



Camden Council

Business Paper

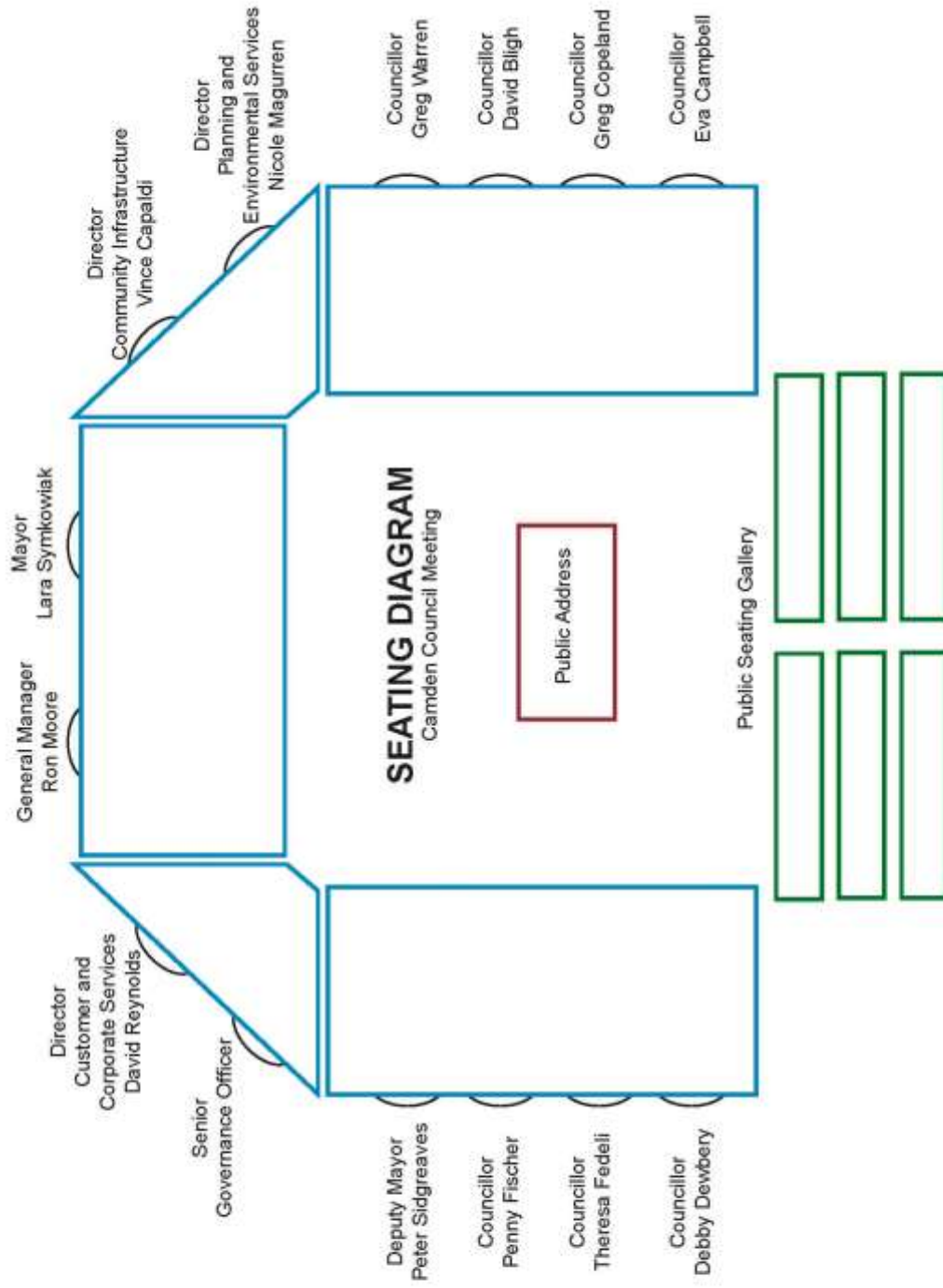
Ordinary Council Meeting
13 October 2015

Camden Civic Centre
Oxley Street
Camden



COMMON ABBREVIATIONS

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



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



ORDINARY COUNCIL

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ORDINARY COUNCIL

SUBJECT: PRAYER

PRAYER

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

Amen

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

Amen

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

Amen

AFFIRMATION

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

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

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

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

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



ORDINARY COUNCIL

SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

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



ORDINARY COUNCIL

SUBJECT: RECORDING OF COUNCIL MEETINGS

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

No other recording by a video camera, or any other electronic device capable of recording speech, is permitted without the prior approval of the Council. The Council has not authorised any other recording of this meeting. A person may, as provided by section 10(2)(a) or (b) of the Local Government Act be expelled from a meeting of a Council for using or having used a recorder in contravention of this clause.



ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.



ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

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

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

RECOMMENDED

That the declarations be noted.



ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

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

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

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

All speakers are limited to 4 minutes, with a 1 minute warning given to speakers prior to the 4 minute time period elapsing. The commencement and conclusion of time shall be advised by the Mayor/Chairperson.

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

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

RECOMMENDED

That the public addresses be noted.



ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 22 September 2015.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 22 September 2015, copies of which have been circulated, be confirmed and adopted.



ORDINARY COUNCIL

SUBJECT: MAYORAL MINUTE

Consideration of Mayoral Minute (if any).



ORD01

ORDINARY COUNCIL

ORD01

SUBJECT: TWO STOREY DWELLING AND ATTACHED SECONDARY DWELLING, 14 LONGHURST STREET, ORAN PARK
FROM: Director Planning & Environmental Services
TRIM #: 15/244528

APPLICATION NO: DA 438/2015
PROPOSAL: Two storey principal dwelling and two storey secondary dwelling and associated site works
PROPERTY ADDRESS: 14 Longhurst Street Oran Park
PROPERTY DESCRIPTION: Lot 4108 DP 1186202
ZONING: R1 General Residential
OWNER: Luxus Developments Pty Ltd
APPLICANT: Quadro Pty Ltd

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for a two storey principal dwelling and attached two storey secondary dwelling, and associated site works at 14 Longhurst Street, Oran Park.

The DA is referred to Council for determination as one submission has been received.

