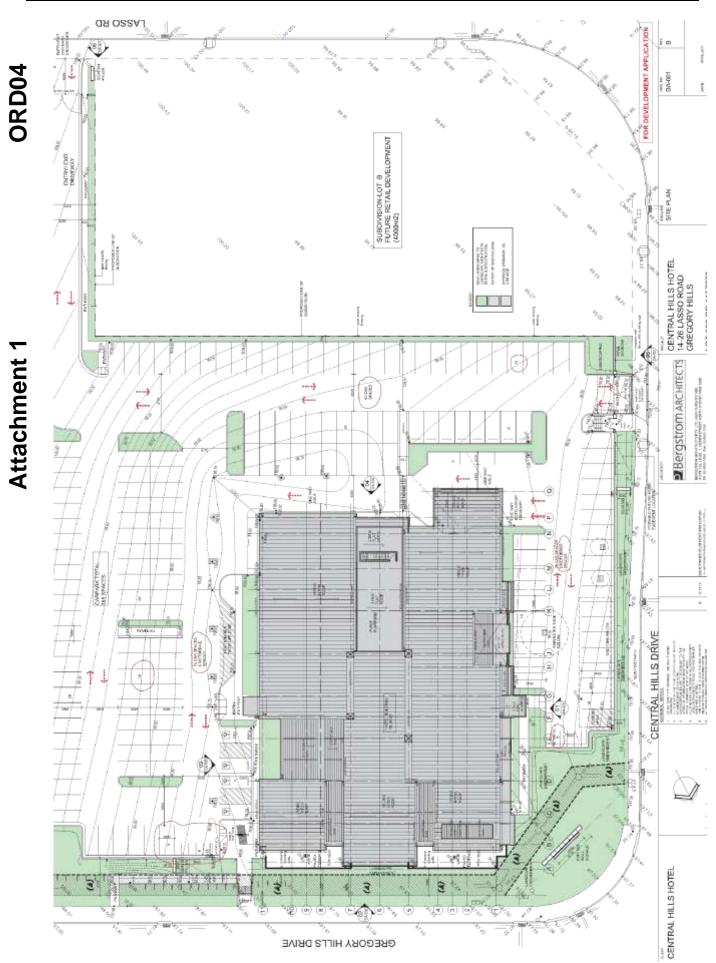
The contents of this evaluation are not to be copied or circulated otherwise that for the purposes of the consent authority or organization referred to on page 1.

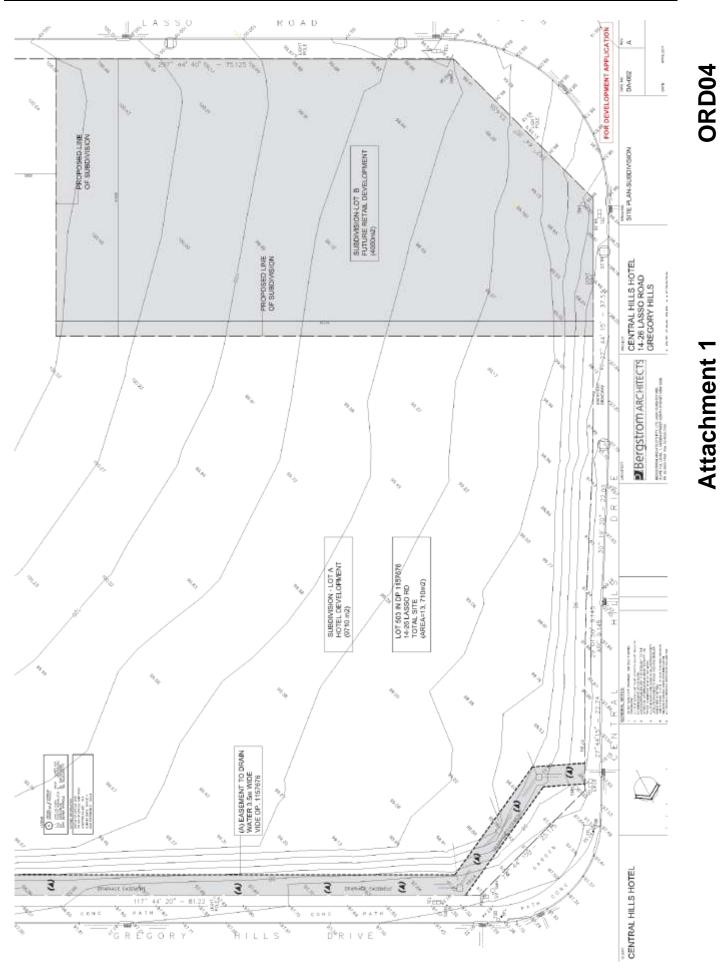
The New South Wales Police hopes that by using the recommendations contained in this document, criminal activity will be reduced and the safety of members of the community and their property will be increased. However, it does not guarantee that all risks have been identified, or that the area evaluated will be free from criminal activity if its recommendations are followed.

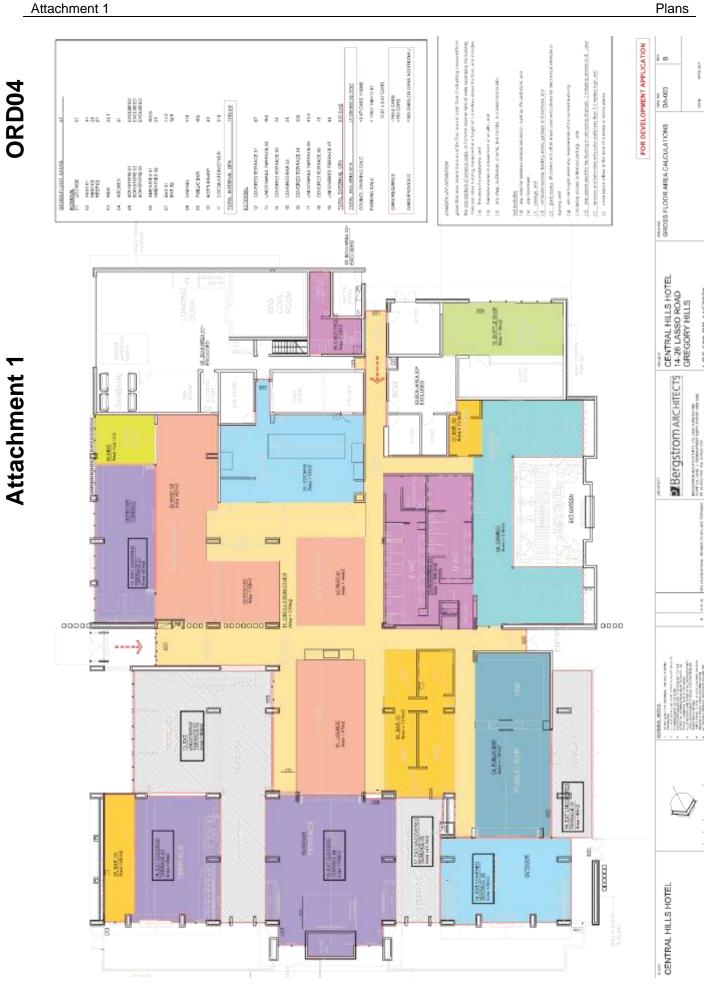
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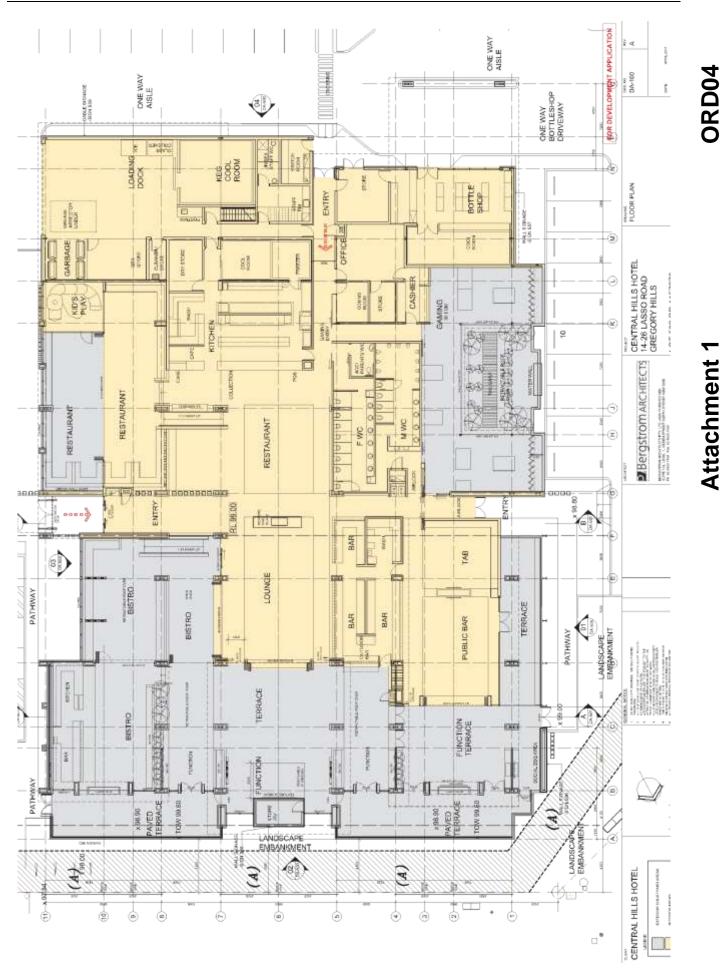
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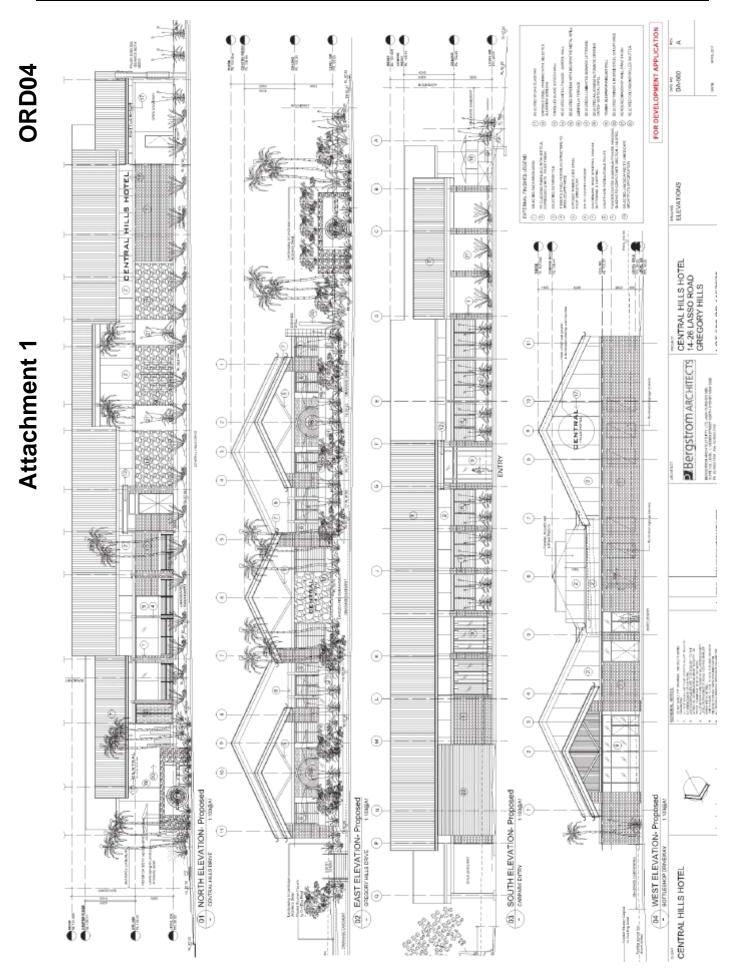




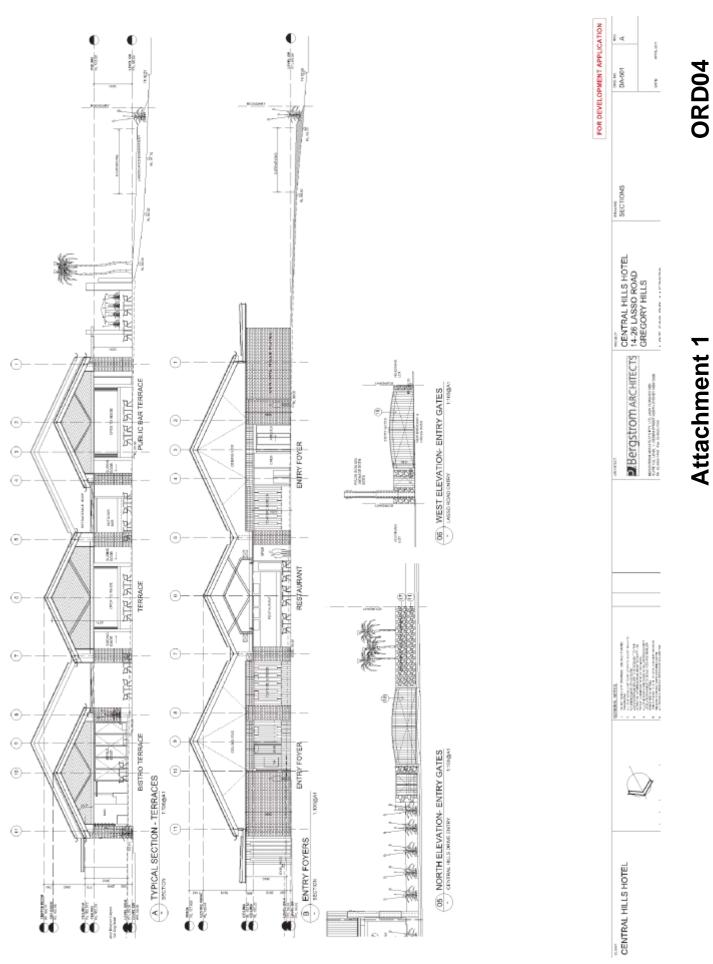


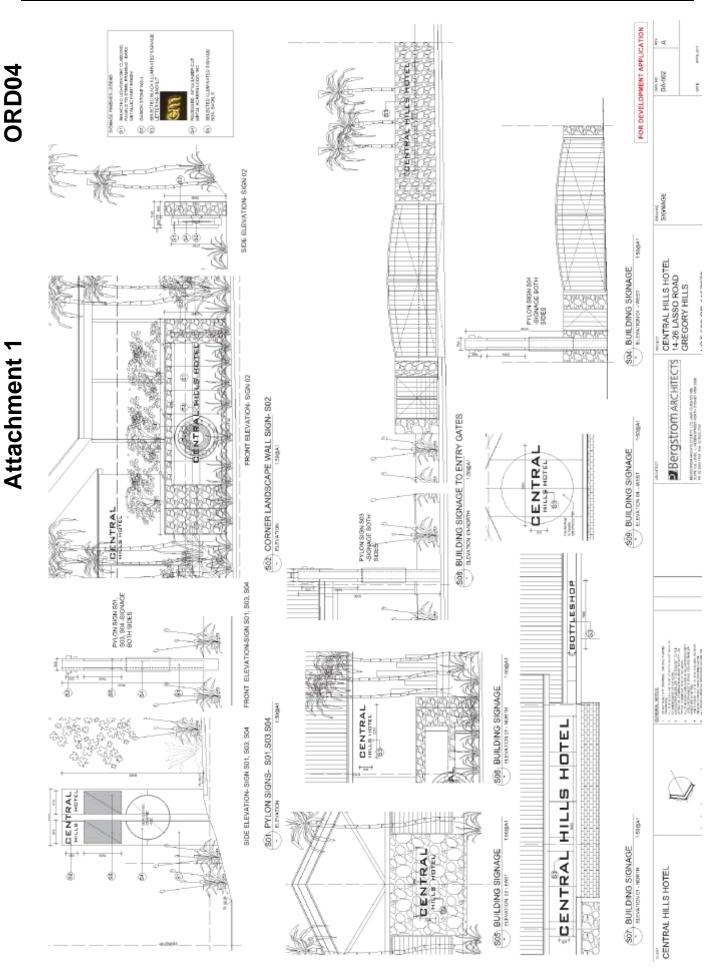






Plans







NSW Police Force www.police.nsw.gov.au

Received RM

- 3 OCT 2014

Un Council

Stacey Houlison. Camden Council 37 John Street. Camden NSW 2570

29 September 2014.

NSW POLICE FORCE

DA 671/ 2014.

On Monday 29 September 2014, a Safer by Design Evaluation was conducted on DA 671/2014, for the construction of a single storey pub, car parking, landscaping, drainage and associated site works, located at 14-26 Central Hills Drive, Gregory Hills.

In April 2001 the NSW Minister for Planning introduced Crime Prevention Guidelines to Section 79C of the Environmental Planning and assessment Act, 1979. These guidelines require consent authorities to ensure that development provides safety and security to users and the community. 'If a development presents a crime risk, the guidelines can be used to justify modification of the development on the grounds that crime risk cannot be appropriately minimised'.

The Guidelines contain two parts. 'Part A details the need for a formal crime risk assessment (Safer by Design Evaluation) to be done in conjunction with trained police, and Part B outlines basic Crime Prevention Through Environmental Design (CPTED) principles and strategies that can be used by consent authorities to justify the modification proposals to minimise risk'. (DUAP 2001:2)

#### Crime Prevention Through Environmental Design (CPTED)

Crime Prevention Through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles that reduce the likelihood of essential crime ingredients from intersecting in time and space.

CAMDEN Local Area Command Narellan Police Station 278 Camden Valley Way, NARELLAN NSW 2567 Telephone 02 46324459 Facsimile 02 46324455 ENet 84459 EFax 84455 TTY 9211 3776 (Hearing/Speech impaired) A0N-13 405 013 180

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by creating environmental and social conditions that:

Predatory offenders often make cost-benefit assessments of potential victims and locations before committing crime. CPTED aims to create the reality (or perception) that the costs of committing crime are greater than the likely benefits. This is achieved

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- Maximise risk to offenders (increasing the likelihood of detection, challenge and apprehension).
- Maximise the effort required to commit crime (increasing the time, energy and resources required to commit crime)
- Minimise the actual and perceived benefits of crime (removing, minimising or concealing crime attractors and rewards) and
- Minimise excuse making opportunities (removing conditions that encourage/facilitate rationalisation of inappropriate behaviour)

CPTED employs four key strategies. These are surveillance, access control, territorial re-enforcement and space/activity management.

- o Surveillance
- Access Control,
- o Territorial re-enforcement and
- o Activity and space management.

#### Site Description

The proposed development is for a single storey pub, car park and landscaping at Central Hills Drive Gregory Hills.

#### Site Risk Rating

NSW POLICE FORCE

The NSW Police Safer by Design Evaluation process is based upon Australia and New Zealand Risk Management Standard ANZS4360:1999. It is a contextually flexible, transparent process that identifies and quantifies crime hazards and location risk. Evaluation measures include crime likelihood (statistical probability), consequence (crime outcome), distributions of reported crime (hotspot analysis), socio-economic conditions (relative disadvantage), situational hazards and crime opportunity.

After conducting this process the rating for this development has been identified as, Low Crime Risk.