SUMMARY OF RECOMMENDATION

That Council determine DA 438/2015 for a two storey principal dwelling and attached two storey secondary dwelling pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for a two storey dwelling and attached two storey secondary dwelling, and associated site works at 14 Longhurst Street, Oran Park.

The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, relevant Environmental Planning Instruments, Development Control Plans and policies. The outcome of this assessment is detailed further in this report.

The DA was publicly exhibited in accordance with Camden Development Control Plan 2011. One submission was received objecting to the proposed development. **A copy of the submission is provided with the Business Paper supporting documents.**

Council staff contacted the submission writer to discuss their concerns however were unsuccessful in resolving the issues raised in the submission.

The issues raised in the submission relate to non-compliances with dual occupancy controls in the DCP and the legitimacy of the secondary dwelling.



The proposed dwelling and secondary dwelling development is permitted with consent in the applicable R1 General Residential zone under the provisions of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

An objective of the R1 General Residential zone is “to provide for a variety of housing types and densities” which encourages a diverse range of housing for the area.

The proposed development **fully complies** with all applicable planning controls subject to conditions.

Based on the assessment, it is recommended that the DA be approved subject to the conditions contained in this report.

This DA is similar to a DA previously approved by Council at 5 Holden Drive, Oran Park. At the time Council resolved to liaise with the Department of Planning and Environment to review the unrestricted floor areas of secondary dwellings within the Oran Park and Turner Road precinct. Subsequent to discussions between Council and the Department, an amendment to the SEPP is scheduled to occur to address this issue.

To help inform residents of potential surrounding land uses, such as secondary dwellings, Council has prepared a brochure “*Building and Buying in the Camden Area*”. The brochure provides a guide on how to research what developments may occur next to or nearby a property prior to purchase. This brochure is made available to developers and is also published on Camden Council’s website.

AERIAL PHOTO





THE SITE

The site is commonly known as 14 Longhurst Street, Oran Park and is legally described as Lot 4108 DP 1186202.

The site has a frontage of 15m to Longhurst Street, a depth of 32m and an overall area of 480m². The site is located on the northern side of Longhurst Street and is currently vacant. The lot falls from south-west to north-east.

The adjoining properties comprise of single storey and two storey detached dwellings. The surrounding area is characterised by both developed residential lots and residential land which is currently being developed for housing.

The Oran Park Town Centre is located approximately 1.4km north east of the subject site.

HISTORY

The relevant development history of the site is summarised in the following table:

Date	Development
8/07/2014	Bulk earthworks under DA 98/2014
22/12/2014	Subdivision to create 169 residential lots, 1 public open space lot, 2 residue lots and associated site works.

THE PROPOSAL

DA/2015/438 seeks approval for a two storey dwelling and an attached two storey secondary dwelling.

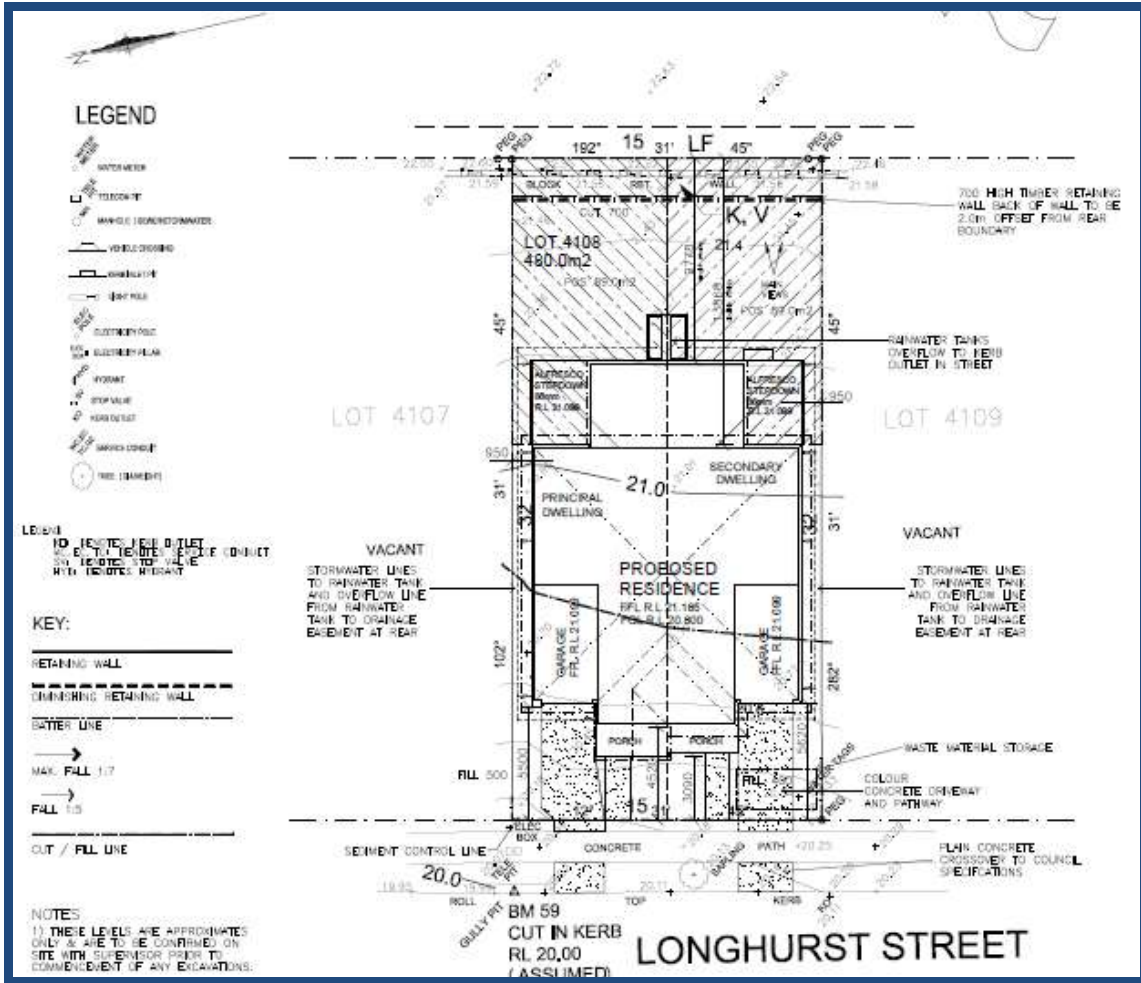
Specifically the proposed development involves:

- Construction of a two storey principal dwelling (located on the northern side of the site) and attached two storey secondary dwelling (located on the southern side of the site). Each dwelling contains 4 bedrooms and a single car space garage. The dwellings will be constructed of a combination brick veneer and lightweight cladding with a metal roof; and,
- Construction of two driveways and landscaping.

The value of the works is \$440,000.

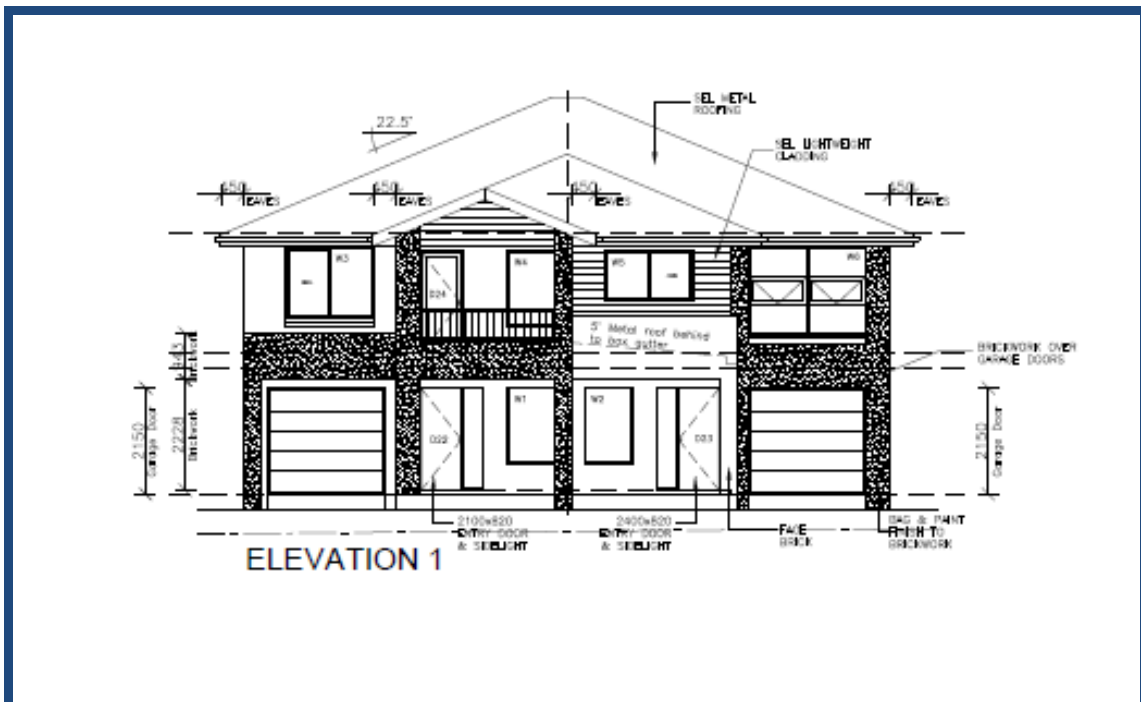
A copy of the proposed plans is provided as attachment 1 to this report.