ORD04

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#### 1. Surveillance

Natural surveillance is achieved when normal space users can see and be seen by others. This highlights the importance of building layout, orientation and location; the strategic use of design; landscaping and lighting. *Natural surveillance* is a by-product of well-planned, well-designed and well-used space. *Technical/mechanical Surveillance* is achieved through mechanical/electronic measures such as CTV, help points and mirrored building panels. *Technical/mechanical Organised*) *Surveillance* is achieved through the tactical positioning of guardians. An example would be the use of on-site supervisors at higher risk locations.

*Natural surveillance* is an important element capable guardianship. When supervision is lacking, the perception of surveillance can be created to deter opportunistic criminals. Offenders often scan their surroundings to see if they are being watched.

Objects, areas and structures capable of concealing an offender (especially near pedestrian routes) increase crime risk.

#### Recommended Conditions of Consent:

- Entry points should be designed so as to maximize surveillance opportunities to and from these areas from both inside, as well as outside.
- Laminated glass walls and windows facilitate supervision of common entry areas.
- The applicant to install a comprehensive system of CCTV surveillance of the surrounds of the building and the car park. This will be integrated into the pub's overall CCTV system, the general specifications for which appear in the Venue Management Plan which forms Annexure 10 to the Statement of Environmental Effects. Signs will be erected at strategic locations in the car park and in the building advising that CCTV surveillance is in use.
- At present, the Business Park is patrolled regularly at night by security officers in motor vehicles .When the pub is closed, low level lighting will be maintained in the car park together with motion-sensitive lights around the building so that any untoward activity can be seen from the street.
- The landscaping provided will permit limited viewing of the car park and building from the street and will avoid creating blind spots, particularly, near the building.
- CCTV standards in licence premises throughout internal external areas of the hotel. These be adhered and for the CCTV cameras to be checked on a regular basis to ensure they are working.
- The combination of staff, CCTV surveillance and security personnel (when on duty) will manage the interior AND EXTERIOR of the pub.

#### **CCTV Conditions**

 An In Venue CCTV must maintain a CCTV system that meets the following requirements:

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- A camera must be located at the main entrance to the venue and positioned to record any person entering through this entrance. The CCTV recordings of this camera must be sufficient to enable the identity on an individual to be established beyond a reasonable doubt when:
- The person represents not less than 100% of screen height and there is an obstructed view of the persons face.
- In addition, CCTV cameras must be maintained throughout the premises with camera coverage to specifically record images of the following area: All other public entrances and exits whether or not in use at the time, such as staircases in multilevel premises, all portions of the floor area accessible to the public where entertainment is provided, i.e toilet external entrances, all general areas accessible by the public, and the footpath area directly adjacent to the premises.
- The CCTV recordings of these cameras must be sufficient to enable the recognition of a person. A viewer must be able to say with a high degree of certainty whether or not an individual shown is the same as someone they have seen before when the person represents not less that 50% of screen height and, there is an unobstructed view of the persons face.
- Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.
- Camera recordings must meet the standards set in (a) and (c) at all times, either by way of camera technology and settings and, or by maintenance of lighting, camera positioning, camera shades and other environmental factors', Recordings must be in digital format, record at a minimum of ten frames per second and, commence 1 hour prior to opening and operate continuously until at least 1 hour after closure.
- The correct time date and camera identification must be automatically embedded on all recordings and be able to be read when image is played back on a different system without interfering with the view of the target area.
- Recordings should be retained for a period of 30 days before being reused or destroyed. The licensee shall ensure that no person is able to delete or alter any recordings within the 30 day period.
- When the venue is open and trading, at least one person shall be at the venue that is capable of accessing the CCTV system and is able to immediately review recordings and produce copies,
- Immediate access to the CCTV systems and the ability to review recordings on the system is to be granted to members of the NSW Police Force, inspectors of the Office of Liquor Gaming & Racing or any other regulatory officer upon request.
- The CCTV system shall be able to reproduce a copy of the recordings on compact disk, DVD or USB memory stick and must be provided within one working day to members of the NSW Police Force inspectors of the Office of Liquor Gaming & Racing or any other regulatory officer upon request. Prior to the commencement of trade each day, the CCTV system shall be checked to ensure the equipment is in full operating order. If during the daily check or at any other time, it is discovered that the equipment is not in full operating order, the licensee is to notify the Local Area Commander or delegate within 2 days.

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All reasonable steps must be undertaken to repair the system as soon as practicable.

5

#### Lighting-

There is a proven correlation between poor lighting, fear of crime, the avoidance of public places and crime opportunity (Painter, 1997). Good lighting can assist in increasing the usage of an area. There is no information with the plans, which were reviewed to indicate the lighting proposals for the car park.

Lighting should meet minimum standards. Crime and fear reduction are specified as key objectives in Australian lighting standard AS1158 for public streets, car parks and pedestrian areas.

Effective lighting contributes to public safety by reducing fear, increasing community activity, improving visibility and increasing the chance that offenders will be detected and apprehended. The Canadian METRAC Group (Toronto City Council) recommends a 15 metre facial recognition test in public places. This yardstick is often applied as a non-technical measure of lighting effectiveness.

Walking from overtly bright places into dark places, or dark to light places can lessen a pedestrian's ability to see and recognize people, objects and colours. Transition lighting can help to reduce (night) vision impairment.

#### General Comments in Design for Lighting:

- Lighting should be designed to the Australian and New Zealand Lighting Standards.
- Australia and New Zealand Lighting Standard 1158.1 Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels.
- Lighting layout for the outdoor areas shout be Anti Vandal type lights which are a better option, for both lighting and maintenance.

#### Recommended Conditions of Consent:

- A lighting maintenance policy needs to be established for the development.
- Australian and New Zealand Lighting Standard 1158 Car Parks, must be used especially in undercover type parking in each block.
- Public area lighting must be bright and even (to permit facial recognition of approaching persons at 15 metres).
- Public or outdoor lighting to be addressed.
- All lighting should be vandal proof throughout the complex.

# NSW POLICE FORCE **REGRUITING NOW** 1800 222 12

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Safer by Design – Central Hills Drive Gregory Hills pub. 6 Landscaping

Landscaping can be used to enhance the appearance of the development and assist in reducing opportunities for vandalism. However, landscaping can also provide concealment or entrapment areas for people involved in criminal behaviour.

#### General Conditions of Consent:

- Some predatory offenders, seek pockets and enclosures created by vegetation/landscaping. When selecting and maintaining vegetation, consideration should be given to the possibility of areas becoming entrapment sites in the future especially at rear open space areas.
- A safety convention is to have 3-5 metres of cleared space on either side of pathways. Thereafter, vegetation is stepped back in height to mazimise sightlines.
- A safety convention for vegetation is: lower tree limbs should be above average head height, and shrubs should not provide easy concealment.
- Landscaping can greatly interfere with residential setbacks (such as front yards). These areas require good sight lines from private vantage points to public areas therefore it is important that landscaping does not inhibit surveillance.

#### Recommended Conditions of Consent:

- Landscaping close to the building should be regularly maintained to ensure branches cannot act as natural ladders to gain access to higher parts of the buildings.
- Vegetation to be 3-5 metres clear of pathways.

#### Access Control.

- After 7 pm each day, a certificated security person to be on duty at the pub until it closes. One of that person's duties will be to oversee the entry of patrons into the pub. Another will be to assist staff in maintaining decorum in the pub.
- Signage at front entry to the establishment to read Mon to Saturday 7pm to 12.30am and, Sundays 7pm to 10.30pm as per standard trading hours for a hotel.
- After 7pm on any day, the licensee to have, at least, TWO licensed security operatives for crowd control and property protection duties at the hotel.
- A minimum of two licensed security operatives to be engaged by hotel management from 7.00pm, Monday to Sunday, until 30 minutes after closing. If the hotel has any major functions, events, or entertainment additional security operatives are to be engaged by hotel management at a ratio of 1:100 patrons.

Announcement and Display Signs - Leave Hotel Quietly

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That an announcement is made by hotel PA system to patrons in the hotel at closing time, to leave the hotel and car park quietly to respect the quiet and good order of the neighbourhood. That signs be erected at hotel exits and the car park exits requesting that patrons depart the hotel quietly.

#### **Territorial Re-enforcement**

Criminals rarely commit crime in areas where the risk of detection and challenges are high. People who have guardianship or ownership of areas are more likely to provide effective supervision and to intervene in crime than passing strangers. Effective guardians are often ordinary people who are spatially 'connected' to a place and feel an association with, or responsibility for it. Territorial Re-enforcement uses actual and symbolic boundary markers, spatial legibility and environmental cues to 'connect' people with space, to encourage communal responsibility for public areas and facilities, and to communicate to people where they should/not be, and what activities are appropriate.

#### General Conditions of Consent:

- D The boundaries of the development are reasonably well defined and reenforced by fencing and landscaping.
- Consider signage, which might be used in and around the development. Confusion resulting from vague entry design can legitimise exploration, trespassing and excuse making by opportunistic criminals. Entries should be legible and inviting.
- Car park design and definitional legibility can help (or hinder) way finding. Knowing how and where to enter/exit and find assistance can impact perceptions of safety, victim vulnerability and crime opportunity. Signage should reinforce (not be an alternative to effective design).

#### **Environmental Maintenance**

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All space, even well planned and well-designed areas need to be effectively used and maintained to maximise community safety. Places that are infrequently used are commonly abused. There is a high correlation between urban decay, fear of crime and avoidance behaviour.

#### Recommended Conditions of Consent:

A graffiti management plan needs to be incorporated into the maintenance plan for the development. Research has shown that the most effective strategy for reducing graffiti attacks is the quick removal of such materials generally with a forty-eight hour period.

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#### Activity and Space Management

Space /Activity management strategies are an important way to develop and maintain natural community control. Space management involves the formal supervision, control and care of the development. All space, even well planned and well-designed areas need to be effectively used and maintained to maximize community safety. Places that are infrequently used are commonly abused. There is a high correlation between urban decay, fear of crime and avoidance behaviour.

8

#### General Comments:

- As residents within this area have been targeted for malicious damage, break enter and steal, and stealing's, it is important that access to and from the development be established and maintained.
- Natural ladders are building features, trees or nearby structures that can help a criminal to climb to balconies, rooftops, ledges and windows.

We would like to thank you for the opportunity of inspecting the plans for this development and should you require further information on the subjects mentioned within this report feel free to contact Constable Greg Louden, Crime Prevention Officer, Camden Local Area Command, phone 46324459 or Email loud1gre@police.nsw.gov.au

Yours faithfully,

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Ward Hanson. Superintendent Commander Camden Local Area Command.

#### Disclaimer

The New South Wales Police have a vital interest in ensuring the safety of members of the community and their property. By using the recommendations contained in this evaluation, any person who does so acknowledges that:-It is not possible to make areas evaluated by the New South Wales Police, absolutely safe for members of the community or their property.

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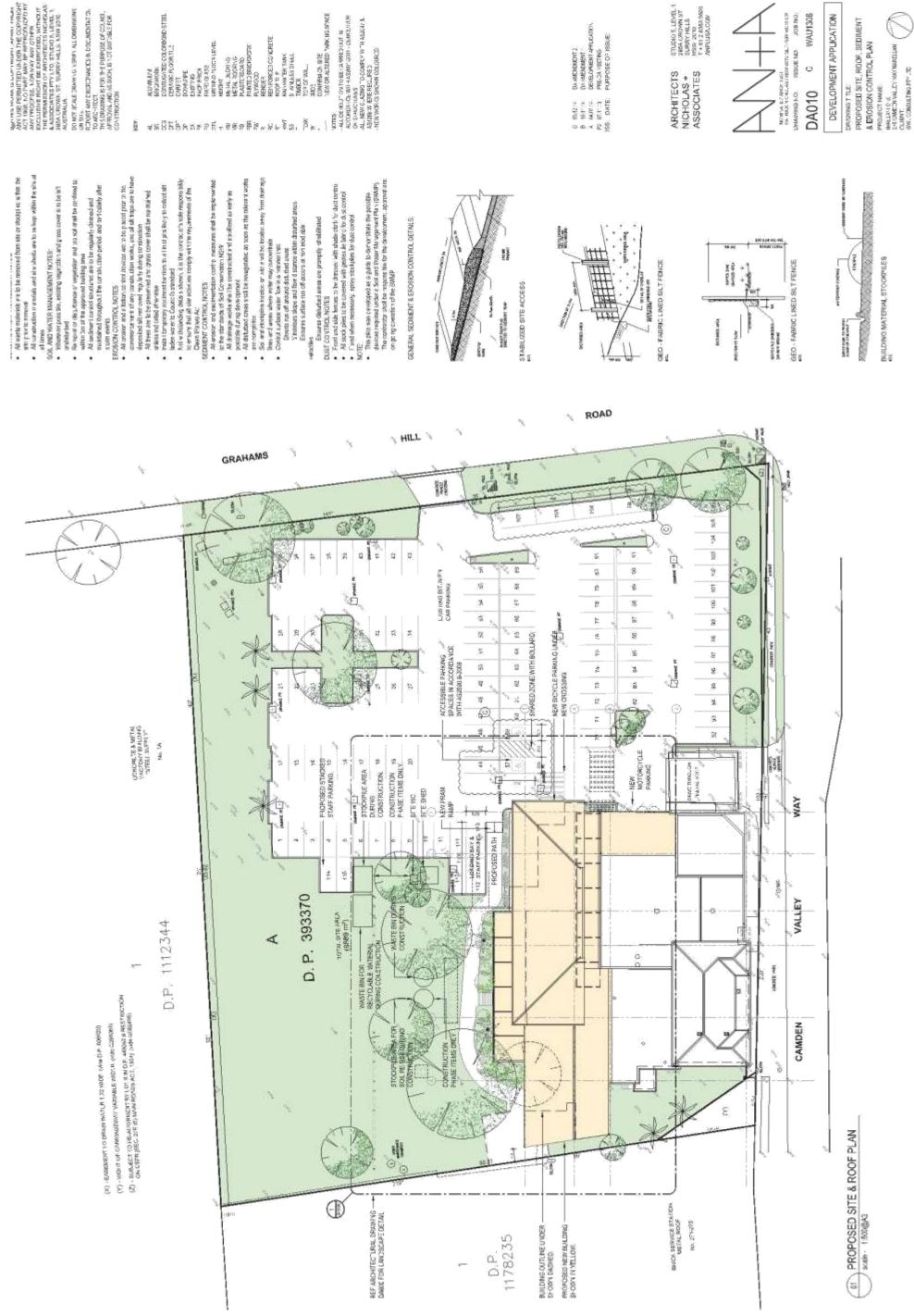
It is based upon the information provided to the New South Wales Police, at the time the evaluation was 2 made.

3. The evaluation is a confidential document and is for use by the consent authority or organization referred to on page 1 only.

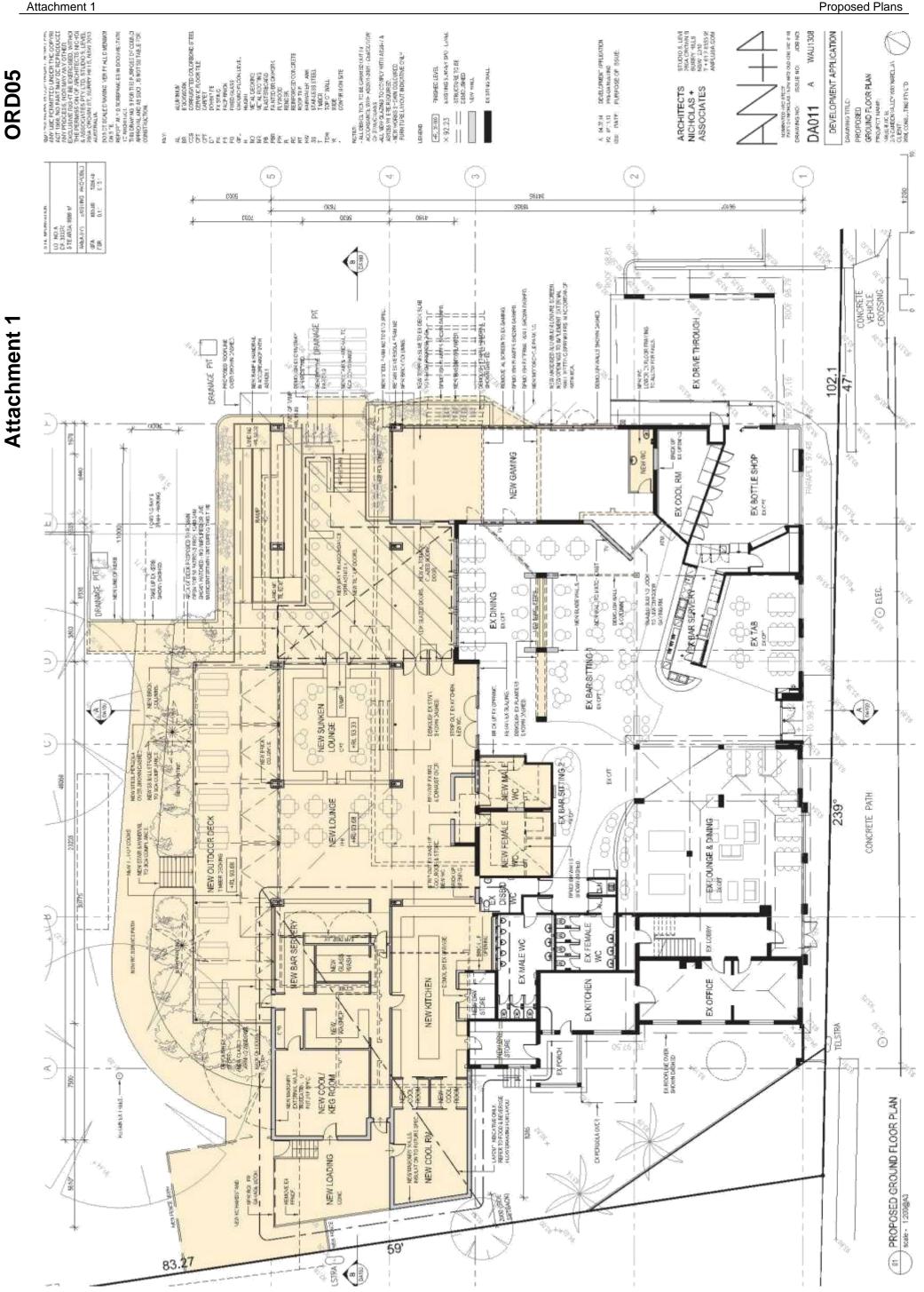
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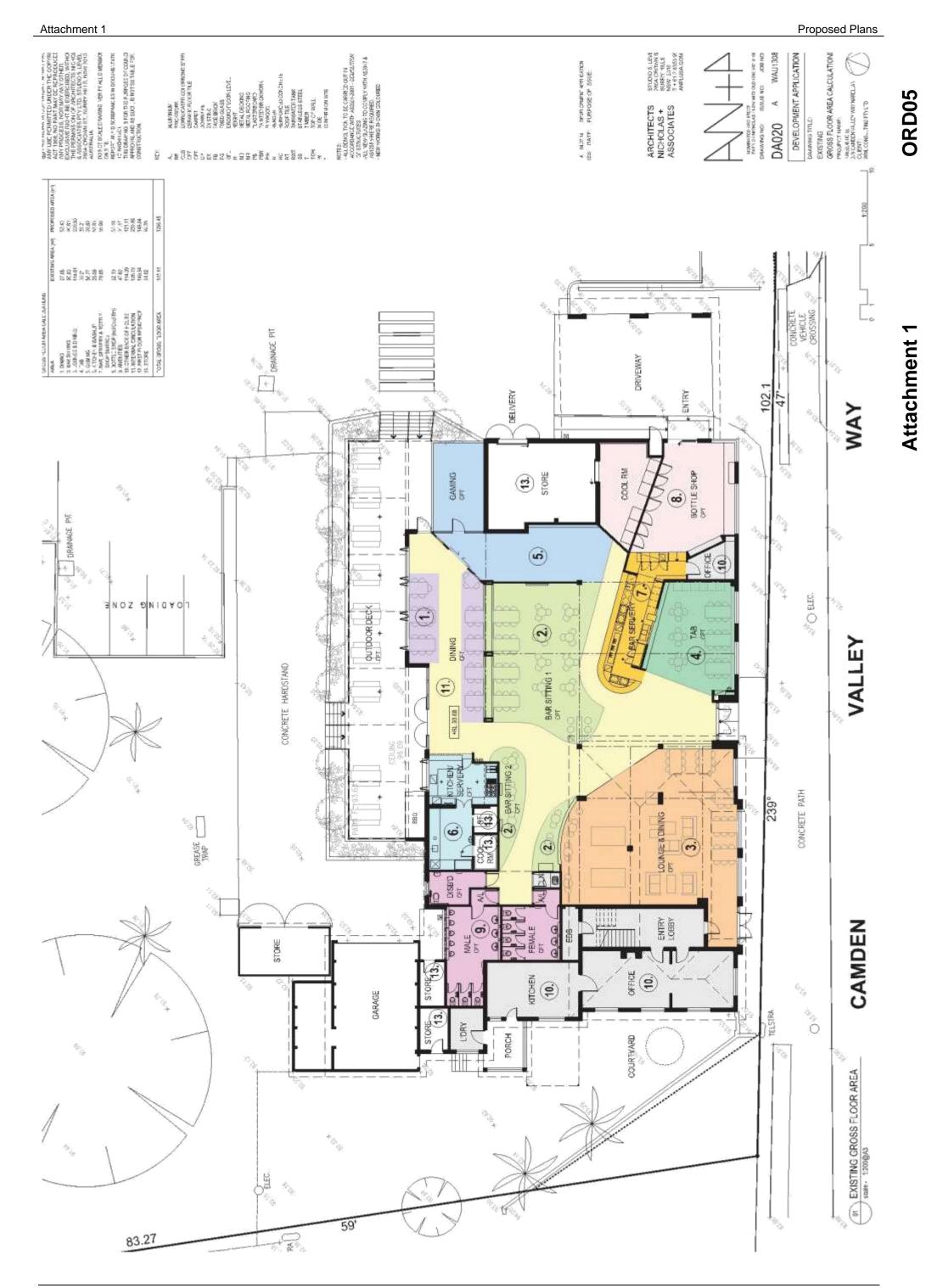
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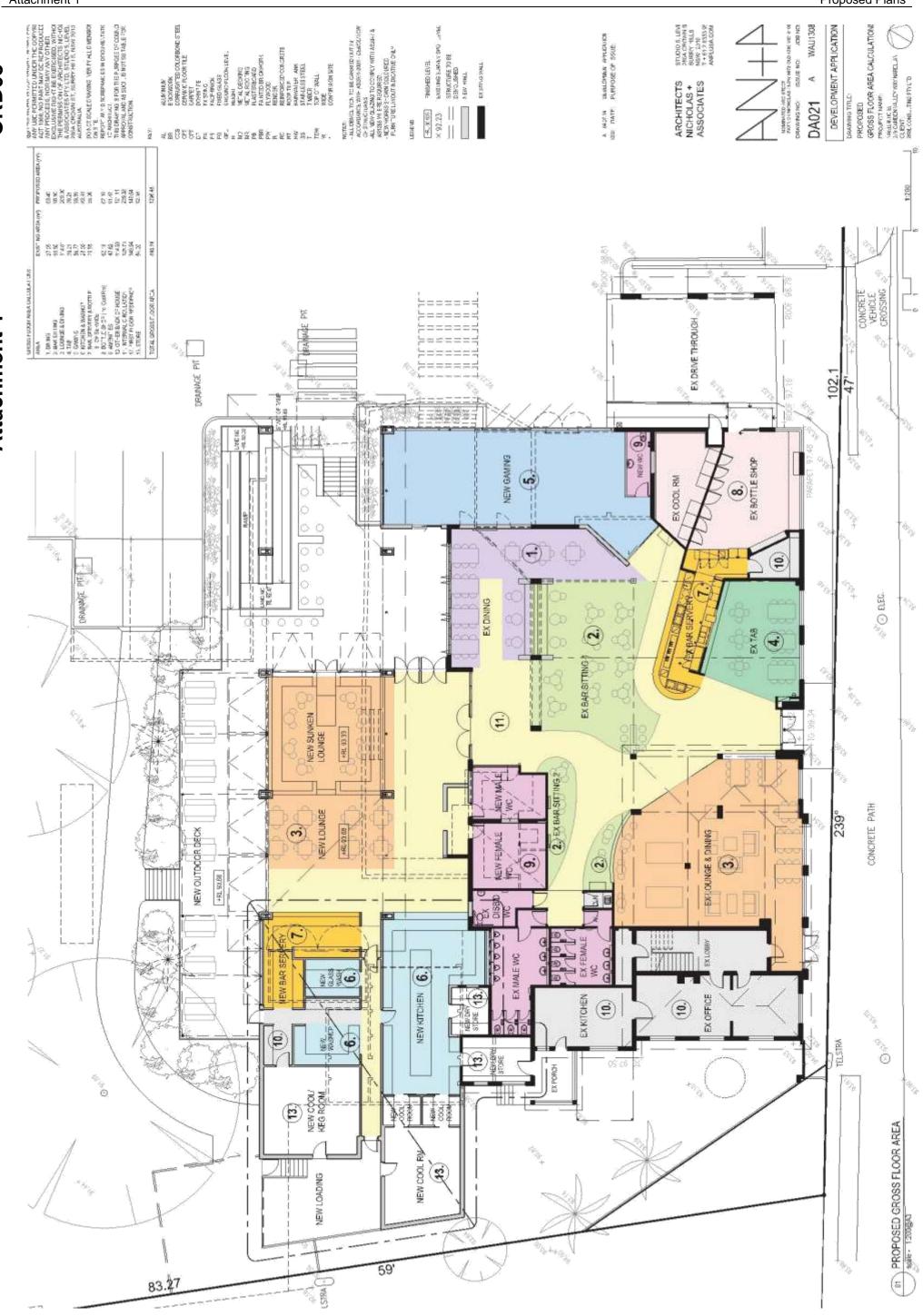
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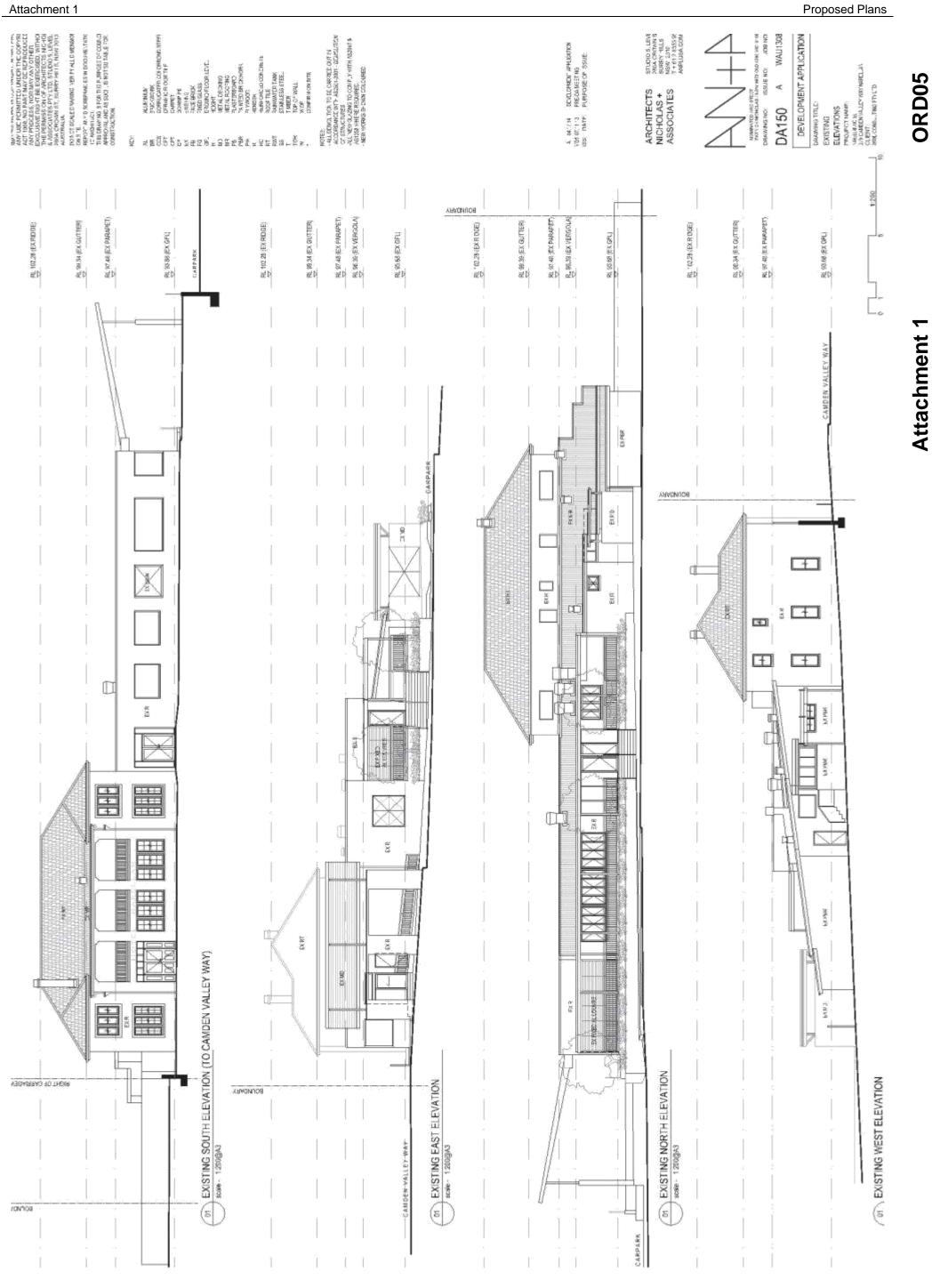


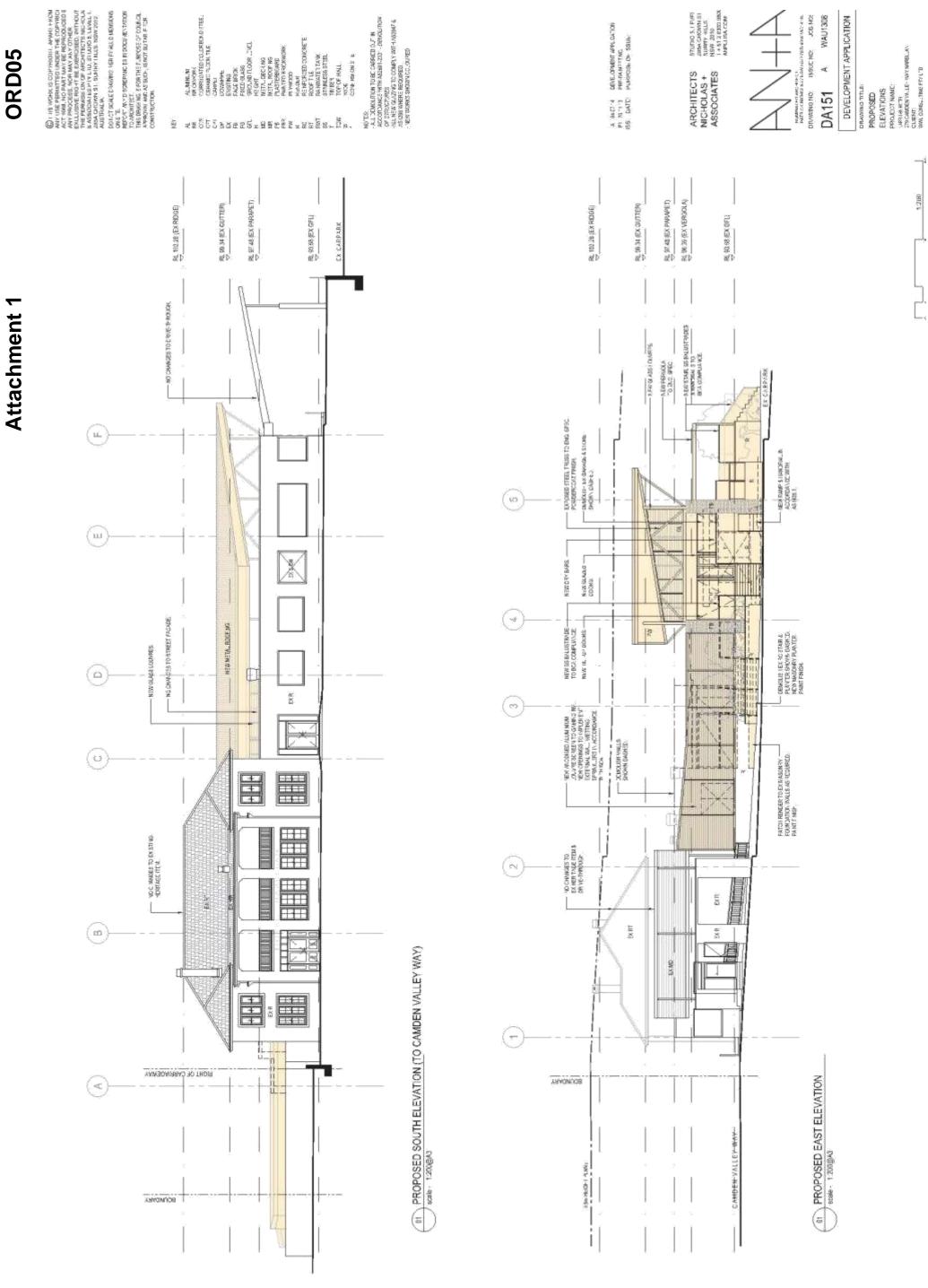




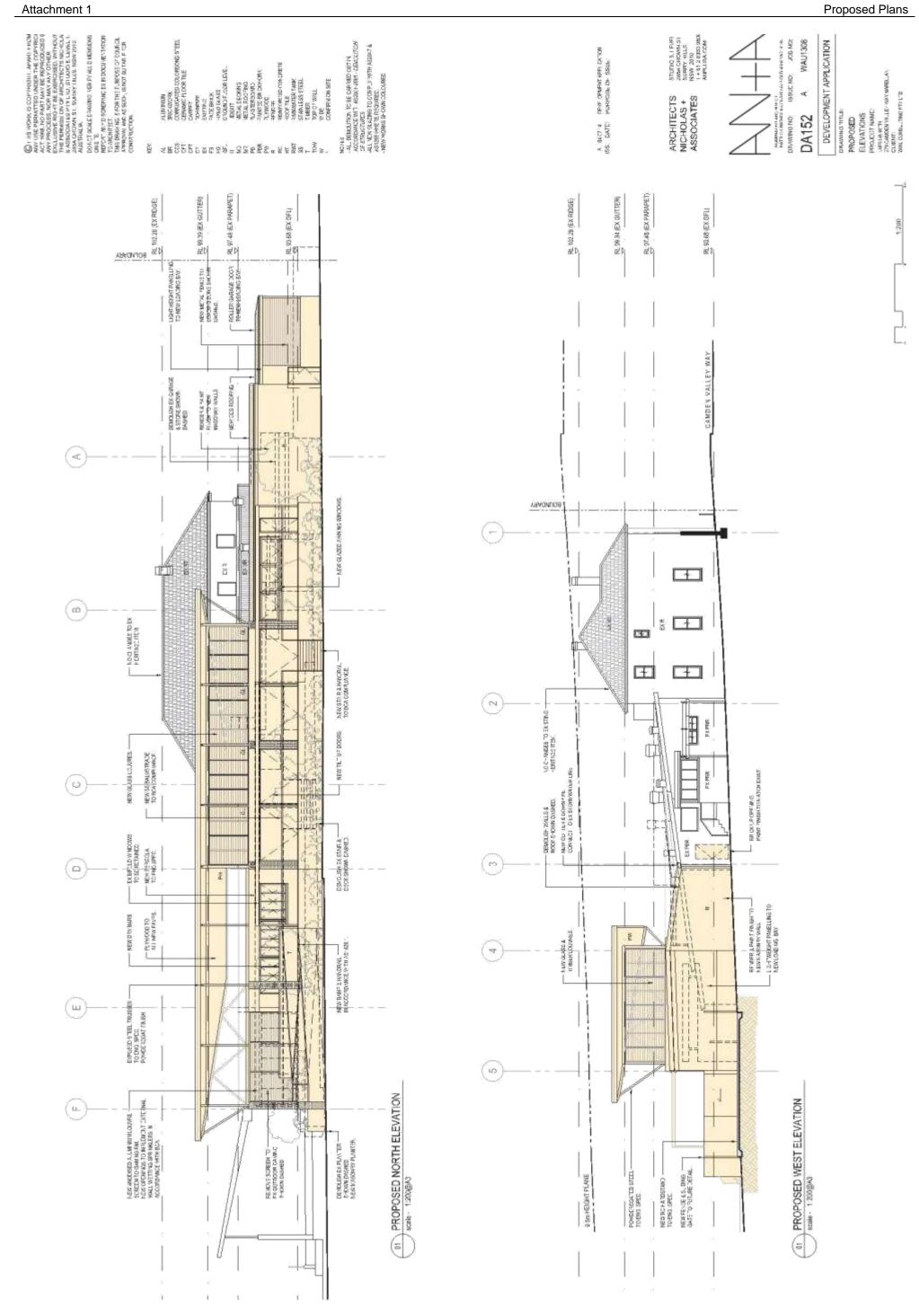
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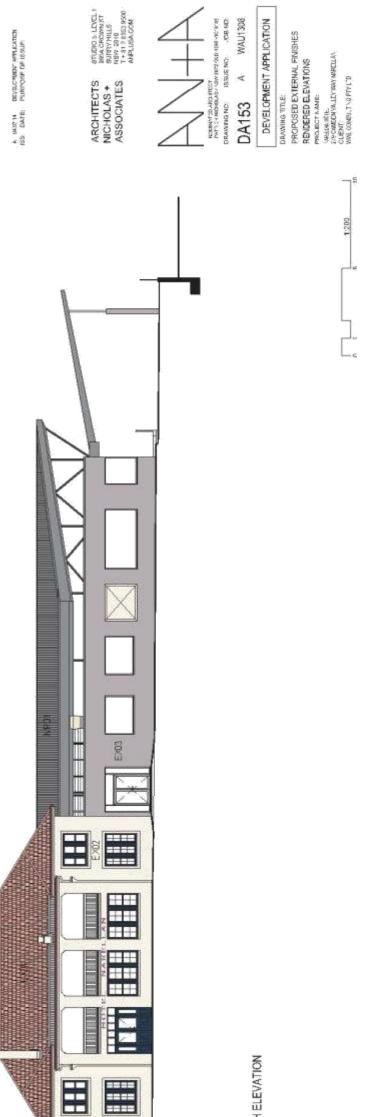