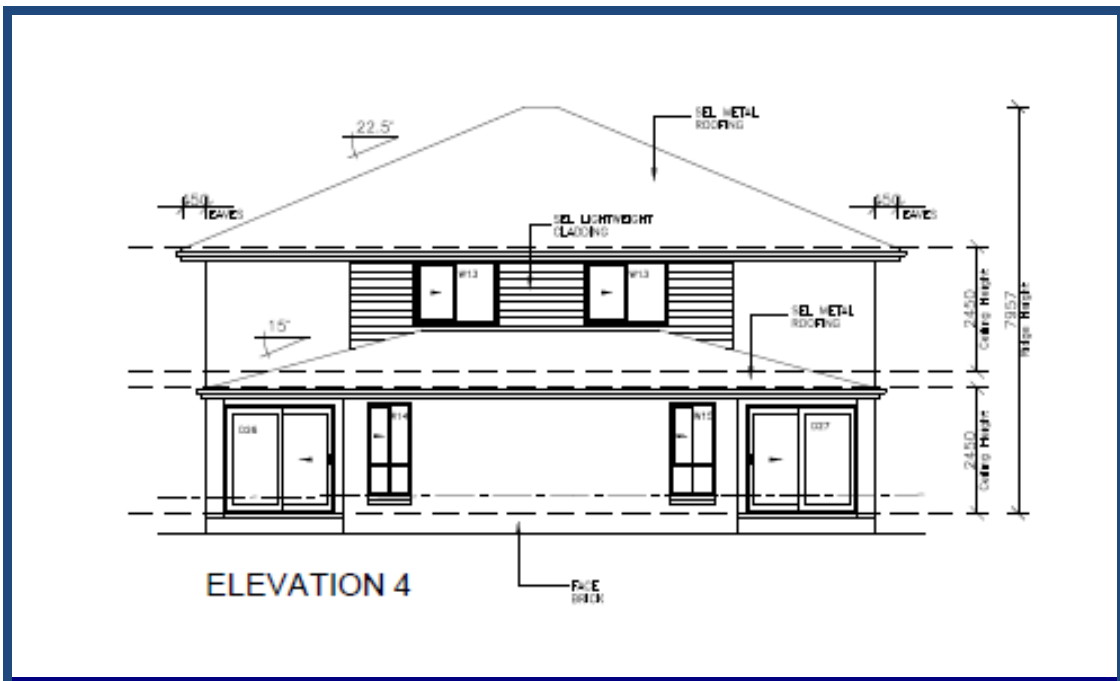
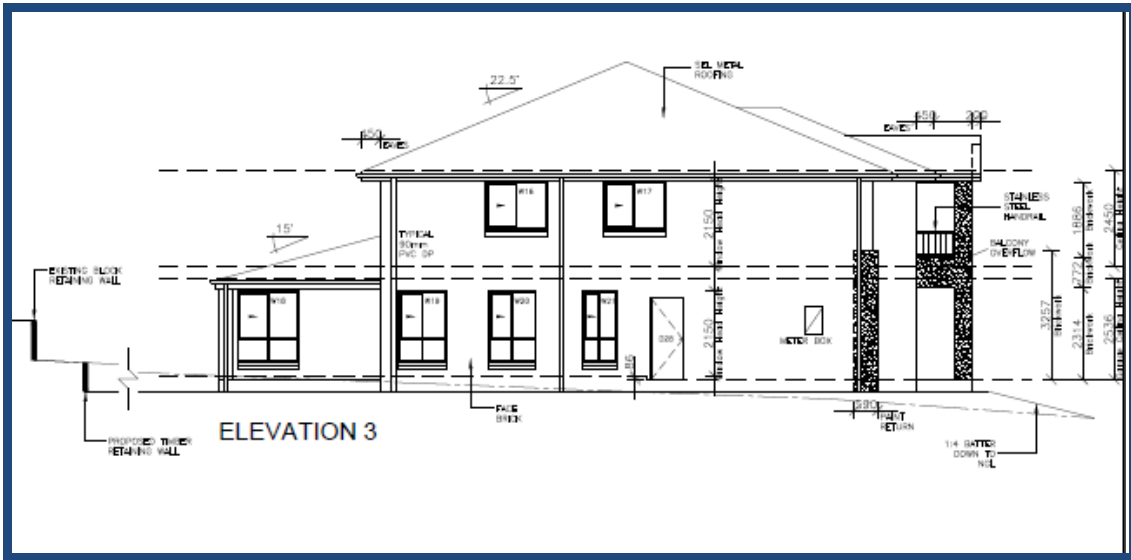
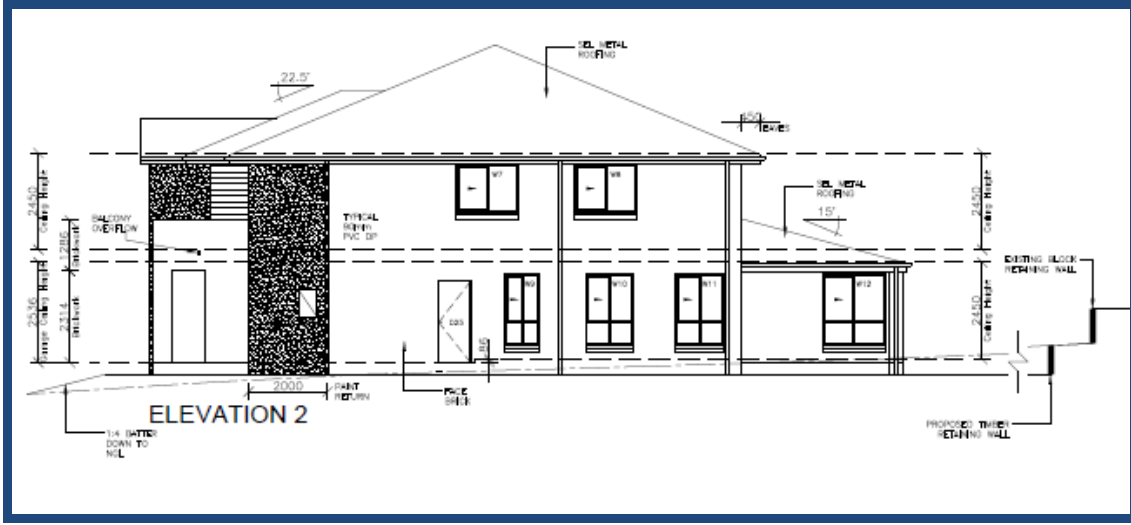
PROPOSED PLANS



ORD01

PROPOSED ELEVATIONS







ASSESSMENT

Environmental Planning and Assessment Act 1979 – Section 79(C)(1)

In determining a DA, the consent authority is to take into consideration the following matters as are of relevance in the assessment of the DA on the subject property:

(a)(i) The Provisions of any Environmental Planning Instrument

The Environmental Planning Instruments that relate to the proposed development are:

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Deemed State Environmental Planning Policy No 20–Hawkesbury-Nepean River
- State Environmental Planning Policy (Sydney Region Growth Centres) 2006

An assessment of the proposed development under the Environmental Planning Instruments is detailed below.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (SEPP)

The SEPP aims to encourage sustainable residential development and requires DAs for such development to be accompanied by a list of BASIX commitments as to the manner in which the development will be carried out.

Council staff have reviewed the BASIX certificate for the proposed development and are satisfied that it has been designed to achieve the minimum targets for water, thermal comfort and energy. It is a recommended condition that the proposed development is carried out in accordance with the commitments described in the BASIX certificate

Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River (SEPP)

The proposed development is consistent with the aim of the SEPP (to protect the environment of the Hawkesbury-Nepean River system) and all of its planning controls.

There will be no detrimental impacts on the Hawkesbury-Nepean River system as a result of the proposed development. Conditions requiring appropriate sediment and erosion controls and a stabilised access point are recommended.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (SEPP)

The objectives of the R1 General Residential zone are as follows:

Permissibility

The site is zoned R1 General Residential under the provisions of the SEPP. The proposed development is defined as a “dwelling” and a ‘secondary dwelling” by the SEPP which are both permissible in the R1 zone.

Objective:



The objectives of the R1 General Residential are as follows:

- To provide for the housing needs of the community.

Officer comment:

The proposed dwelling and secondary dwelling will provide housing opportunities for the community.

Objective:

- To provide for a variety of housing types and densities.

Officer comment:

An attached dwelling and secondary dwelling development is a permissible housing type in a residential zone. The subject site has an area of 480m² and is in excess of the minimum lot size of 450m² required to allow a secondary dwelling. The development will add to the variety of housing types and densities being provided throughout the Oran Park precinct.

Objective:

- To enable other land uses that provide facilities or services to meet the day to day needs of residents;
- To support the well-being of the community, including educational, recreational, community, religious and other activities and, where appropriate, neighbourhood shops if there will be no adverse effect on the amenity of proposed or existing nearby residential development.
- To allow for small scale kiosks, function centres, restaurants and markets that support the primary function and use of recreation areas, public open space and recreation facilities located within residential areas.
- To allow for small scale intensity tourist and visitor accommodation that does not interfere with residential amenity.
- To provide for a variety of recreational uses within open space areas.