Proposed Plans

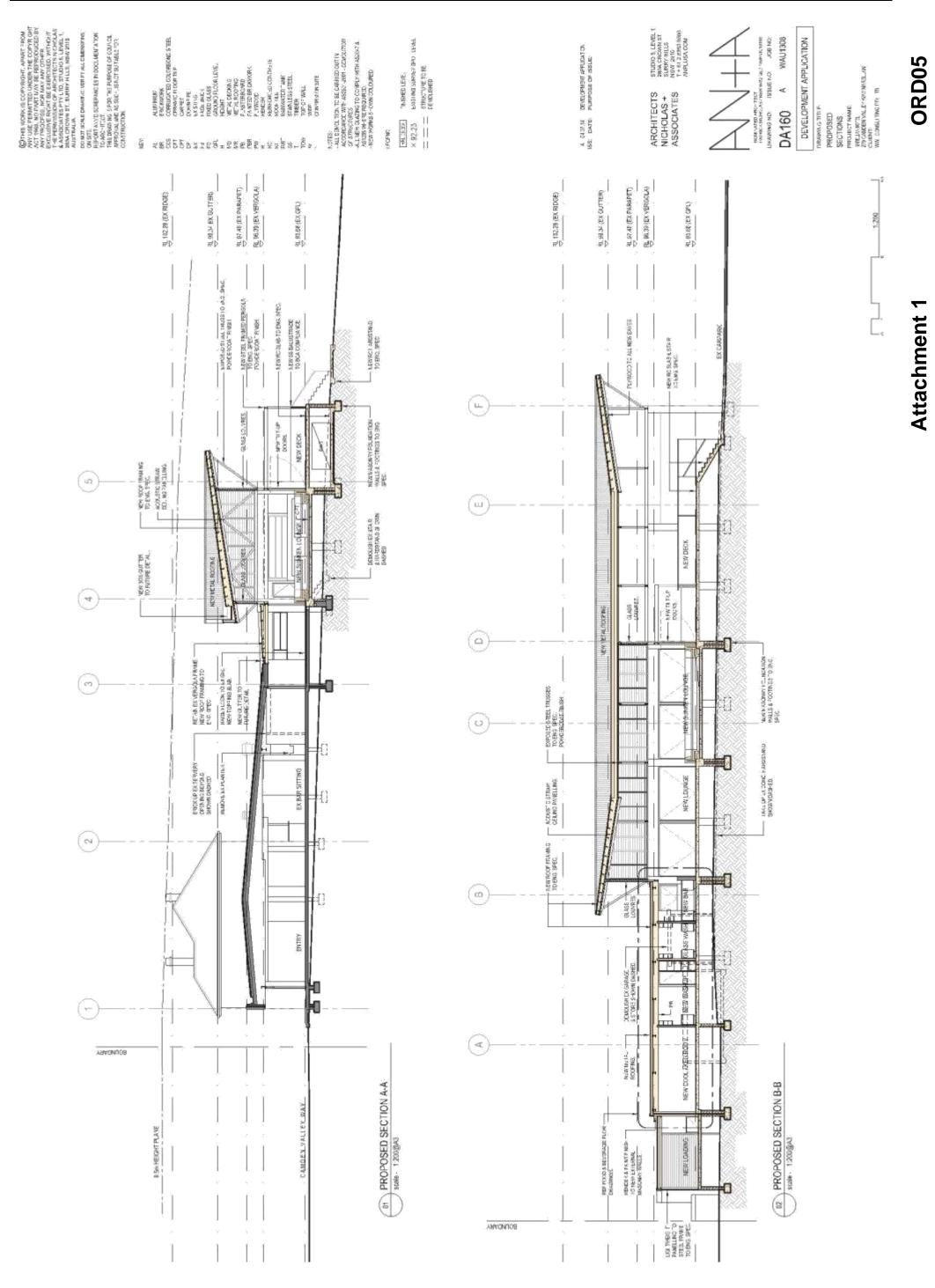
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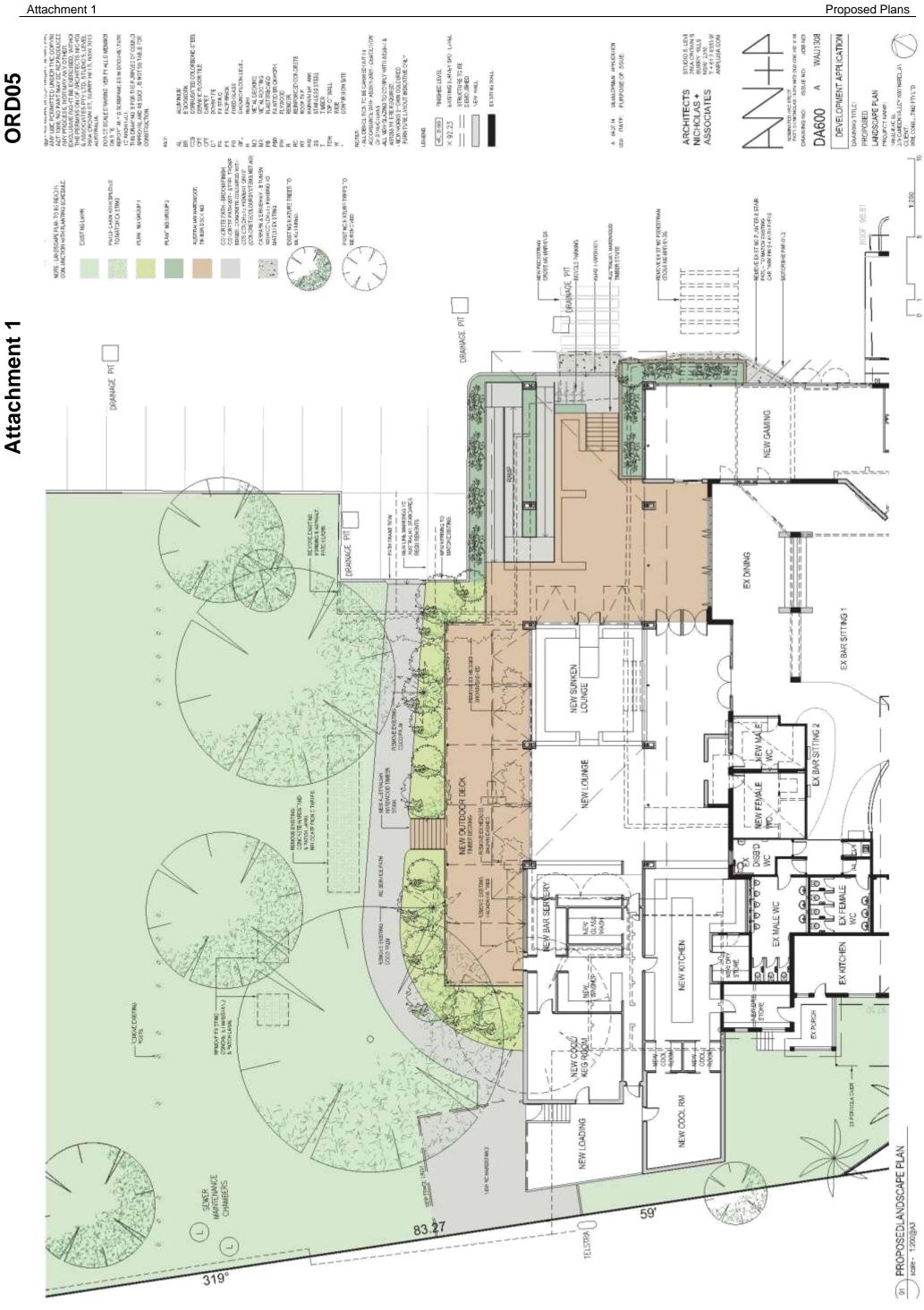
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Proposed Plans

Supporting Documents for the Ordinary Council Meeting held on 10 February 2015 - Page 54

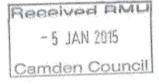
Safer by Design – Narellan Hotel

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Miss A McGrath Camden Council 37 John Street. Camden NSW 2570 11 December 2014



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#### DA 800/2014, Lot: A DP: 393370: Narellan Hotel 279 Camden valley way Narellan.

On Thursday 11 December 2014, a Safer by Design Evaluation was conducted on DA 800/2014, for the Construction of extensions and alterations to the Narellan Hotel and associated site works.

In April 2001 the NSW Minister for Planning introduced Crime Prevention Guidelines to Section 79C of the Environmental Planning and assessment Act, 1979. These guidelines require consent authorities to ensure that development provides safety and security to users and the community. 'If a development presents a crime risk, the guidelines can be used to justify modification of the development on the grounds that crime risk cannot be appropriately minimised'.

The Guidelines contain two parts. 'Part A details the need for a formal crime risk assessment (Safer by Design Evaluation) to be done in conjunction with trained police, and Part B outlines basic Crime Prevention Through Environmental Design (CPTED) principles and strategies that can be used by consent authorities to justify the modification proposals to minimise risk'. (DUAP 2001:2)

#### Crime Prevention Through Environmental Design (CPTED)

Crime Prevention Through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles that reduce the likelihood of essential crime ingredients from intersecting in time and space.

CAMDEN Local Area Command Narellan Police Station 278 Camden Valley Way, NARELLAN NSW 2567 Telephone 02 46324459 Facsimile 02 46324455 ENet 84459 EFax 84455 TTY 9211 3776 (Hearing/Speech impared) ABM 43 405 ets 160

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Safer by Design – Narellan Hotel

Predatory offenders often make cost-benefit assessments of potential victims and locations before committing crime. CPTED aims to create the reality (or perception) that the costs of committing crime are greater than the likely benefits. This is achieved by creating environmental and social conditions that:

- Maximise risk to offenders (increasing the likelihood of detection, challenge and apprehension).
- Maximise the effort required to commit crime (increasing the time, energy and resources required to commit crime)
- Minimise the actual and perceived benefits of crime (removing, minimising or concealing crime attractors and rewards) and
- Minimise excuse making opportunities (removing conditions that encourage/facilitate rationalisation of inappropriate behaviour)

2

CPTED employs four key strategies. These are surveillance, access control, territorial re-enforcement and space/activity management.

- Surveillance
- Access Control,
- Territorial re-enforcement and 0
- Space/activity management.

### Site Description

The proposed development is for the Construction of extensions and alterations to the Narellan Hotel and associated site works

### Site Risk Rating

The NSW Police Safer by Design Evaluation process is based upon Australia and New Zealand Risk Management Standard ANZS4360:1999. It is a contextually flexible, transparent process that identifies and quantifies crime hazards and location risk. Evaluation measures include crime likelihood (statistical probability), consequence (crime outcome), distributions of reported crime (hotspot analysis), socio-economic conditions (relative disadvantage), situational hazards and crime opportunity.

After conducting this process the rating for this development has been identified as, Low Crime Risk.

## 1. Surveillance

Natural surveillance is achieved when normal space users can see and be seen by others. This highlights the importance of building layout, orientation and location; the strategic use of design; landscaping and lighting. Natural surveillance is a by-product



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Police comments

Safer by Design - Narellan Hotel

of well-planned, well-designed and well-used space. *Technical/mechanical Surveillance* is achieved through mechanical/electronic measures such as CTV, help points and mirrored building panels. *Technical/mechanical Organised*) *Surveillance* is achieved through the tactical positioning of guardians. An example would be the use of on-site supervisors at higher risk locations.

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Natural surveillance is an important element capable guardianship. When supervision is lacking, the perception of surveillance can be created to deter opportunistic criminals. Offenders often scan their surroundings to see if they are being watched. Objects, areas and structures capable of concealing an offender (especially near pedestrian routes) increase crime risk.

#### Recommended Conditions of Consent:

- Entry/Exit points should be designed so as to maximize surveillance opportunities to and from these areas from both inside, as well as outside.
- Vegetation, is to be maintained in and around the hotel, to maximise natural Surveillance. In particular vegetation around the new outdoor decking area to be maintained so as to maintain sightlines.
- CCTV cameras installed internally and externally of the hotel, i.e Entry and exit points, rest rooms, gaming room areas, outdoor areas.
- The applicant to install a comprehensive system of CCTV surveillance of the surrounds of the building and the car park. This will be integrated into the pub's overall CCTV system, the general specifications for which appear in the Venue Management Plan which forms Annexure 10 to the Statement of Environmental Effects. Signs will be erected at strategic locations in the car park and in the building advising that CCTV surveillance is in use.
- CCTV standards in licence premises throughout internal external areas of the hotel. These be adhered and for the CCTV cameras to be checked on a regular basis to ensure they are working.
- The combination of staff, CCTV surveillance and security personnel (when on duty) will manage the interior AND EXTERIOR of the pub.

**CCTV Conditions** 

- An In Venue CCTV must maintain a CCTV system that meets the following requirements:
- A camera must be located at the main entrance to the venue and positioned to record any person entering through this entrance. The CCTV recordings of this camera must be sufficient to enable the identity on an individual to be established beyond a reasonable doubt when:
- The person represents not less than 100% of screen height and there is an obstructed view of the persons face.
- In addition, CCTV cameras must be maintained throughout the premises with camera coverage to specifically record images of the following area: All other public entrances and exits whether or not in use at the time, such as staircases in multilevel premises, all portions of the floor area accessible to the public where entertainment is provided, i.e toilet external entrances, all general areas accessible by the public, and the footpath area directly adjacent to the premises.

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- Safer by Design Narellan Hotel
  - The CCTV recordings of these cameras must be sufficient to enable the recognition of a person. A viewer must be able to say with a high degree of certainty whether or not an individual shown is the same as someone they have seen before when the person represents not less that 50% of screen height and, there is an unobstructed view of the persons face.

- Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.
- Camera recordings must meet the standards set in (a) and (c) at all times, either by way of camera technology and settings and, or by maintenance of lighting, camera positioning, camera shades and other environmental factors', Recordings must be in digital format, record at a minimum of ten frames per second and, commence 1 hour prior to opening and operate continuously until at least 1 hour after closure.
- The correct time date and camera identification must be automatically embedded on all recordings and be able to be read when image is played back on a different system without interfering with the view of the target area.
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- When the venue is open and trading, at least one person shall be at the venue that is capable of accessing the CCTV system and is able to immediately review recordings and produce copies,
- Immediate access to the CCTV systems and the ability to review recordings on the system is to be granted to members of the NSW Police Force, inspectors of the Office of Liquor Gaming & Racing or any other regulatory officer upon request.
- The CCTV system shall be able to reproduce a copy of the recordings on compact disk, DVD or USB memory stick and must be provided within one working day to members of the NSW Police Force inspectors of the Office of Liquor Gaming & Racing or any other regulatory officer upon request. Prior to the commencement of trade each day, the CCTV system shall be checked to ensure the equipment is in full operating order. If during the daily check or at any other time, it is discovered that the equipment is not in full operating order, the licensee is to notify the Local Area Commander or delegate within 2 days. All reasonable steps must be undertaken to repair the system as soon as practicable.

#### Lighting-

There is a proven correlation between poor lighting, fear of crime, the avoidance of public places and crime opportunity (Painter, 1997). Good lighting can assist in increasing the usage of an area. Lighting needs to be considered around the car parking areas.

Lighting should meet minimum standards. Crime and fear reduction are specified as

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Safer by Design – Narellan Hotel

key objectives in Australian lighting standard AS1158 for public streets, car parks and pedestrian areas.

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Effective lighting contributes to public safety by reducing fear, increasing community activity, improving visibility and increasing the chance that offenders will be detected and apprehended. The Canadian METRAC Group (Toronto City Council) recommends a 15 metre facial recognition test in public places. This yardstick is often applied as a non-technical measure of lighting effectiveness.

Walking from overtly bright places into dark places, or dark to light places can lessen a pedestrian's ability to see and recognize people, objects and colours. Transition lighting can help to reduce (night) vision impairment.

#### General Comments in Design for Lighting:

- Lighting should be designed to the Australian and New Zealand Lighting Standards.
- Australia and New Zealand Lighting Standard 1158.1 Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels.
- Lighting layout for the outdoor areas shout be Anti Vandal type lights which are a better option, for both lighting and maintenance.

#### Recommended Conditions of Consent:

- A lighting maintenance policy needs to be established for the development.
- Australian and New Zealand Lighting Standard 1158 Car Parks, must be used.
- Public area lighting must be bright and even (to permit facial recognition of approaching persons at 15 metres).
- Outdoor lighting to be addressed i.e sensor lights installed around car parks and exit and entry points.
- a All lighting should be vandal proof throughout the complex.

#### Natural Surveillance /Landscaping

Landscaping can be used to enhance the appearance of the development and assist in reducing opportunities for vandalism. However, landscaping can also provide concealment or entrapment areas for people involved in criminal behaviour.

#### General Conditions of Consent:

Some predatory offenders, seek pockets and enclosures created by vegetation/landscaping. When selecting and maintaining vegetation, consideration should be given to the possibility of areas becoming entrapment sites in the future especially at rear open space areas.

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- Safer by Design Narellan Hotel
  - A safety convention is to have 3-5 metres of cleared space on either side of pathways. Thereafter, vegetation is stepped back in height to mazimise sightlines.

- A safety convention for vegetation is: lower tree limbs should be above average head height, and shrubs should not provide easy concealment.
- Landscaping can greatly interfere with residential setbacks (such as front yards). These areas require good sight lines from private vantage points to public areas therefore it is important that landscaping does not inhibit surveillance.

#### Recommended Conditions of Consent:

- Landscaping close to the building should be regularly maintained to ensure branches cannot act as natural ladders to gain access to higher parts of the hotel.
- Vegetation to be 3-5 metres clear of pathways.

#### Access Control.

Decrease the crime opportunity – Attract, channel or restrict the movement of people or vehicles through landscaping, barriers and or personnel I.e. Security guards. By making it clear where people are permitted to go or not go, it becomes difficult for potential offenders to reach and victimise people and their property. Illegible boundary markers and confusing spatial definition make it easy for criminals to make excuses for being in the restricted area.

- A certificated security person to be on duty at the pub until it closes. One of that person's duties will be to oversee the entry of patrons into the pub. Another will be to assist staff in maintaining decorum in the pub.
- Signage at front entry to the establishment to read Mon to Saturday 9am to 4am and, Sundays 10am to 12am as per DA 1231/2009 trading hours for the hotel.
- A minimum of one licensed security operative to be engaged by hotel management Thursday to Saturday, until 30 minutes after closing. If the hotel has any major functions, events, or entertainment additional security operatives are to be engaged by hotel management at a ratio of 1:100 patrons.
- From midnight onwards no alcoholic / non alcoholic drinks to be permitted in the Restricted /Designated hatched area as detailed on Drawing number DA011 issue A, this area is for smoking only.

#### Announcement and Display Signs – Leave Hotel Quietly

That an announcement is made by hotel PA system to patrons in the hotel at closing time, to leave the hotel and car park quietly to respect the quiet and good order of the neighborhood. That signs be erected at hotel exits and the car park exits requesting that patrons depart the hotel quietly.

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#### Police comments

Attachment 2

Safer by Design – Narellan Hotel

#### Security Guards.

- Thursday- 10pm to close x 1 security guard, minimum.
- Friday 6pm to close x 1 security guard, minimum.
- Saturday 8pm to close x 1 security guard, minimum.
- Sunday Nil, depending on functions or events.

#### **Territorial Re-enforcement**

Criminals rarely commit crime in areas where the risk of detection and challenges are high. People who have guardianship or ownership of areas are more likely to provide effective supervision and to intervene in crime than passing strangers. Effective guardians are often ordinary people who are spatially 'connected' to a place and feel an association with, or responsibility for it. *Territorial Re-enforcement* uses actual and symbolic boundary markers, spatial legibility and environmental cues to 'connect' people with space, to encourage communal responsibility for public areas and facilities, and to communicate to people where they should/not be, and what activities

#### General Conditions of Consent:

are appropriate.

- The boundaries of the development are reasonably well defined and reenforced by fencing and landscaping.
- Consider signage, which might be used in and around the development. Confusion resulting from vague entry design can legitimise exploration, trespassing and excuse making by opportunistic criminals. Entries should be legible and inviting.
- Car park design and definitional legibility can help (or hinder) way finding. Knowing how and where to enter/exit and find assistance can impact perceptions of safety, victim vulnerability and crime opportunity. Signage should reinforce (not be an alternative to effective design).

#### Environmental Maintenance

All space, even well planned and well-designed areas need to be effectively used and maintained to maximise community safety. Places that are infrequently used are commonly abused. There is a high correlation between urban decay, fear of crime and avoidance behaviour.

#### Recommended Conditions of Consent:

A graffiti management plan needs to be incorporated into the maintenance plan for the development. Research has shown that the most effective strategy for reducing graffiti attacks is the quick removal of such materials generally with a forty-eight hour period.

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- Safer by Design Narellan Hotel
  - Car park to be maintained i.e broken glass bottles can be used as weapons, an obviously poorly maintained car park will bring problems.

#### Activity and Space Management

Space /Activity management strategies are an important way to develop and maintain *natural* community control. Space management involves the formal supervision, control and care of the development. All space, even well planned and well-designed areas need to be effectively used and maintained to maximize community safety. Places that are infrequently used are commonly abused. There is a high correlation between urban decay, fear of crime and avoidance behaviour.

#### General Comments:

- As residents within this area have been targeted for malicious damage, break enter and steal, and stealing's, it is important that access to and from the development be established and maintained.
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We would like to thank you for the opportunity of inspecting the plans for this development and should you require further information on the subjects mentioned within this report feel free to contact Constable Greg Louden, Crime Prevention Officer, Camden Local Area Command, phone 46324459 or Email loud1gre@police.nsw.gov.au

Yours faithfully,

Ward Hanson. Superintendent Commander Camden Local Area Command.

#### Disclaimer

The New South Wales Police have a vital interest in ensuring the safety of members of the community and their property. By using the recommendations contained in this evaluation, any person who does so acknowledges that:-1. It is not possible to make areas evaluated by the New South Wales Police, absolutely safe for members of the community or their property.

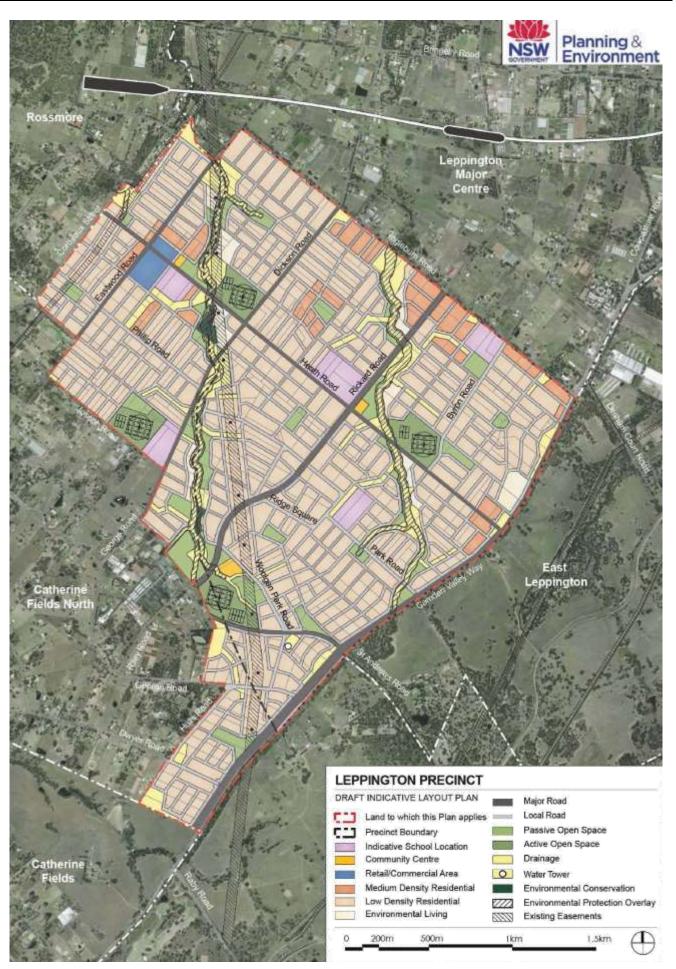
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4. The contents of this evaluation are not to be copied or circulated otherwise that for the purposes of the consent authority or organization referred to on page 1.

The New South Wales Police hopes that by using the recommendations contained in this document, criminal activity will be reduced and the safety of members of the community and their property will be increased. However, it does not guarantee that all risks have been identified, or that the area evaluated will be free from criminal activity if its recommendations are followed.

NSW POLICE FORCE RECRUITING NOW 1800 222 122



**ORD06** 

# Attachment 1: Draft Indicative Layout Plan Key Features

Key features of the draft ILP are summarised in the following table extract from the Department of Planning and Environment's Leppington Precinct Planning Report.

ILP Feature	Description
Residential areas	<ul> <li>The draft ILP enables a minimum 7,190 dwellings and an estimated population of around 23,680 people. The draft ILP achieves an average residential density of at least 15 dwellings per hectare.</li> <li>The Precinct will comprise a mix of housing types ranging from town houses and terrace style houses to single dwellings on large blocks and potentially residential flat buildings, as follows:</li> <li>Low density residential housing with lot sizes minimum 225sqm but averaging around 450 sqm;</li> <li>Medium density and small lot housing in close proximity to the local centre, parks and areas of high landscape amenity, with minimum densities of 25 dwellings per hectare;</li> <li>Larger residential lots in the south of the Precinct to protect the visual curtilage of Raby House;</li> <li>Small areas of Environmental Living zone in the northern section of the Precinct, which will allow houses on large lots to respond to environmental constraints including flooding and topography; and</li> </ul>
	<ul> <li>Low Density Residential areas along electricity transmission easements with more flexible density requirements to enable economically viable development of constrained land.</li> </ul>
Retail areas	<ul> <li>The draft ILP establishes a local centre that accommodates up to 16,700m<sup>2</sup> of local shops and a community centre to service some of the needs of the future population.</li> <li>The Local Centre zone is:         <ul> <li>Located on the intersection of Heath Road and Eastwood Road and adjoined by medium density residential to ensure exposure to passing trade;</li> <li>Co-located with a community centre, primary school and open space, which will act as a community focal point; and</li> <li>Linked with the major pedestrian and cyclist routes throughout the Precinct;</li> </ul> </li> </ul>
Education Facilities	<ul> <li>The Precinct provides the indicative locations for 5 schools, one of which is a Kindergarten – Year 12 School. School sites are all located on existing roads and have been determined in close consultation with Camden Council and the Department of Education and Communities.</li> </ul>

# Attachment 1: Draft Indicative Layout Plan Key Features

ILP Feature	Description
Road network	<ul> <li>The draft ILP provides a permeable street network that responds to the sites strategic location, topography, existing cadastral boundaries and view corridors.</li> <li>The road hierarchy comprises:         <ul> <li>A north-south Transit Boulevard connecting to the future Leppington Town Centre, via a proposed extension to Rickard Road;</li> <li>Upgrades to Eastwood, St Andrews Road, Byron and Dickson Roads, to function as sub-arterial roads and provide improved access to the Precinct.</li> </ul> </li> </ul>
	<ul> <li>Access points to Precinct from Camden Valley Way are consistent with signalised intersections proposed by RMS as part of the Camden Valley Way upgrade.</li> <li>The draft II B accommendation upgrades to Camden Valley Way.</li> </ul>
	<ul> <li>The draft ILP accommodates upgrades to Camden Valley Way.</li> <li>The public transport network will:</li> </ul>
	<ul> <li>Be focused upon the collector and major road network, providing opportunities for bus routes to pass within walking distance of most homes and ensure access to schools, Leppington Major Centre, and to other regional destinations (e.g. Liverpool CBD); and</li> <li>Incorporate a future Rickard Road extension Transit Boulevard that will</li> </ul>
	link to the Leppington Major Centre and associated transport interchange focused on the new railway station, currently under construction.
Open space and community facilities	<ul> <li>The open space network comprises 34 hectares local parks and 22.5 hectares active parks that will be linked through a network of shared paths.</li> <li>Four playing fields located throughout the Precinct;</li> </ul>
	<ul> <li>Passive open space associated with the Kemps Creek and Scalabrini Creek corridors, of which approximately 2 hectares may be embellished for recreational use in the form of linear spaces incorporating pedestrian and cyclist paths along the length of the corridor;</li> </ul>
	<ul> <li>A contribution (in the draft Section 94 Contributions Plan) towards district open space and recreational facilities provided outside the Precinct (i.e. regional sporting facilities in Austral and Leppington North);</li> </ul>
	<ul> <li>Three community centres. One is located adjacent to the Local Centre. The second is located at the intersection of Heath Road and Rickard Road, between sporting facilities and a K-12 High School, and the third community centre is located on the intersection of Rickard Road and Woolgen Park Road, adjacent to the District Park.</li> </ul>

# Attachment 1: Draft Indicative Layout Plan Key Features

ILP Feature	Description
Pedestrian and cycleway network	<ul> <li>A network of shared paths link all the residential areas with the open spaces, the neighbourhood centre and adjoining urban areas.</li> <li>The internal pedestrian and cyclist network comprises:         <ul> <li>On road cycle lanes and off-road pedestrian or shared paths on all roads;</li> <li>Shared paths along both sides of the future Rickard Road extension; and</li> <li>Shared paths along one side of all collector streets.</li> </ul> </li> <li>Pedestrian paths and cycleways within the open space network are located along the riparian corridors.</li> <li>Four pedestrian bridges will be provided over Kemps Creek and Scalabrini Creek providing additional access within the Precinct.</li> </ul>
Protection of the environment	<ul> <li>The Kemps Creek and Scalabrini Creek corridors are flood affected and play an important role in water cycle management. Urban development will not be possible on flood affected land. The majority of these riparian corridors are incorporated into drainage and open space reserves and will be publicly owned and progressively rehabilitated.</li> <li>The Growth Centres SEPP has a Riparian Protection Area Map and provisions to ensure that riparian corridors are restored and managed in the future;</li> <li>Existing Native Vegetation is retained within the Kemps Creek and Scalabrini Creek corridors and protected to meet the requirements of the Biodiversity Certification.</li> </ul>
Heritage	<ul> <li>The draft ILP responds to the location of Raby House in the adjoining precinct and retains its visual prominence by requiring lower residential densities on land that is visible from Raby House. Roads have been aligned with view corridors to maintain views to Raby House from the Precinct.</li> <li>Local parks provide uninterrupted views across the Precinct and into neighbouring areas, such as towards Raby Estate and into East Leppington Precinct.</li> <li>Some areas of moderate Aboriginal cultural heritage significance will be protected within areas zoned Environmental Conservation.</li> <li>The Non-Indigenous Heritage assessment identified 11 items of local significance. Four items are proposed to be listed as heritage items and all items have been zoned low density residential to minimise impact on the heritage items but still provide some development potential.</li> </ul>

Following is an extract from the Department of Planning & Environment's *Leppington Precinct Planning Report* that identifies "infrastructure service risks to the Precinct".

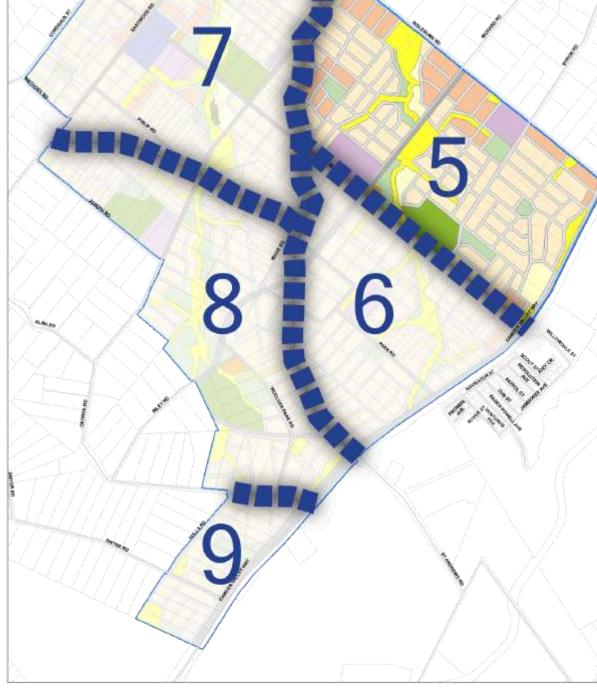
As the rate of development of the Leppington Precinct will be dependent on market conditions, the current programs for infrastructure delivery assumed by the infrastructure providers are indicative only. As such, should the actual rate of development differ from those assumed in the service infrastructure planning there will be potential risks of underutilised infrastructure or constraints in available service infrastructure capacity. Conversely, higher than anticipated demand may require earlier provision of infrastructure.

The key service infrastructure delivery program risks are identified as follows:

- Sydney Water has general plans for servicing the Precinct with potable water and sewerage. However, these are not yet finalised. Sewer capacity will be limited to the northern portion of the Precinct with no further commitment for the extension of the Bringelly Road Carrier into the Precinct. This extension will not be provided until significant development is anticipated within a known timeframe. As such, funding for these works has not yet been committed. Furthermore, these initial infrastructure works will have capacity to serve a small number of lots and servicing of development exceeding this will be dependent on the delivery of subsequent Sydney Water infrastructure packages.
- Interim sewer servicing arrangements have been identified by Sydney Water, however it has been advised that the proposed solutions can only service a limited population. As such, the availability of sewer capacity is being considered in the proposed staged rezoning approach.
- The Leppington South Zone Substation will provide electricity supply, due for construction in 2014, as part of the adjoining East Leppington Precinct. 132kV lines can be readily aligned within existing road reserves throughout the Precinct. However, the ultimate development of the Precinct will require the planning, land acquisition, development approval and construction of the Leppington Zone Substation.
- Jemena has capacity to supply gas to the precinct, however has not yet concluded their internal business case assessment or made a decision on whether to commit funding to these works.