Officer comment:

The above objectives are not relevant as the proposed development is for a dwelling and secondary dwelling only.



Relevant Clauses

The DA was assessed against the following relevant clauses of the SEPP.

Clause	Requirement	Provided	Compliance
4.1 Minimum Lot Size	Minimum lot size for secondary dwellings in R1 zone is 450m ²	The site has an area of 480m ²	Yes
4.3 Height of Buildings	Maximum 9.5m building height	8.363m	Yes

(a)(ii) The Provisions of any Draft Environmental Planning Instrument (that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)).

There is no draft Environmental Planning Instruments applicable to the proposed development.

(a)(iii) The Provisions of any Development Control Plan

Oran Park Development Control Plan 2007 (DCP)

The following is an assessment of the proposed development's compliance with the controls in the Oran Park DCP.

Control	Requirement	Provided	Compliance
2.1 Indicative Layout Plan	All development must be undertaken in accordance with the Oran Park ILP	The site is located within an area designated for residential development. The proposed development is permissible in this area	Yes
6.3 Salinity and Soil Management	All development must incorporate soil conservation and sediment and erosion control measures during and following construction	A standard condition is recommended that will require appropriate soil erosion and sediment control measures be undertaken	Yes
6.9 Acoustics	Residential development shall be designed to comply with Council's Environmental Noise Policy	The noise criteria for the lot was assessed as part of the original subdivision application. There are no specific acoustic treatments specified for this lot in the Section 88b restrictions	Yes
7.5.1 Site Analysis	A site analysis plan must be submitted	A satisfactory site analysis plan has been	Yes



ORD01

Control	Requirement	Provided	Compliance
	for all development applications	submitted as part of the application	
7.5.2 Cut and Fill	The maximum cut shall not exceed 1m	Max 700mm cut is proposed.	Yes
	The maximum fill shall not exceed 1m	Max 400mm fill is proposed.	Yes
	Fill within 2m of a property boundary shall be fully contained with the use of a drop edge beam with no fill permitted outside of this building footprint	Fill is required within the building footprint which is 950mm from the property boundary. A condition of consent will require the use of a dropped edge beam.	Yes
	The use of a drop edge beam shall not exceed 1m above natural ground level	The use of drop edge beam required will not exceed 1m above natural ground level.	Yes
7.5.3 Sustainable Building Design	The provisions of BASIX apply The orientation of dwellings, location of living rooms and positioning and sizing of windows are to take advantage of solar orientation and maximise natural light penetration	A BASIX certificate has been provided and will be endorsed as part of the consent	Yes
7.6.2 Streetscape and Architectural Design	Primary façade of a dwelling must include two design features	The front façade of each dwelling provides design features by way of entry features, a balcony and a mixture of building materials	Yes
	Eaves should be a minimum of 450mm	450mm eaves are proposed	Yes
	Roof pitch for main dwelling to be between 22.5 and 35 degrees. Skillion roofs and roofs hidden from view by parapet walls are	The upper roof pitch is 22.5 degrees. The lower rear roof pitch is 15 degrees. Although the roof is not a skillion roof or hidden behind a	Yes



ORD01

Control	Requirement	Provided	Compliance
	excluded from the control. Front facades are to feature at least one habitable room with a window onto the street	parapet, the roof is located at the rear of the property and does not compromise the streetscape. The rear lower roof pitch is considered satisfactory. Both dwellings have a habitable room with windows facing the street	Yes
7.6.1 Summary of key controls Table 18 - Lots with frontage width $\geq 9\text{m}$ and $\leq 15\text{m}$		In accordance with the DCP, lot frontage is measured at the street facing building line. The lot frontage at the building line is 15m.	Yes
7.6.3 Front Setbacks	4.5m to building façade line 3.0m to articulation zone 5.5m to garage line and 1m behind the building façade line	4.520m 3.090m 5.5m & 2.41m behind building façade line	Yes Yes Yes
7.6.4 Side and Rear Setbacks	Side setbacks - 0.9m at ground and first floor level Rear setbacks – 4m ground floor and 6m first floor	950mm for both lower and upper floors are proposed Both dwellings have a rear setback of 9.778m	Yes
7.6.5 Dwelling Height, Massing and Siting	2 storey maximum For lots $\geq 375\text{m}^2$ upper levels of a dwelling is to be no more than 35% of the lot area The ground floor level shall be no more than 1m above finished ground level	Both dwellings are two storey The combined upper floor area is 170sqm which is 35% of the lot area. The ground floor will be a maximum 594mm above finished ground level.	Yes Yes Yes
7.6.6 Landscaped Area	Min 25% of lot area	209.1sqm landscaped area= 43.6%	Yes
7.6.7 Private Open	PPOS requires a minimum 20m ² of	178sqm of PPOS is provided with a	Yes



ORD01

Control	Requirement	Provided	Compliance
Space	the lot area and minimum dimension of 4m	minimum dimension of 7.5m.	
	50% of the PPOS(of both the proposed development and adjoining properties) is required to be to receive 3 hours of sunlight between 9am and 3pm on 21 June	The PPOS of both the proposed development and adjoining properties will receive adequate sunlight. This has been demonstrated on the shadow diagrams submitted with the DA	Yes
	Principal private open space (PPOS) must be accessible from main living area of the dwelling	The PPOS is accessible from the main living areas of the dwellings	Yes
	Have a max gradient of 1:10	Max gradient 1:10	Yes
7.6.8 Garages, Site Access and Parking	Lots $\geq 12.5\text{m}$ and $\leq 15\text{m}$	Note: No car parking is required for a secondary dwelling in accordance with Section 7.7.2 of the Oran Park DCP	Yes
	Single, tandem or double garages permitted	Two separate single garages are proposed	Yes
	3 bedrooms or more, dwellings must provide at least 2 car spaces	Both dwellings provide one space in the garage and one hardstand space in front of the garage and within the boundaries of the subject site.	Yes
	Driveways shall comply with AS2890	Both driveways comply with AS2890	Yes
	Single garage doors are to be a max of 3m wide	Both garage doors measure 2.5m wide.	Yes
	Minimal internal dimensions for a single garage are 3m wide and 5.5m deep	Both garages comply	Yes
	Minimum garage door width 2.4m (single) 4.8m	Both garage doors measure 2.5m	Yes



ORD01

Control	Requirement	Provided	Compliance
	(double)		
7.6.9 Visual and Acoustic Privacy	Direct overlooking of the main habitable area and private open space should be minimised Habitable room windows are not to face adjoining dwelling windows & POS.	There will be no direct overlooking of main habitable rooms and POS of adjacent dwellings. Windows are not positioned to face the adjoining dwelling windows and POS.	Yes Yes
7.6.10 Fencing	Front fencing 1m Side and rear fencing 1.8m	None proposed 1.8m high colorbond fence is proposed along the side and rear boundaries.	Yes Yes
7.7.2 Secondary Dwellings, Studio Dwellings and Dual Occupancies Table 21 Key controls for secondary dwellings	Secondary dwellings are to comply with the controls in section 7.6 For secondary dwellings, windows and private open space must not overlook the private open space of adjacent dwellings	As demonstrated above the development complies with all relevant controls in Section 7.6 Views from the ground floor and private open space of the secondary dwelling to the adjacent dwellings will be obscured by the 1.8m colorbond fences. The windows on the upper floor of the secondary dwelling serve bedrooms and as such are not likely to be areas of congregation do not raise overlooking concerns.	Yes Yes
On site car Parking	No additional car parking required	2 car spaces are provided for the secondary dwelling	Yes
Private open space	No separate private open space to be provided	Separate private open space has been provided for the secondary dwelling. Control (6) of Section 7.7.2 indicates that POS can be provided to a secondary dwelling	Yes



ORD01

Control	Requirement	Provided	Compliance
Subdivision	Subdivision from principal dwelling not permitted	noting that it seeks to limit overlooking from the POS of secondary dwellings. No subdivision is proposed	Yes
Access	Separate access to a street or shared driveway not required	A separate driveway is proposed for the secondary dwelling	Yes
Services and facilities	No separate services or facilities required	Sufficient storage for waste bin storage provided	Yes
8.1 Sustainable Building Design	New residential developments are to be accompanied by a BASIX certificate	A BASIX certificate has been submitted as part of the application	Yes
8.2 Stormwater And Construction Management	A stormwater concept plan is to be submitted with each building DA	An appropriate concept stormwater drainage plan has been submitted with the DA	Yes
8.3 Waste Management	A Waste Management Plan is to be submitted with all DAs	A satisfactory WMP has been submitted as part of the DA	Yes
	Development must take into consideration refuse storage and bin collection without reducing the amenity of neighbouring lots	There is sufficient space on site for both dwellings to store bins	Yes
	An area adjacent to the kerb suitable for the placement of bins should be available	There will be sufficient space in front of the dwelling adjacent to the kerb for bins to be placed for collection	Yes
8.4 Site Facilities and Servicing	Underground servicing is required for all domestic serving utilities	The proposed development can be connected to the existing underground services on Longhurst Street	Yes
8.6 Safety and Surveillance	Buildings should be designed to overlook streets	The development has been designed to provide casual surveillance to the street by way of window	Yes
	All development should		



Control	Requirement	Provided	Compliance
	aim to provide casual surveillance to the street by maximising outlooks and views and minimise the overlooking of neighbouring properties	treatment and the provision of a balcony along the front façade	

(a)(iia) The Provision of any Planning Agreement that has been entered into under Section 94F, or any draft Planning Agreement that a developer has offered to enter into under Section 93F

No relevant agreement exists or has been proposed as part of this DA.

(a)(iv) The Regulations

There are no matters prescribed by the Regulations that apply to the proposed development.

(b) The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

As demonstrated by the above assessment, the proposed development is unlikely to have a significant impact on both the natural and built environments, and the social and economic conditions of the locality.

(c) The suitability of the site

As demonstrated by the above assessment, the site is considered to be suitable for the proposed development.

(d) Any submissions made in accordance with this Act or the Regulations

The DA was publicly exhibited for 14 days in accordance with the DCP. The exhibition period was from 27 May 2015 to 10 June 2015. One submission was received objecting to the proposed development. **A copy of a public exhibition and submissions map is provided with the Business Paper supporting documents.**

The following discussion addresses the issues and concerns raised in the submissions.

- 1. The development is a dual occupancy and not a dwelling with an attached secondary dwelling.*

Officer comment:

The proposed development is not a dual occupancy development by definition and therefore is not assessed against the dual occupancy controls specified in the Oran Park DCP. The proposed development complies with the relevant controls for dwellings and secondary dwellings in accordance with the Oran Park DCP.



2. Does not comply with the minimum lot size for dual occupancy

Officer comment:

The SEPP (Sydney Region Growth Centre) 2006 specifies a minimum lot size of 450m² for secondary dwellings in R1 General Residential zones. The Oran Park DCP 2007 does not specify a maximum floor area for secondary dwellings. The proposed principal dwelling and secondary dwelling comply with the provisions of the SEPP and the DCP.

(e) The public interest

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, Environmental Planning Instruments, Development Control Plans and policies. Based on the above assessment, the proposed development is consistent with the public interest.

EXTERNAL REFERRALS

The DA was not required to be referred to any external agency for comment.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA/2015/438 is recommended for approval subject to the conditions contained in this report.

CONDITIONS

1.0 - General Conditions of Consent

The following conditions of consent are general conditions applying to the development.

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
00 Rev A Sheet 1	Cover sheet	EJ Homes	30/03/2015
00 Rev A Sheet 2	Site Analysis & Drainage Plan	EJ Homes	30/03/2015
00 Rev A Sheet 3	Landscape Plan	EJ Homes	30/03/2015
00 Rev A Sheet 2.2	9am Shadow Diagram	EJ Homes	30/03/2015
00 Rev A Sheet 2.2	12PM Shadow Diagram	EJ Homes	30/03/2015



00 Rev A Sheet 2.4	3pm Shadow Diagram	EJ Homes	30/03/2015
00 Rev A Sheet 3	Ground Floor Plan	EJ Homes	30/03/2015
00 Rev A Sheet 4	First Floor Plan	EJ Homes	30/03/2015
00 Rev A Sheet 5	Elevation Plans	EJ Homes	30/03/2015
00 Rev A Sheet 6	Elevation Plans	EJ Homes	30/03/2015
00 Rev A Sheet 7	Section	EJ Homes	30/03/2015

Document Title	Prepared by	Date
BASIX Certificate No. 625256M_02	Chapman Environmental Services Pty Ltd	9/06/2015
Waste Management Plan	Benchmark Building Certifiers	April 2015
Colour Schedule	EJ Homes	Submitted with DA Documentation.