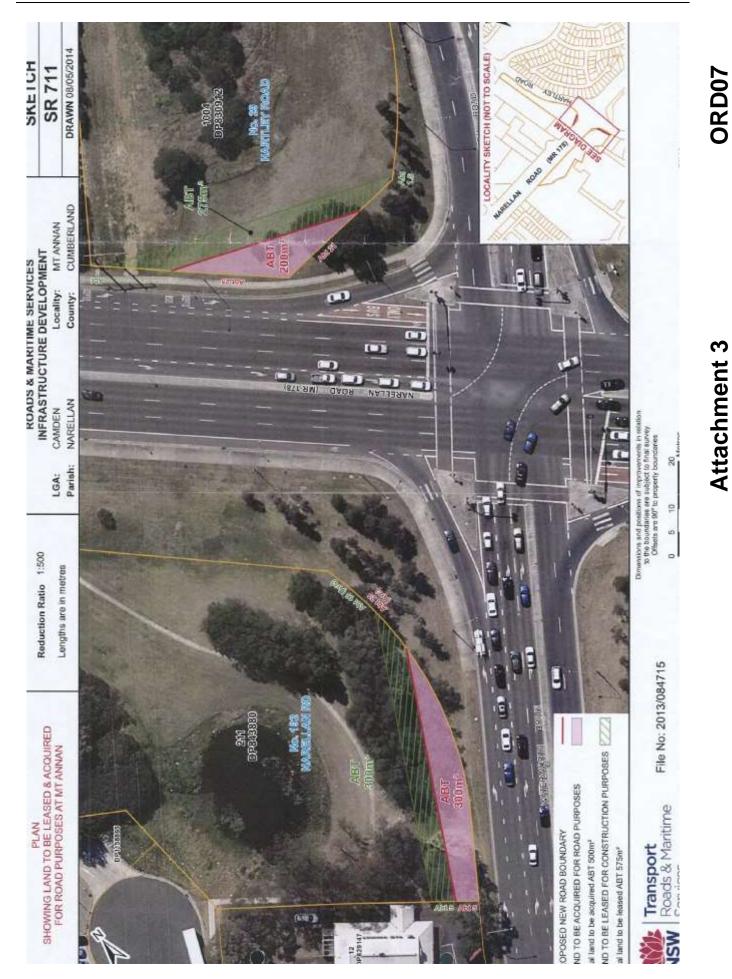
**ORD06** 



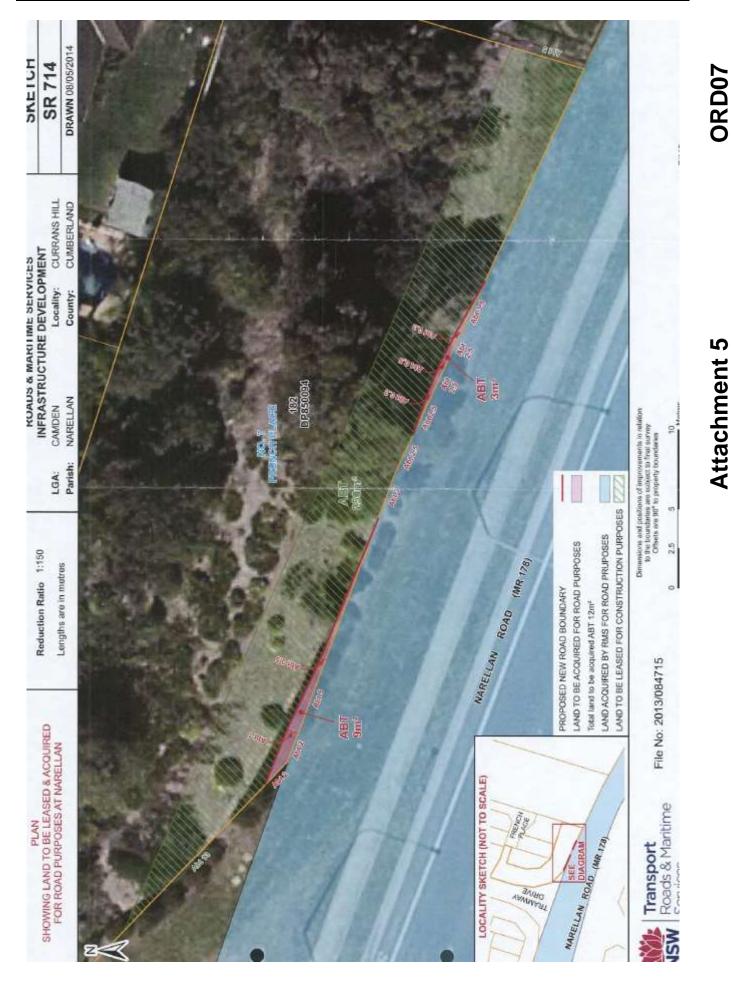


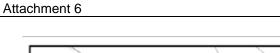


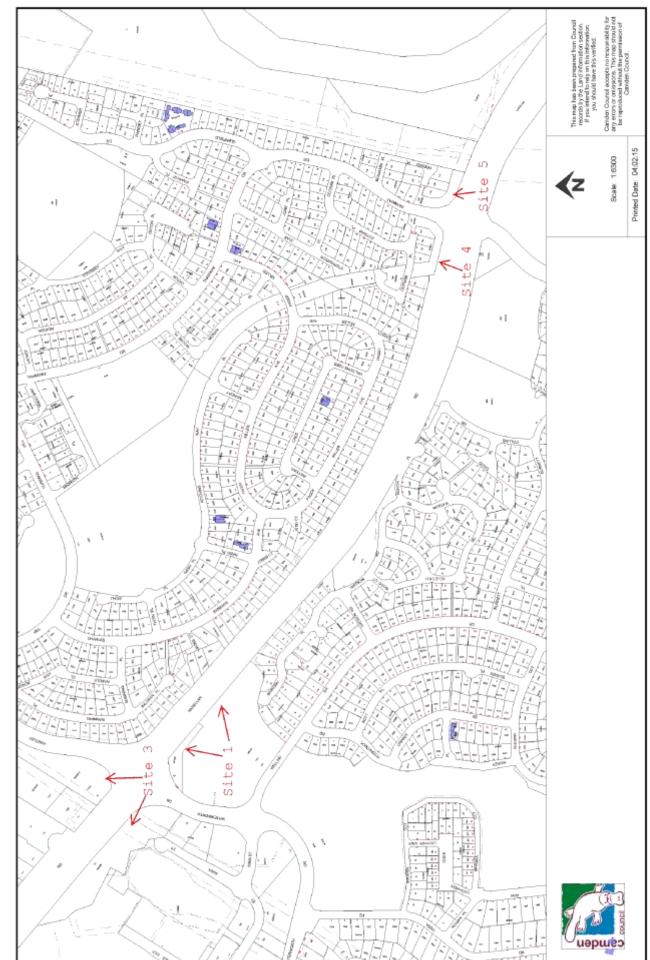
**ORD07** 









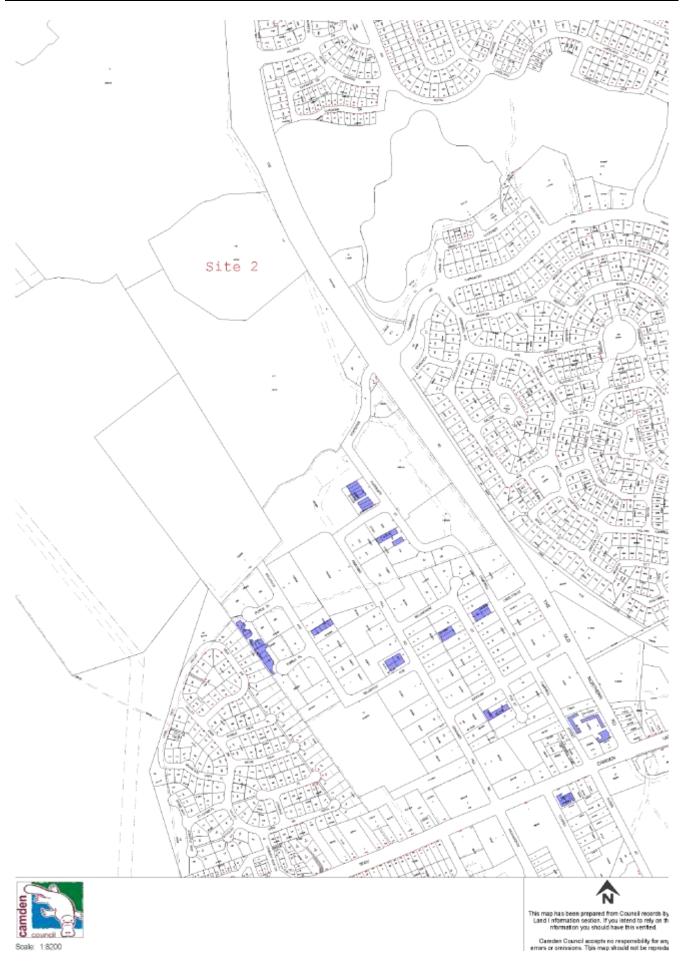


**ORD07** 

Attachment 6

**ORD07** 

Attachment 7



Supporting Documents for the Ordinary Council Meeting held on 10 February 2015 - Page 75



#### ORDINARY COUNCIL

ORD07

SUBJECT: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE

FROM:

MAYOR & COUNCILLORS POLICY Acting Director Customer & Corporate Services 14/163299 TRIM #:

#### PURPOSE OF REPORT

To provide Council with an opportunity to review and provide feedback on the draft Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy prior to public exhibition, as required by the Local Government Act 1993.

#### BACKGROUND

The Local Government Act 1993 requires that Council annually review and submit its policy to the Director-General of the Office of Local Government. Prior to submitting the annual policy, Council must give public notice of its intention to adopt or amend the policy and must allow at least 28 days for public exhibition.

If any submissions are received from the public, Council must consider the submissions and make appropriate changes prior to the adoption of the policy.

#### MAIN REPORT

A copy of the proposed policy is attached to this report - amendments are shown in green font.

There are a number of minor amendments proposed to be made to this policy including:

grammatical and formatting changes;

- updating position and department titles arising from the recent restructure of Camden Council;
- updating references to departmental Circulars referred to in the policy;
- amending references from 'Division of Local Government' to 'Office of Local Government';
- clarification of requirements for supporting evidence; and
- clarification of the requirement for reporting of attendance at conferences.

The Policy provides for Councillors to be reimbursed for mobile phone usage, internet usage, telephone line rental and care arrangements incurred in the course of their public duties. The reimbursement amounts in the existing Policy were adopted on 8 November 2011. Accordingly, it is proposed to revise the existing amounts in line with CPI increases, as indicated in the following table:

Item for reimbursement	Current Amount (inc. GST)	Proposed Amount (inc. GST)
Mobile phone costs (per month)	\$285	\$303
Internet / iPad/smart phone usage costs (per month)	\$40	\$42
Telephone line rental and call costs (per month)	\$115	\$122
Cost of care arrangements (child care, care for the sick or elderly) (per hour)	\$15	\$16

This is the report submitted to the Ordinary Council held on 28 October 2014 - Page 1



#### FINANCIAL IMPLICATIONS

The increase in allowances to reflect the change in CPI is allowed for within the Councillor expense budget.

#### CONCLUSION

The draft 'Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy' is attached for Council's consideration.

Following approval by the Council of the proposed policy, it must be publicly exhibited for a period of 28 days. A report will be brought back to Council at the Ordinary Council meeting on 9 December 2014.

#### RECOMMENDED

That Council:

- submit the draft 'Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy' as attached to this report for public exhibition for 28 days as required by the Local Government Act 1993;
- ii. consider any public submissions and formally adopt a revised 'Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy' at its Ordinary Council Meeting on 9 December 2014; and
- iii. ensure that the allowances provided for under the policy are indexed each year by CPI (Sydney All Groups) as at 30 September.

#### ATTACHMENTS

1. Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy

Resolution: Moved Councillor Fedeli, Seconded Councillor Sidgreaves, that Council:

- submit the draft 'Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy' as attached to this report for public exhibition for 28 days as required by the *Local Government Act 1993*;
- ii. consider any public submissions and formally adopt a revised 'Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy' at its Ordinary Council Meeting on 9 December 2014; and
- ensure that the allowances provided for under the policy are indexed each year by CPI (Sydney All Groups) as at 30 September.

ORD1/14 THE MOTION ON BEING PUT WAS CARRIED

ORD08

This is the report submitted to the Ordinary Council held on 28 October 2014 - Page 2



### ORDINARY COUNCIL

ORD03

SUBJECT: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE

FROM: Acting Director Customer & Corporate Services TRIM #: 14/195752

#### PURPOSE OF REPORT

The purpose of this report is to:

- advise Council of the response from the exhibition period for the Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy ('Policy'); and
- (ii) recommend a re-exhibition of the Policy to reflect further research undertaken with respect to telecommunications and carer's expenses.

#### BACKGROUND

On 28 October 2014, a revised Policy was considered by Council and it was resolved that Council:

- (i) submit the revised Policy for public exhibition for 28 days;
- consider any public submissions and formally adopt a revised Policy at its Ordinary Council Meeting on 9 December 2014; and
- ensure that the allowances provided for under the Policy are indexed each year by CPI (Sydney All Groups) as at 30 September.

#### MAIN REPORT

From 31 October 2014, the draft policy was placed on the Council's website, and advertised in the Camden Narellan Advertiser on 5 and 19 November 2014. Hardcopies of the proposed policy were also available for viewing at Council's Administration Centres.

A copy of the draft 'Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy' as publicly exhibited is attached to this report (see Attachment 1).

No submissions have been received during the 28 day public consultation period.

During the course of discussions at the Council meeting of 28 October 2014, it was identified that:

- the current, and revised, reimbursement amounts for mobile phone costs may be higher than the cost of the mobile phone contracts; and
- the revised amount of \$16 per hour allocated for the reimbursement of care arrangements was likely to be considerably less than the actual cost of arranging care.

Since then, a survey of a number of metropolitan councils has been undertaken into the reimbursement amounts for telecommunications and care arrangements. The results of the survey are discussed below.

This is the report submitted to the Ordinary Council held on 09 December 2014 - Page 1



#### Mobile phones, iPads and data plans

The survey of metropolitan councils, referred to above, showed that a variety of reimbursement amounts in relation to mobile phone calls are in place, ranging from \$140 per month to \$350 per month. The average amount is \$200 per month (inclusive of data costs).

Council currently provides iPhones and iPads to Councillors as follows:

- \$0 voice plan whereby calls are charged based upon usage;
- \$30 3GB data on a month to month basis for iPhones;
- \$50 4GB data on a month to month basis for iPads.

It is also noted that some Councillors maintain their own mobile phone and iPad.

Under the exhibited Policy, Council provides an allowance for any device of up to \$303 for mobile phone costs and up to \$42 for internet/ipad/smart phone usage costs per month.

A review of the major telecommunication providers shows that the monthly cost of a mobile phone plan (SIM-only) - including data - is considerably less than the combined monthly reimbursement amount for mobile phone costs (\$303) and internet/iPad/smart phone usage costs (\$42). As an example, Telstra currently provides a bundle for \$95.00 per month including unlimited standard national calls, SMS/MMS messaging and 4GB of data for individuals.

In light of the information set about above, it is recommended that Council revise its reimbursement amount for mobile phone costs to \$200 per month including GST (inclusive of mobile phone data). It is also noted that not all Councillors are using Council issued devices and the allowance is not a target for use. Rather, the allowance is available should it be required for Council related purposes.

It is also recommended that the data usage for internet/ipads allowance be increased from \$42 per month to \$50 per month so as to not disadvantage those Councillors who choose to use their own personal iPads for Council related business.

#### Cost of care arrangements

The exhibited Policy allows for reimbursement of \$16 per hour for the cost of care arrangements. The survey of metropolitan councils, referred to above, revealed that the majority of councils provide a reimbursement amount of between \$1,200 and \$4,000 per annum. Based on an approximate hourly rate for carers in the Camden area of between \$25-35 per hour, a reimbursement amount of \$4,000 per annum allows for between 114 and 160 hours of care per year, which equates to between 28 and 40 four hour meetings per year.

Camden's Councillors attend at least 22 Ordinary Council Meetings per year. In addition, Councillors attend regular 'off-week' briefings as well as Committee meetings and other Council related functions during the year. On this basis, it would be appropriate for the reimbursement amount for this item to be increased. As such, it is recommended that the carer allowance be increased to \$30 per hour when required for Council-related meetings and/or functions.

This is the report submitted to the Ordinary Council held on 9 December 2014 - Page 2



#### Statutory requirements

The Local Government Act 1993 ('the Act') requires that Council annually review and submit its policy to the Director-General of the Office of Local Government by 30 November each year. Given that the information on telecommunication and carer expenses was not available at the Council meeting of 28 October 2014 and research had to be undertaken, it is now proposed to re-exhibit the Policy with the changes to the allowances for telecommunications and care arrangements. In accordance with the provisions of the Act, Council has an obligation to re-exhibit any changes which are considered 'substantial'. The definition of 'substantial' is described in the Office of Local Government's Guidelines as a change in the allowance level of more than 5%. Given that further amendment is recommended, it is proposed to formally advise the Office of Local Government in writing of Council's decision to re-exhibit the policy.

#### FINANCIAL IMPLICATIONS

The proposed alteration of the allowances for telecommunications and care arrangements is provided for within the Councillor's expense budget.

#### CONCLUSION

In summary, it is proposed that the allowances be amended as follows:

Item for Reimbursement	Existing Policy (incl GST)	Exhibited Policy (incl GSt)	Recommended Allowance (incl GST)
Mobile phone costs including data usage (per month)	\$285	\$303	\$200
Internet / iPad data usage costs (per month)	\$40	\$42	\$50 (Note: this does not include mobile phone data usage)
Telephone line rental and call costs (per month)	\$115	\$122	\$122
Cost of care arrangements (per hour)	\$15	\$16	\$30

Note: the areas shaded grey remain unchanged from the exhibited version.

A copy of the revised Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy, reflecting the recommended changes set out in the table above, is attached (see Attachment 2).

#### RECOMMENDED

That Council:

- note that no submissions have been made with respect to the Policy which has been publicly exhibited;
- place on public exhibition for 42 days (extended period due to the Christmas/New Year period) the revised 'Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy' with changes to the mobile phone usage and care arrangement allowances as attached to this report;

This is the report submitted to the Ordinary Council held on 9 December 2014 - Page 3



- (iii) write to the Office of Local Government to advise of Council's decision to re-exhibit the Policy; and
- (iv) consider any public submissions and formally adopt a revised Policy at its Ordinary Council Meeting of 10 February 2015.

#### ATTACHMENTS

- 1. DRAFT Policy as exhibited
- 2. DRAFT Policy for re-exhibition

Resolution: Moved Councillor Dewbery, Seconded Councillor Copeland, that Council:

- note that no submissions have been made with respect to the Policy which has been publicly exhibited;
- place on public exhibition for 42 days (extended period due to the Christmas/New Year period) the revised 'Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy' with changes to the mobile phone usage and care arrangement allowances as attached to this report;
- write to the Office of Local Government to advise of Council's decision to reexhibit the Policy; and
- consider any public submissions and formally adopt a revised Policy at its Ordinary Council Meeting of 10 February 2015.

ORD1/14 THE MOTION ON BEING PUT WAS CARRIED

This is the report submitted to the Ordinary Council held on 9 December 2014 - Page 4



5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Counci: [DATE] Minute No: [INSERT]

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# ORD08

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5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council [DATE] Minute No: [INSERT]

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### PAYMENT OF EXPENSES & PROVISION OF FACILITIES

DIVISION: CUSTOMER & CORPORATE SERVICES

BRANCH: CUSTOMER SERVICE & GOVERNANCE

#### PART 1 - INTRODUCTION

#### 1. BACKGROUND

- 1.1 This document is to be referred to as the 'Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy'.
- 1.2 The policy will commence from 11 February 2015.
- 1.3 The purpose of this policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors.
- 1.4 The policy comprises four parts, being:
  - Part 1 Introduction defines key terms and describes the legislative and reporting requirements that prescribe the policy's purpose, objectives and scope;
  - Part 2 Payment of Expenses describes the general and specific provisions and the circumstances and Council procedures related to the payment of allowable expenses;
  - Part 3 Provision of Facilities outlines the general and specific provisions, circumstances concerning Councillor use of Council facilities and resources; and
  - Part 4 Other Matters provides guidance on issues related to Councillor acquisition, and return, of facilities and dispute resolution.
- 1.5 This policy is made under sections 252-254 of the Local Government Act 1993 ('the Act'), section 403 of the Local Government (General) Regulation 2005, and in accordance with the Guidelines issued by the then-Division of Local Government (October 2009) under section 23A of the Act. The Act requires that the Council must annually adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor and Councillors in relation to discharging the functions of civic office.

#### 2. OBJECTIVES AND SCOPE OF THE POLICY

- 2.1 The objectives of the policy are to:
  - ensure there is consistency in the application of reimbursement of expenses and provision of facilities to Councillors in an equitable and non-discriminatory manner;

5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council (DATE) Minute No: [INSERT]

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- (b) assist Councillors to represent the interests of residents and ratepayers of Camden and to facilitate communication between the community and Council: and
- provide a level of support which will serve to encourage residents to (c) seek election to civic office.
- 2.2 This policy applies equally to the Mayor and all Councillors.

#### 3. MAKING AND ADOPTION OF THE POLICY

- The Local Government Act 1993 ('the Act') requires Council to review and 3.1 submit its policy to the Director-General of the Office of Local®Government within 28 days of adoption by the Council, even if it proposes to adopt an unchanged policy. Current policies must be submitted by 30 November each year.
- Before adopting or amending this policy, the Council must give public notice of 3.2 its intention and allow at least 28 days for public submissions. Any public submissions received will be considered, and appropriate changes made, prior to the adoption of the policy.
- Even if changes that are considered 'not substantial' are proposed, the 3.3 required annual adoption of this policy must still be subject to the public notification process outlined above.
- 3.4 At any time, other than the required annual adoption of this policy, if the proposed amendment is not substantial then Council is not required to provide public notice. The term 'not substantial' should be taken to mean minor changes to the wording of the policy, or changes to monetary provisions or rates that are less than five (5) per cent. It also means minor changes to the standard of the provision of equipment and facilities. Any new category of expenses, facilities and equipment included in the policy will require public notice. - F

#### 4. REPORTING REQUIREMENTS

#### 4.1 Section 428 of the Act requires councils to include in their annual report:

- the Council's policy on the provision of facilities for, and the payment of (a) expenses to, Mayors and Councillors; (b)
  - the total amount of money expended during the year on providing those facilities and paying those expenses; and
- additional information as required by the Local Government (General) (c) Regulation 2005.