- (2) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate(s) for the development to which this consent applies.
- (3) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (4) **Home Building Act** - Pursuant to Section 80A(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the PCA for the development to which the work relates:
 - a) in the case of work for which a principal contractor has been appointed:
 - i. has been informed in writing of the name and licence number of the principal contractor; and
 - ii. where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.
 - b) in the case of work to be carried out by an owner-builder;
 - i. has been informed in writing of the name of the owner-builder; and
 - ii. if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.
- (5) **Excavation for Residential Building Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
 - a) protect and support the adjoining premises from possible damage from the excavation; and
 - b) where necessary, underpin the adjoining premises to prevent any such damage.



This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying, and a copy of that written consent is provided to the PCA prior to the excavation commencing.

2.0 – Prior to Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any Geotechnical Report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
- (2) **Building Platform** - This consent restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2.0m from the external walls of the building. Where the external walls are within 2.0m of any property boundary, no parallel fill is permitted and a deepened edge beam to natural ground level shall be used. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (3) **Driveway Gradients and Design** - For all driveways that relate to development for the purposes of a dwelling house, the driveway gradient and design shall comply with AS 2890.1-2004 'Off street car parking' and:
 - a) the driveway shall comply with Council's Engineering Specifications;
 - b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
 - c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and
 - d) a Public Road Activity approval must be obtained prior to the commencement of any works.

Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.

- (4) **Salinity (Dwellings & Outbuildings)** - The proposed dwelling, landscaping and associated works for the development shall comply with the requirements of the Salinity Management Plan proposed residential development titled "Salinity Investigation and Management Plan Proposed Subdivision Tranches 4-6 Oran Park, prepared for Landcom by Douglas Partners, Ref 34272.23, dated December 2011".

Alternatively, a site specific analysis including recommendations, prepared by a suitably qualified consultant and referencing Australian Standard AS2870-2011 and Council's Building in a Saline Prone Environment Policy shall be submitted to the Certifying Authority.

Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.



- (5) **Acoustic Report** - The development shall be constructed in accordance with the approved acoustic report titled “Oran Park Tranche 4 Stage 1 Road Traffic Noise Assessment Report, Prepared by Renzo Tonin & Associates, Ref TD029-17F02 (Rev 5) Road Traffic Noise Assessment Report, dated 10-04-2013”.

Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

- (6) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any work that cost \$25,000 or more.

- (7) **Section 94 Contributions – Monetary (Turner Road and Oran Park)** - A contribution pursuant to the provisions of Section 94 of the *EP&A Act 1979* for the services and amounts detailed below.

Plan Name	Contribution Type	Indexed Rate	Amount Payable
OP & TR Contributions Plan	Open Space & Recreation – Land Acquisition	\$11,333.00 per lot or dwelling	\$11,333.00
OP & TR Contributions Plan	Open Space & Recreation - Works	\$8,685.00	\$8,685.00
OP & TR Contributions Plan	Open Space & Recreation - Project Management	\$191.00 per lot or dwelling	\$191.00
OP & TR Contributions Plan	Community Facilities – Land Acquisition	\$129.00 per net developable hectare	\$129.00
OP & TR Contributions Plan	Community Facilities - Works	\$1,688.00 per net developable hectare	\$1,688.00
OP & TR Contributions Plan	Community Facilities – Project Management	\$37.00 per net developable hectare	\$37.00
	Total		\$22,063.00

A copy of the Oran Park and Turner Road Precincts Section 94 Contributions Plan may be inspected at Council’s Camden office at 37 John Street, Camden or can be accessed on Council’s website at www.camden.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this



amount shall be indexed at the time of actual payment in accordance with the applicable Index.

3.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
 - a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
 - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
 - f) a telephone number on which the PCA may be contacted for business purposes.

- (2) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
 - a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;
 - c) the address of the land on which the work is to be carried out;
 - d) the registered number and date of issue of the relevant development consent and construction certificate;
 - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
 - f) the date on which the work is intended to commence.

- (3) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
 - a) a Construction Certificate has been issued by a Consent Authority;

- b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
- c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
- d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and

the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.

- (4) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
 - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours;
 - c) the name, address and telephone number of the PCA.

The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.

- (5) **Sydney Water Approval** - The approved development plans shall be approved by Sydney Water.
- (6) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this Development Consent.

Soil erosion and sediment control measures shall be maintained during construction works and shall only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:

- a) retaining walls shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
 - b) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries;
 - c) retaining walls shall not be erected within drainage easements;
 - d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.
- (4) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the (select option a, b or c):
- a) street gutter;
 - b) drainage easement;
 - c) existing drainage system.

Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.

All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The PCA shall not permit construction works beyond the frame inspection stage until this work has been carried out.

- (5) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.
- (6) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the PCA prior to the pouring of concrete.
- (7) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.

5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.



- (2) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the PCA.
- (3) **Footpath Crossing Construction** - A footpath crossing and driveway shall be constructed in accordance with this consent and the approved Construction Certificate prior to use or occupation of the development.
- (4) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.

6.0 – Ongoing Use

The following conditions of consent are operational conditions applying to the development.

- (1) **Residential Air Conditioning Units** - The operation of air conditioning units shall operate as follows:
 - a) be inaudible in a habitable room during the hours of 10pm – 7am on weekdays and 10pm to 8am on weekends and public holidays;
 - b) emit a sound pressure level when measured at the boundary of any neighbouring residential property, at a time other than those specified in (a) above, which exceeds the background (LA90, 15 minutes) by more than 5dB(A). The source noise level shall be measured as a LAeq 15 minute; and
 - c) not discharge any condensate or moisture onto the ground surface of the premises or into stormwater drainage system in contravention of the requirements of the *Protection of the Environment Operations Act 1997*.
- (2) **No Subdivision** – No Strata or Torrens Title subdivision of the principal and secondary dwelling is permitted.