#### 5. RELEVANT LEGISLATION AND POLICIES

- 5.1 The following legislation, policies and guidelines are relevant to this policy: Sections 252-254, Local Government Act 1993 - Payment of expenses
  - and provision of facilities:
    - Section 428, Local Government Act 1993 Annual reports;
    - Clause 217, Local Government (General) Regulation 2005 Additional information for inclusion in annual reports;

5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council [DATE] Minute No: [INSERT]

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**SRD08** 

- Clause 403, Local Government (General) Regulation 2005 Payment of expenses and provision of facilities;
- Camden Council's 'Code of Conduct';
- Department of Local Government Guidelines (May 2009) issued under section 23A of the Local Government Act 1993;
  - Department of Local Government Circulars to Councils; - Circular 05/08 Legal assistance for Councillors and Council
    - employees;
    - Circular 10/26, Misuse of Council resources;
    - Circular 08/37, Council decision making prior to ordinary elections;
    - Circular 11/27, Findings from review of Councillor expenses and facilities policies;
  - ICAC Publication, No Excuse for Misuse: preventing the misuse of council resources - Guidelines: 2 (November 2002)

#### 6. APPROVAL AND SUPPORT ARRANGEMENTS

- 6.1 Various approval arrangements are indicated throughout this policy and vary from full Council resolution approval to approval by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.
- 6.2 The Executive Services Coordinator will assist Councillors with respect to seeking reimbursement of expenses incurred in their role as a Councillor, assisting with travel and accommodation arrangements, attendance at civic events, training and education, and the provision of facilities under this policy.
- 6.3 All claims for reimbursement must be made within one (1) month of the date of the receipt and on the appropriate 'Councillor Travel and/or Expense Claim Form' (Appendix A), together with production of relevant supporting evidence.
- 6.4 Claims for reimbursement of expenses less than \$75.00 (exclusive of GST) should be accompanied by a receipt, tax invoice, statutory declaration, or some other form of supporting evidence. Claims for reimbursement of expenses over \$75.00 (exclusive of GST) must be accompanied by a tax invoice.
- 6.5 Any claim will be reconciled with the relevant supporting evidence and authorised as follows:
  - (a) authorised by the General Manager and Mayor (or Deputy Mayor where the claim is made by the Mayor) for spouse and partner
  - where the claim is made by the Mayor) for spouse and partner expenses, incidental expenses, advance payments, travel, accommodation, childcare and carer fees;
  - (b) authorised by two of the 'Authorised Officers' as set out in clause 6.6 if the particular expense category does not require approval by the General Manager and Mayor (or Deputy Mayor in the case of a claim by the Mayor).
- 6.6 The General Manager, Mayor, Director Customer & Corporate Services, Manager Customer Service & Governance, Senior Governance Officer and Executive Services Coordinator are 'Authorised Officers' for the purpose of completing the 'Councillor Travel and/or Expense Form'.

5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council (DATE) Minute No: [INSERT]

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#### PART 2 - PAYMENT OF EXPENSES

#### 7. PAYMENT OF EXPENSES GENERALLY

- 7.1 This policy is applicable to any Council Administrator, should such Administrator act in that capacity from time to time.
- 7.2 Council is committed to ensuring that Councillors are reimbursed for expenses reasonably incurred in their role of Councillor so that they are not financially or otherwise disadvantaged in undertaking their civic duties.
- 7.3 To ensure consistency and transparency all expenses and costs claimed must be done so in accordance with the requirements of this policy.
- 7.4 For the purpose of clarity, it is noted that Councillor-related business refers to functions and duties that Councillors are required to undertake to fulfill their legislated role and responsibilities for the Council that should result in a direct benefit for the Council and/or the local government area.
- 7.5 Any expenses for Councillors attending conferences, including travel to, registration costs and incidental conference costs, will not be reimbursable under this Policy. Instead, Councillors are to personally fund (or utilise their Councillor annual allowance) any expenses incurred with respect to conference attendance.
- 7.6 Any expenses claimed for other meetings must be related to representing Council at official or ceremonial functions or Council related meetings as set out in this policy and in carrying out the civic duties of a Councillor.
- 7.7 For the purpose of clarity, a conference typically involves registration costs, accommodation, travel to and from the conference, sustenance and incidental costs such as taxi fares, telephone calls, etc.
- 7.8 This restriction on reimbursement for conferences does not apply to other Council related meetings. Examples of such other meetings may include external committee meetings, MACROC meetings, civic and ceremonial functions, citizenship ceremonies, Australia Day ceremonies, community group events and Chamber of Commerce meetings which relate to the interests of the local government area.
  - Claims for reimbursement of expenses will only be made on production of receipts for such amounts where indicated in this policy and on completion of the appropriate 'Councillor Travel and/or Expense Claim Form', itemising the expenses. Reimbursement of general expenses will not be allowed.
- 7.10 Claims for reimbursement of expenses less than \$75.00 (exclusive of GST) should be accompanied by a receipt, tax invoice, statutory declaration, or some other form of supporting evidence.
- 7.11 Claims for reimbursement of expenses over \$75.00 (exclusive of GST) must be accompanied by a tax invoice.

5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council (DATE) Minute No: [INSERT]

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7.12 Payment of expenses will not be made to support a Councillor's attendance at political fundraising functions. Participation in Council elections is also a private matter and Councillors must not use Council resources in the course of this participation.

#### 8. ATTENDANCE AT CONFERENCES

- 8.1 Councillors are encouraged to attend conferences as a formal representative of Council as part of discharging their functions of civic office.
- 8.2 Requests to attend conferences interstate or overseas must be approved by a Council resolution prior to attendance. The report to Council should outline the benefits of attendance by the Councillor.
- 8.3 The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager may approve attendance by Counciliors at conferences within the State (ACT is taken to be included as part of NSW due to the proximity and ease of travel) without the need for Council resolution.
- 8.4 Any costs incurred relating to conference attendance, including registration fees, transport to and from the conference, accommodation, official lunches and dinners relevant to the conference and incidental expenses are to be personally funded (or paid from the Councillor's annual allowance) and are not reimbursable under this Policy.
- 8.5 For the purpose of clarity, the definition of a 'conference' relates to a formal meeting designed for consultation, exchange of information or discussion. Typically, conferences will involve registration costs, accommodation, travel to and from the conference, sustenance and incidental costs such as taxi fares, telephone calls, etc.\_\_\_\_
- 8.6 The conferences, and training and development opportunities, that Councillors will generally attend are:
  - (a) Local Government NSW Annual Conference;
  - (b) special one-off conferences called by Local Government NSW;
  - (c) annual conferences and seminars of the major professions in Local Government; and
     (d) seminars which assist Councillors in increasing their awareness and

seminars which assist Councillors in increasing their awareness and improving their understanding of their legal & other obligations and responsibilities as elected representatives.

- 8.7 Any Councillor who does attend a conference must report back to Council with a full written report on the beneficial aspects of the conference. A report may be submitted via a mayoral minute, a notice of motion or a memorandum via the General Manager. One report may be submitted on behalf of a number of Councillors in attendance.
- 8.8 It is noted that this restriction on reimbursement for conferences does not apply to other Council related meetings. Examples of such other meetings may include external Committee meetings, MACROC meetings, civic and ceremonial functions, citizenship ceremonies, Australia Day ceremonies, ceremonial functions, community group events and Chamber of Commerce meetings relating to the interests of the local government area.

5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council: [DATE] Minute No: [INSERT]

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#### 9. SPOUSE AND PARTNER EXPENSES

- 9.1 Where a Councillor is accompanied to a civic event, ceremonial function, conference or Council related meeting by a spouse/partner, costs incurred for the attendance of the spouse/partner shall be the responsibility of the Councillor. These costs relate to travel, partner's programme and out of pocket expenses.
- 9.2 There may be limited instances where certain costs incurred by a Councillor on behalf of their spouse/partner are properly those of the Councillor expended in the performance of civic duties. Accordingly, Council will reimburse reasonable expenses in attending these functions and meetings. Such functions could include those which a Councillors spouse/partner would be reasonably expected to attend such as Council civic and ceremonial receptions, Australia Day ceremonies or, on occasion, citizenship ceremonies.
- 9.3 Any further expenses incurred in relation to spouses/partners will not be reimbursed by Council. For the purposes of clarification, costs for a spouse/partner attending a conference and ancillary conference costs are not reimbursable under this policy.
- 9.4 Outside of these provisions, the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager may approve payment for the attendance of a spouse/partner as part of a Council group booking to a local charity event or similar function as may occur from time to time.

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#### 10. INCIDENTAL EXPENSES

- 10.1 Out of pocket expenses or incidental expenses associated with attending civic events, ceremonial functions or Council related meetings will be reimbursed on presentation of receipts and completion of a claim form as provided above.
- 10.2 Examples of incidental expenses include telephone or facsimile calls, taxi fares, parking fees or meals where not part of the Council related meeting or function. Councillors may claim such expenses by completing the 'Councillor Travel and/or Expense Claim Form' (Appendix A) and attaching the relevant receipts. The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager will authorise payment of incidental expenses.



For the purpose of clarification under this paragraph, incidental expenses incurred for and during Councillor-attended conferences are not reimbursable under this policy. Any incidental expenses incurred by a Councillor regarding conference fees and incidental charges are to be personally funded (or be paid out of the Councillor's annual allowance).

#### 11. ADVANCE PAYMENTS

11.1 Councillors may request payment in advance in anticipation of expenses being incurred for such matters as attending civic events, ceremonial functions and Council related meetings.

5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council (DATE) Minute No: [INSERT]

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- 11.2 On return Councillors must produce all receipts for the expenditure of those funds, with a full reconciliation to be completed and authorised by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.
- 11.3 Councillors are to produce the receipts and complete the reconciliation within one month of the expenditure being incurred.

# 12. TRAVEL TO CIVIC EVENTS, CEREMONIAL FUNCTIONS AND COUNCIL RELATED MEETINGS

- 12.1 Councillors will be reimbursed for travel expenses incurred relating to Council business and/or representing Council at civic events, ceremonial functions and Council related meetings. Reimbursement may include the use of a private motor vehicle, public transport, taxi, parking fees and road tolls.
- 12.2 All travel by Councillors should utilise the most direct route and the most practicable and economical mode of transport subject to any personal medical conditions.
- 12.3 Councillors using private vehicles will be paid the mileage allowance at the then-current rate set by the appropriate Local Government State Award, but subject to any such payment not exceeding economy class air fares to and from the particular destination. The mode and method of transportation to be used shall be agreed with the Mayor (or Deputy Mayor in case of a claim by the Mayor) and the General Manager prior to the travel taking place, and where possible Councillors should attempt to travel with other representatives from the Council in order to minimise costs.
- 12.4 Under this policy, Councillors are personally responsible for all traffic or parking fines incurred while travelling in private or Council vehicles on Council business.
- 12.5 For the purposes of clarification in this policy, the ACT is taken to be included as part of NSW due to the proximity and ease of travel.

#### 13. TRAVEL TO CONFERENCES

1 Counciliors will not be reimbursed for travel expenses incurred relating to attendance at conferences within NSW, interstate or overseas. Expenses incurred relating to Councillors attendance at conferences, including travel costs, are to be personally funded (or paid from the Councillor's annual allowance).

#### 14. INTERSTATE TRAVEL

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- 14.1 Full Council resolution approval is required prior to any interstate travel being undertaken by Councillors (excluding travel to ACT which may be authorised by Mayor and General Manager approval). The report to Council should include all details of the travel, including itinerary, expected costs and expected benefits.
- 14.2 Any costs incurred relating to interstate travel for Council business are to be personally funded (or paid from the Councillor's annual allowance).

5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council [DATE] Minute No: [INSERT]

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#### 15. OVERSEAS TRAVEL

- 15.1 Camden Council will not undertake any overseas travel unless a direct and tangible benefit for the Council and the local community can be established.
- 15.2 All overseas travel will be approved by a meeting of the Council prior to a Councillor undertaking a trip. Travel will be approved on an individual trip basis.
- 15.3 Before a proposal for overseas travel is approved, a detailed proposal, including nomination of the Councillor(s) undertaking the trip, purpose of the trip, expected benefits, duration, itinerary and approximate costs, will be furnished to the Council as part of the Council Business Paper.
- 15.4 After returning from overseas, Councillors or an accompanying member of staff will provide a detailed report to a meeting of the Council on the aspects of the trip relevant to council business and/or the local community.
- 15.5 Any costs incurred relating to overseas travel for Council business are to be personally funded by the Councillor (or paid for from the Councillor's annual allowance).

#### 16. EXTENDING TRAVEL ARRANGEMENTS

16.1 Councillors wishing to extend their stay in a destination they have visited for council purposes, or to travel to an alternative location, will require the prior approval of the Mayor (or the Deputy Mayor in the case of a claim by the Mayor) and the General Manager. In such instances Councillors should recognise that the Council's responsibility for their travel ends when the business activity ends and not when they return home. Any additional costs incurred following the completion of the business activity, including accommodation, are not considered to be reimbursable expenses.

#### 17. ACCOMMODATION

17.1 Councillors are to personally fund (or use their Councillor annual allowance) any accommodation costs incurred as a result of conference attendance.



In the rare occasion that accommodation is required as part of a civic event, ceremonial function or other Council related meeting, accommodation costs may be reimbursed by Council subject to approval by the General Manager and Mayor (or Deputy Mayor in the case of a claim by the Mayor).

#### 18. TRAINING AND EDUCATIONAL EXPENSES

18.1 Council provides an amount in the annual budget for 'Councillor Training and Education' expenses to support and encourage active learning and skill development. Expenses for this item are limited to the annual budget allocation in any one year and are separate to this policy. Payment of additional expenses/costs in relation to such training will be as per this policy.

5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council: [DATE] Minute No: [INSERT]

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#### 19. MOBILE PHONES, IPADS AND OTHER TELECOMMUNICATION RELATED EXPENSES

- 19.1 Council will provide a mobile phone for use in order to carry out the Councillor's civic functions and responsibilities as provided in this policy under 'Provision of Equipment' below. Call charges and mobile phone data usage costs incurred for Council related business will be reimbursed up to \$200 per month (inclusive of GST). Councillors are responsible for disclosing any personal calls made on their monthly statement and are to reimburse the Council for such personal calls accordingly.
- 19.2 If a Councillor decides to use their own personal mobile phone for Council related business, Council will reimburse an amount up to \$200 per month (inclusive of GST) for Council related business call costs and mobile phone data usage costs. Call charges associated with private use must be met by the Councillor.
- 19.3 Council provides three (3) options for Councillors to use iPads for Council related business (as per the Council's 'iPad Usage Policy') as follows:
  - a Council-issued iPad;
  - (b) bring-your-own-iPad, where Councillors wish to use their own personal iPad for Council related business; and
  - (c) provision of a SIM card where Councillors chose to use their own personal iPad for Council related business.
- 19.4 It is expected that where Councillors use Council issued iPads or Council issued SIM cards, that the iPads are used primarily for Council related business.
- 19.5 In the case of a Councillor using their own personal iPad for Council related business, Council will reimburse a percentage of the iPad data usage costs relevant to Council business, up to a maximum of \$50 per month (inclusive of GST).
- 19.6 If an individual landline is installed to the Councillor's premises, Council will reimburse an amount up to \$122 per month (inclusive of GST) to cover line rental, as well as call charges for Council related business. Call charges associated with private business must be met by the Councillor.
- 19.7 Council will reimburse an amount up to \$50 per month (inclusive of GST) to Councillors for internet usage incurred primarily for Council related business. It is noted that where the same internet plan is used for internet and iPad connection, Council will only reimburse up to the value of \$50 per month (inclusive of GST) in total.
- 19.8 Councillors must complete a 'Councillor Travel and/or Expense Claim Form' for each billing period in relation to telecommunication charges associated with Council related business. All claims for reimbursement for phone, iPad and internet costs must be made within one month of the date of the providers' invoice. Any amounts exceeding the limit must be approved for payment by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.

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#### 20. CHILD CARE AND CARE OF ELDERLY, DISABLED AND/OR SICK IMMEDIATE FAMILY MEMBERS

- 20.1 Councillors will be reimbursed for the reasonable cost of care arrangements including child care expenses and the care of immediate family members who are elderly, disabled and/or sick in order to allow Councillors to attend Council and other official meetings/functions or to attend to their responsibilities and duties as a Councillor. Carer costs will be paid to cover the period 30 minutes prior to the scheduled commencement time of the meeting/function and one hour after the conclusion of the meeting/function.
- 20.2 The rate of reimbursement for care will be to a maximum of \$30 per hour or as varied by Council from time to time, payable on the provision of receipts or a declaration by the Councillor for such payments ('Councillor Travel and/or Expense Claim Form'), within 1 month of the period being claimed. The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager will authorise payment of care and other related expenses.

#### 21. LEGAL EXPENSES AND OBLIGATIONS

- 21.1 Council may, by way of resolution specifying the amount involved, indemnify or reimburse the reasonable legal expenses:
  - (a) of a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act 1993 or any other Act for and on behalf of Council; or
  - (b) of a Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the *Local Government Act 1993*; or
  - (c) of a Councillor for proceedings before the Local Government Pecuniary Interest Tribunal, the Independent Commission Against Corruption, Office of Ombudsman, Office of Local Government, Department of Premier and Cabinet, NSW Police Force, Director of Public Prosecutions or Council's Conduct Review Committee / Reviewer, provided, the subject of the proceedings arises from the performance in good faith by the Councillor of a function under the Local Government Act 1993.
- 21.2 If points 21.1(a), (b) or (c) have been satisfied, Council will reimburse the reasonable legal expenses only if the enquiry, investigation, hearing or proceedings taken against a Councillor results in a finding substantially favorable to the Councillor.
- 21.3 In addition, the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis.
- 21.4 Legal costs will not be met for legal proceedings that do not involve a Councillor performing their role as a Councillor.

5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council (DATE) Minute No: [INSERT]

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- 21.5 The Council must not meet the legal costs of legal proceedings initiated by a Councillor under any circumstance.
- 21.6 The Council must not meet the legal costs of a Councillor seeking advice in respect of possible defamation or in seeking a non-litigious remedy for possible defamation.
- 21.7 No legal expenses may be incurred by a Councillor without the express resolution of the Council prior to the expense being incurred.

#### 22. INSURANCE EXPENSES AND OBLIGATIONS

- 22.1 Councillors will receive the benefit of insurance cover to the limit specified in the Council's insurance policies for the following matters arising out of the performance of their civic duties and/or exercise of their council functions:
  - (a) Public Liability public liability and professional indemnity insurances apply in relation to claims arising out of a Councillor's (alleged) negligent performance of civic duties of exercise of their functions as a Councillor, subject to any limitations or conditions set out in the policy.
  - (b) Professional Indemnity for matters arising out of a Councillor's performance of civic duties or exercise of functions provided the performance or exercise of the relevant civic duty or function is, in the opinion of Council, bona fide and/or proper.
  - (c) Personal accident coverage where personal injury occurs whilst on Council business Australia wide.
- 22.2 Travel insurance, if considered appropriate, for any approved overseas travel on Council business is to be personally funded (or paid from the Councillor's annual allowance).

#### 23. ADDITIONAL MAYORAL EXPENSES

23.1 Nil

#### PART 3 - PROVISION OF FACILITIES

#### 24. GENERAL PROVISIONS

- 24.1 Council will provide facilities, equipment and services that are appropriate to support the Mayor and Councillors in undertaking the role of elected members.
- 24.2 Council facilities, equipment and services are not to be used to produce election material or for any other political purposes. Councillors should not generally obtain private benefit from the provision of equipment or facilities, nor from any travel bonus or other such loyalty scheme.
- 24.3 It is acknowledged that incidental use of council equipment and facilities may occur from time to time. Such incidental private use is not subject to compensatory payment.

5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council: [DATE] Minute No: [INSERT]

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- 24.4 Where more substantial private use occurs, Councillors will be expected to make a payment to cover the level of private use. This payment will be made on a full cost recovery basis.
- 24.5 Councillors must be scrupulous in their use of Council property, including intellectual property, official services and facilities and should not permit misuse by any other person or body.
- 24.6 Councillors should avoid any action or situation, which could create the appearance that Council property, official services or public facilities are being improperly used for their benefit or the benefit of any other person or body.
- 24.7 The interests of a Councillor in their re-election is considered to be a personal interest and as such the reimbursement of travel expenses incurred on election matters is not appropriate. Council letterhead, council crests and other information that could give the impression it is official council material must not be used for these purposes.
- 24.8 Councillors must not convert any property of the Council to their own use unless properly authorised.

#### 25. PROVISION OF EQUIPMENT

- 25.1 Council will provide the following equipment to Councillors, if requested, subject to the reimbursement of expenses limitations mentioned elsewhere in this policy:
  - mobile phone (standard as provided to staff), Blackberry or smartphone with internet and email capability;
  - computer equipment (standard as provided to staff) or laptop and a wireless capable printer/fax multi-function machine with router, together with printer cartridges and replacements;
  - iPads will be provided to Councillors and are the preferred mechanism for distribution of the Council's Business Paper; and
  - (d) internet and iPad data usage for Council related business up to the value of \$50 per month (inclusive of GST).

#### 26. PROVISION OF FACILITIES

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26.1

The following facilities are provided:

- a Councillors' Room is provided in the Council Offices to assist Councillors in dealing with resident and ratepayer matters and Council business generally;
- (b) Councillors' letterhead;
- sustenance is only provided to Councillors at Council/Committee meetings. Meals are provided at civic functions and the like for Councillors and/or partners; and
- the provision of an Executive Services Coordinator to assist and support Councillors.

5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council [DATE] Minute No: [INSERT]

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#### 27. PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR MAYOR

- 27.1 The role of the Mayor is:
  - to exercise, in the case of necessity, the policy making functions of the governing body of the Council between meetings;
  - (b) to exercise such other functions of the Council as the Council determines;
  - (c) to preside at meetings of the Council; and
  - (d) to carry out the civic and ceremonial functions of the mayoral office.
- 27.2 In order to reflect the additional time and commitment required to carry out the responsibilities of the Mayor, in addition to the support provided to Councillors, the following is provided to the Mayor:
  - (a) Mayoral Office to assist in carrying out the Mayoral functions;
  - (b) secretarial support is provided by the Executive Services Coordinator;
  - a dedicated Mayoral carparking space in the Council carpark adjacent to the Council Offices; and
  - (d) a dedicated Mayoral vehicle is currently not provided for private or Council use, however the Mayor may request the use of a Council pool vehicle or, if a Council pool vehicle is unavailable, a hire vehicle, similar to the current Council fleet vehicles, for official Council business, if a vehicle is required.

#### PART 4 – OTHER MATTERS

#### 28. PERSONAL BENEFIT

28.1 Councillors should not obtain private benefit from the reimbursement of expenses, provision of equipment and facilities, nor from travel bonuses or any other loyalty schemes.

# 29. ACQUISITION AND RETURNING OF FACILITIES AND EQUIPMENT BY COUNCILLORS

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- 29.1 On completion of the term of office, extended leave of absence or at the cessation of civic duties and where requested, Councillors are required to return all equipment and facilities issued by the Council within 28 days. This includes unused consumables.
- 29.2 Any internet allowance provided under this policy is only applicable up until the last month of term of office held by a Councillor.
- 29.3 All equipment provided to Councillors contained in this policy, remain the property of Camden Council.
- 29.4 The General Manager will consider requests from Councillors to purchase equipment previously allocated to them (including Blackberry, iPhone and iPad) at an agreed fair market price.

5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council (DATE) Minute No: [INSERT]

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#### 30. GENERAL DISPUTE RESOLUTION

30.1 Should a dispute arise as to payment of a claim for reimbursement of expenses or provision of facilities, the matter should be submitted in writing by the Councillor to the General Manager, who will determine the matter in conjunction with the Mayor (or Deputy Mayor in the case of a claim by the Mayor) in accordance with the terms of this policy.

7.4 Arr. O.P

5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council (DATE) Minute No: [INSERT]

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# Attachment 3

\*\*\* RELEVANT LEGISLATION: Local Government Act 1993 - sections 252-254, 428 Local Government (General) Regulation 2005 clauses 217, 403 'Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors', Division of Local Government, October 2009 DLG Circular 05/08 Legal assistance for Councillors and Council employees; DLG Circular 10/26, Misuse of Council resources DLG Circular 08/37, Council decision making prior to ordinary elections DLG Circular 11/27, Findings from review of Councillor expenses and facilities policies ICAC Publication, No Excuse for Misuse, preventing the misuse of council resources - Guidelines: 2 (November 2002) **RELATED POLICIES AND** PROCEDURES: 5.3 Code of Conduct 5.73 iPad Usage Polic **RESPONSIBLE DIRECTOR:** Director Customer & Corporate Services APPROVALS: ELG, Council November 2015 NEXT REVIEW DATE: RECORD KEEPING NOTES:

CONFIDENTIALITY/PRIVACY:

Publicly available document - available on Council's website.

HISTORY:

ADOPTED: MINUTE:

ADOPTED: MINUTE: ORD322/13 27 November 2012 ORD296/12

8 November 2011

23 November 2010

25 November 2008

ORD 270/11

26 November 2013

1

ADOPTED: MINUTE:

ADOPTED: MINUTE:

ADOPTED:

MINUTE:

ORD262/10 27 October 2009 ORD252/09

ORD302/08

ORD25/07

ADOPTED: MINUTE:

ADOPTED: MINUTE:

ADOPTED:

MINUTE:

11 September 2007 ORD238/07

12 February 2007

5.57 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY Adopted by Council: [DATE] Minute No: [INSERT]

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MONTH:					
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Note: For amounts over \$75	.00 (exclusin	ve of GST) a Tax Invoi	ce <b>must</b> be provided.		
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DATE: Payment of this claim will b Claimants should ensure th	e made by at correct t	Electronic Funds Tr banking details are t	ansfer (EFT), through C neld by Council.	ouncil's normal Credito	or payment facility.
Mayor/Dep	uty Mayo	r	Authorised Officer	(if within limits provid	led by the Policy)
General M	anager		Authorised Officer	(if within limits provid	led by the Policy)

ORD08

# Attachment 3

#### Monetary Limits to Expenses

EXPENSES	INDICATIVE EXPENSE LIMITS MAYOR & COUNCILLORS	POLICY
In House Training	N/A – Budget allocation	5
Local Travel	Private vehicle use - rates set out in Local Government State Award	12 and 13
Interstate Travel	N/A – Council resolution required to approve travel and all expenses to be personally funded (or paid from the Councillor's annual allowance).	14
Overseas Travel	N/A – Council resolution required to approve travel and all expenses to be personally funded (or paid from the Councillor's annual allowance).	<b>)</b> 15
Mobile phone costs including data usage	\$200 per month	19
Telephone line rental and call costs	\$122 per month	19
Internet / iPad data usage costs	\$50 per month	19
Care Arrangements	Up to \$30 per hour	20

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#### ANNEXURE C

#### **Available Facilities**

EXPENSE	MAYOR	COUNCILLORS
Computer Equipment	Available	Available
Laptop Computer/Ipad	Available	Available
Multifunction Printer/Fax Facility with wireless capability/router	Available	Available
Internet / iPad data usage	Available	Available
Mobile Phone/Blackberry	Available	Available
Telephone line rental	Available	Available
Secretarial Support	Available	Not Available
Executive Services Coordinator Support	Available	Available
Councillors' Room	Available	Available
Ceremonial dress	Available 🦠	Not Available
Corporate clothing	n/a 🚬 🔪	n/a
Meals/refreshments related to Council Meetings, office functions and committee meetings	Available	Available
Stationary, office supplies, postage, business cards & other similar consumables	Available	Available
Car Parking Space	Available	Not Available
Dedicated Mayoral Vehicle 🏾 🚁	Not Available	n/a
Council Pool Vehicle Use	Available	Not Available
Disabled Access	Available	Available

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# ON-TIME PAYMENT POLICY



**ORD09** 

Supporting Documents for the Ordinary Council Meeting held on 10 February 2015 - Page 102



## ON-TIME PAYMENT POLICY

DIVISION: CUSTOMER & CORPORATE SERVICES

BRANCH: FINANCE & CORPORATE PLANNING

## PART 1 - INTRODUCTION

#### 1. OBJECTIVE

1.1 To conform to Council's commitment to pay invoices for eligible small business suppliers within 30 days of receipt as part of the small business friendly Councils initiative.

#### 2. SCOPE

2.1 This policy applies to small business suppliers registered with Council.

## PART 2 - POLICY STATEMENT

#### 3. POLICY STATEMENT

- 3.1 The on-time payment policy applies to invoices received on or after the date of adoption by Council;
- 3.2 In adopting this policy, Council is committed to the following:
  - Council must pay small business suppliers for the provision of goods and services, not later than 30 days from the date of receipt of a correctly rendered invoice, unless an existing contract or standing offer (i.e. pre the date of adoption by council) provides for an alternate time period.
  - Shorter or longer payment terms are permitted for new or amended contracts entered into on or after the date of adoption by Council. However, payment terms longer than 30 days are permitted only where the nature of the goods and services or the structure of the purchase make it impractical to require payment within 30 days.
  - Where payment is not made within the specified time period, simple interest
    must be paid automatically unless an existing contract (i.e. pre the date of
    adoption by Council) specifies otherwise. Interest amounts will only be paid
    where the calculated interest exceeds A\$20.
  - Simple interest on the unpaid amount must be calculated from the day after payment was due up to and including the day that payment is made.
  - The interest rate is determined under section 22 of the Taxation Administration Act 1996, unless a higher interest rate is payable under the contract in respect of the default in payment. The appropriate interest rate

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Attachment 1



is available from the NSW Office of State Revenue website at <a href="http://www.osr.nsw.gov.au/taxes/other/taa/rates/">http://www.osr.nsw.gov.au/taxes/other/taa/rates/</a>.

- 3.3 Council must provide potential suppliers with the opportunity to identify themselves as a small business on invoicing (i.e. suppliers will be able to selfassess themselves as a 'small business', in accordance with this policy, at the date of invoicing). An example form that will be available on the website is attached as Appendix C.
- 3.4 Council will also require small businesses to register with Council using the application form available on its website.
- 3.5 For suppliers that are deemed to not be small businesses, Council will continue to endeavour to ensure payments are made within 30 days of receipt of a correctly rendered invoice.

#### 4. DEFINITIONS

For the purposes of this policy:

Correctly rendered invoice is an invoice which:

- is rendered in accordance with all of the requirements of the approved purchase order and, where applicable, the written contract
- b. is for amounts correctly calculated
- c. is for work properly performed (i.e. goods received in good order and / or service satisfactorily carried out)
- d. where applicable is a valid tax invoice

**Day that payment is made** is the day that funds are transferred into the banking system for payment to the supplier. Note that under this policy, small businesses will only be eligible under the condition that they accept electronic funds transfer as the method of payment for a correctly rendered invoice. This policy is not applicable for payments made via cheque.

Goods and services are as defined in the Public Sector Employment and Management (Goods and Services) Regulation 2010. In general terms, goods and services exclude construction contracts and property and accommodation contracts.

Small businesses are Australian or New Zealand-based firms that have an annual turnover of under \$2 million in the latest financial year.

Standing offer is an agreement for the provision or disposal of goods or services over a certain period on the order of any customer for whom the agreement has been arranged.

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#### 5. REPORTING REQUIREMENTS

#### 5.1 Quarterly reporting to Council and the general public

Council is required to provide quarterly reports specifically with respect to small business suppliers about their payment performance. These reports will be provided as part of the Quarterly Budget Review Statements (QBRS) and will also be published on Council's website.

5.2 Annual report requirements

Council will include reporting regarding the ongoing compliance with this policy in its Annual Report.

#### 6. ACCOUNTS LIAISON OFFICER

- 6.1 Council will nominate the holder of a position within staff to be the accounts liaison officer for Council. The person nominated for this position is the Senior Financial Accountant;
- 6.2 A purchase order issued by Council must include:
  - a statement that if payment is not made within the time determined in accordance with this Policy, the supplier should contact the accounts liaison officer for Council, and
  - the telephone number of the liaison officer, and
  - a statement that, if payment is not made within the specified time period, Council:
    - Must, pay the supplier penalty interest of an amount or rate as published on the Office of State Revenue's website (i.e. for small business suppliers), where interest calculated exceeds A\$20.
  - Any penalty interest payment must be met from within Council's approved budget.

To assist Council apply and implement this new policy, Appendix A provides answers to a number of frequently asked questions. The reporting template format to be used is attached at Appendix B.

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RELEVANT LEGISLATION:	N/A
RELATED POLICIES AND PROCEDURES:	Purchasing and Procurement Policy
CONTACT OFFICER:	Manager Finance and Corporate Planning
DELEGATIONS:	Ν
STAFF TRAINING:	N
TYPE OF POLICY:	Report to Council
NEXT REVIEW DATE:	November 2015
HISTORY:	N/A
PREVIOUS POLICY	
ADOPTED:	
MINUTE:	

ON-TIME PAYMENT POLICY Adopted by Council: 10/02/2015

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#### Appendix A



#### Frequently asked questions on on-time payment policy for small businesses

Frequently asked questions are provided to assist with the implementation of this policy.

#### What is covered by the payment of accounts policy for small business? When is the start date?

Council is required to pay small businesses within 30 days of receipt of a correctly rendered invoice, for invoices received on or after the date of adoption of this policy by Council.

The above requirements, however, do not apply where there is an existing contract or standing offer (i.e. pre date of adoption by Council) which provides for an alternative time period / interest requirements, in which case the terms of the contract apply. Where existing contracts have longer payment terms, Council will still endeavour to pay small business suppliers within 30 days.

#### 2. How do you define a small business?

A small business is an Australian or New Zealand-based firm that has an annual turnover of under \$2 million in the latest financial year.

#### 3. How does Council know that an invoice is from a small business under the policy?

Council must provide potential suppliers with the opportunity to identify themselves as a small business on invoicing (i.e. suppliers will be able to self-assess themselves as a 'small business', in accordance with this policy, at the date of invoicing). This will be through an application form on Council's website.

#### 4. How does Council verify that a supplier is a small business under the policy?

Council may ask a supplier to demonstrate that it satisfies the definition of a small business under this policy; e.g. by supplying a business activity statement, the latest year's annual financial statement, letters/certificate from the firm's accountant/auditor or any other acceptable third-party endorsement. However, Council may decide to limit this verification to only circumstances where interest will be paid and in all other circumstances to accept the supplier's self-assessment, and pay within 30 days from receipt of a correctly rendered invoice.

#### 5. How will we know whether a supplier's small business status changes?

A small business will need to self assess itself at the time of invoicing (i.e. to identify itself as a small business), which therefore will occur on a continuous basis, as goods and services are supplied. Registering as a small business is done on Council's website; an example of the form is attached as Appendix C.

#### 6. Can payment terms be more than 30 days?

Yes, but only where the nature of the goods and services or the structure of the purchase make it impractical to require payment within 30 days.

#### 7. Is Council to pay small businesses within 30 calendar days or 30 business days?

Payments to small businesses are to be made within 30 calendar days.



#### 8. How is interest for late payment initiated?

Interest will be automatically paid by Council where payment has not been made within 30 days of receipt of a correctly rendered invoice, where interest exceeds A\$20. This means that Council must calculate the interest payable, which must then be certified as correct.

#### 9. How is interest for late payments calculated?

The interest rate is determined under section 22 of the Taxation Administration Act 1996. This is available from the NSW Office of State Revenue website at: <a href="http://www.osr.nsw.gov.au/taxes/other/taa/rates/">http://www.osr.nsw.gov.au/taxes/other/taa/rates/</a>.

#### 10. What is a correctly rendered invoice?

A correctly rendered invoice is an invoice which:

- a. is rendered in accordance with all of the requirements of the approved purchase order, a valid tax invoice and, where applicable, the written contract
- b. is for amounts correctly calculated
- c. is for work properly performed (i.e. goods received in good order or service satisfactorily carried out)
- d. where applicable is a valid tax invoice

# 11. What happens if the supplier issues an invoice but the goods or services have not been delivered or do not meet the requirements of the written contract?

In these circumstances, the invoice will not meet the definition of a 'correctly rendered invoice'. The requirement to pay invoices within 30 days and to pay interest on overdue amounts arises only when the goods and a 'correctly rendered invoice' have been received.

#### 12. Does the payment of accounts policy apply to invoices issued under an existing (pre the date of adoption by Council) contract which specifies different payment terms and interest requirements?

No. The requirement to pay small business suppliers within 30 days of receipt of a correctly rendered invoice applies, unless an existing contract or standing offer provides otherwise. However, where existing contracts have longer payment terms, Council will still endeavour to pay small business suppliers within 30 days.

#### 13. Is there any dispute resolution process?

Yes. Any disputes or complaints should first be raised with Council's Accounts Liaison Officer. If the issue cannot be resolved by the Accounts Liaison Officer, the small business supplier should be given the opportunity to refer the issue to the Small Business Commissioner. The Small Business Commissioner can be contacted on 1300 795 534 or via email at we.assist@smallbusiness.nsw.gov.au.

#### 14. How will this new policy be communicated to small business suppliers?

The new policy will be promoted on Council's website as part of the small business friendly Councils initiative. In addition, information will be provided on purchase orders and in regular supplier correspondence issued by Council.

#### Appendix B



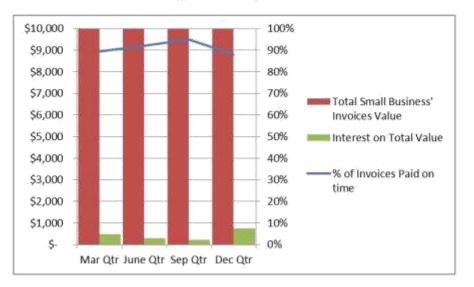
#### Quarterly payment performance

Council reporting template

Number of small businesses registered during quarter ending \_\_\_\_\_ 20xx

Measure	Sep 20xx	Dec 20xx	Mar 20xx	Jun 20xx
Invoices due for payment (#)				
Invoices due for payment received from small businesses (#)				·
Invoices from small businesses paid on time (#)				
Amount due for payment (\$)	-			
Amount due for payment to small businesses (\$)				
Amount due to small businesses paid on time (\$)				
Number of payments to small businesses for interest on overdue accounts (#)				
Interest paid to small businesses on late accounts (\$)				

#### **On-Time Payment Policy Performance**



**ORD09** 

Attachment 1

SMALL BUSINESS FRIENDLY COUNCILS

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#### Appendix C

	Small Business Registration Form Note: this form is to be completed on Council's Website
Business Name:	
ABN:	
Trading Name:	
Street Address:	
Suburb:	
Postcode:	
Contact Name:	
Contact Phone:	
Fax:	
Email:	
Electronic Funds Tran	sfer Details
Account Name:	
BSB:	
Account Number:	
Small Business Eligibi	lity
Is your Annual Turnov	ver less than \$2 Million per year? Yes 📃 No
By ticking this by time of completi	ox I agree that all information supplied in this form is true and accurate ng this form. Date: ///
Please note that p	roviding account details is a requirement for registering as a small bus
	liers registered with Camden Council as a small business will be disclo incil. Only Council officers are intended to have access to this informat

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