RECOMMENDED

That Council approve DA 438/2015 for the construction of a two storey principal dwelling and an attached two storey secondary dwelling at 14 Longhurst Street, Oran Park, subject to the conditions listed above.

ATTACHMENTS

1. Proposed Plans
2. Floor Plans - *Supporting Document*
3. Submission - *Supporting Document*
4. Public Exhibition and Submissions Map - *Supporting Document*

ORD01

Attachment 1

LOT 4108
 S.P.: 1186202
 S.G.A.: CAMDEN

STORMWATER TO STREET VIA RAINWATER TANKS



LEGEND

- BOUNDARY
- DRIVEWAY
- NON-KERB KERBSIDE BOUNDARY
- RETAINING WALL
- DIMINISHING RETAINING WALL
- BATTER LINE
- MAX. FALL 1:7
- FALL 1:5
- CUT / FILL LINE

GEND:
 F.O. DENOTES HERO OUTLET
 M.E.C. TO DENOTES SERVICE CONDUIT
 S.W. DENOTES STOP VALVE
 HY. DENOTES HYDRANT

KEY:

- RETAINING WALL
- DIMINISHING RETAINING WALL
- BATTER LINE
- MAX. FALL 1:7
- FALL 1:5
- CUT / FILL LINE

NOTES

- 1) THESE LEVELS ARE APPROXIMATE ONLY & ARE TO BE CONFIRMED ON SITE WITH SUPERVISOR PRIOR TO COMMENCEMENT OF ANY EXCAVATIONS.
- 2) SILTATION CONTROL TO COUNCIL REQUIREMENTS.
- 3) EXISTING VEGETATION ON SITE TO BE REMOVED
- 4) NO WATERWAY OR WATERCOURSES IN SITE.
- 5) TERMITE PROTECTION TO AS3660.
- 6) STORMWATER TO STREET VIA TANK.

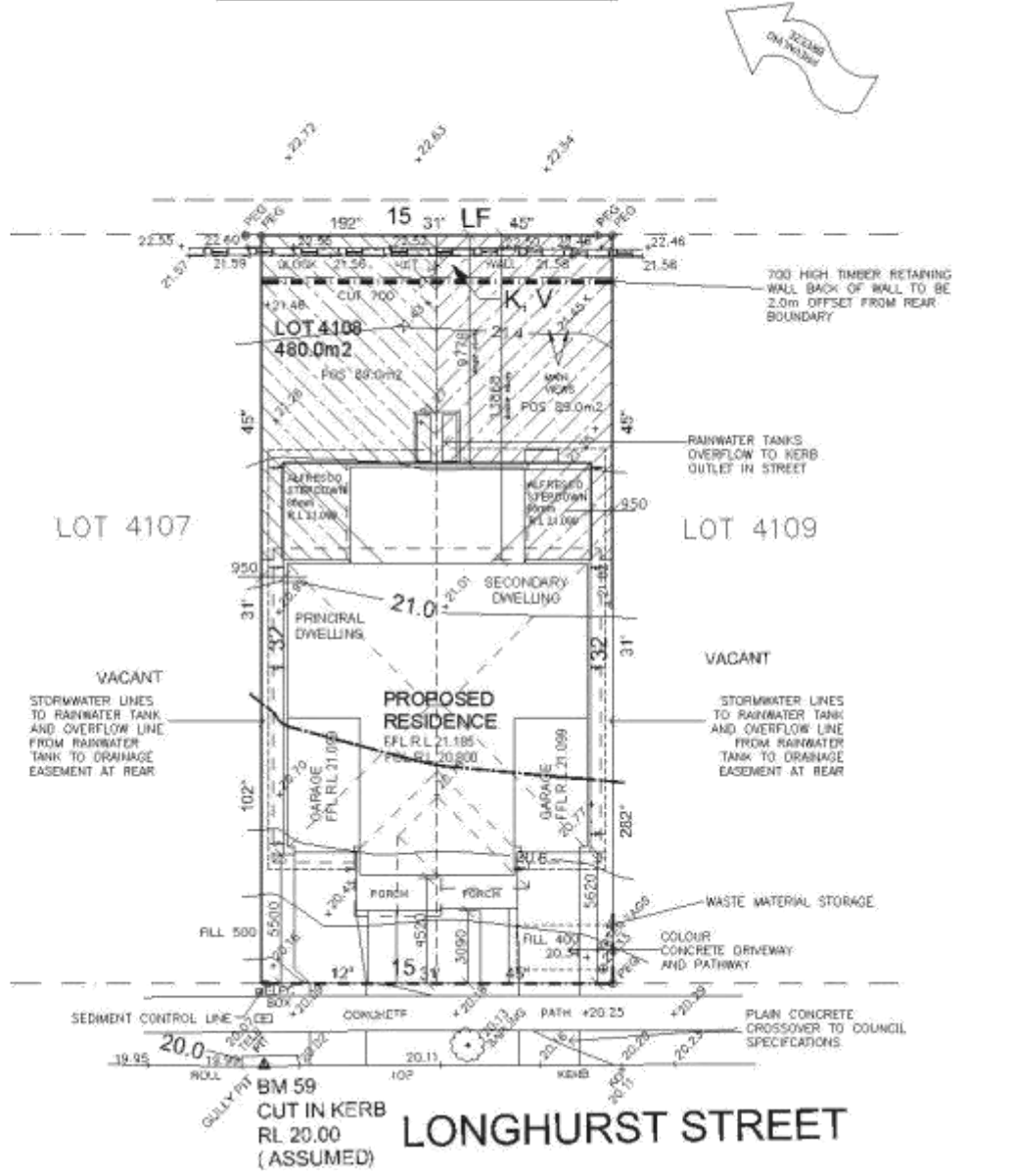
www.dialbeforeyoudig.com.au



NOTE:
 ALL GROUND LINES ARE APPROXIMATE. EXTENT OF FILL & BATTER WILL BE DETERMINED ON SITE. SEDIMENT BARRIERS ARE TO BE CUSTOMISED SITE SPECIFIC

F: EASEMENT FOR SUPPORT AND MAINTENANCE 1.5 WIDE
 K: RESTRICTION ON THE USE OF LAND 1.8 WIDE
 V: POSITIVE COVENANT 1.8 WIDE

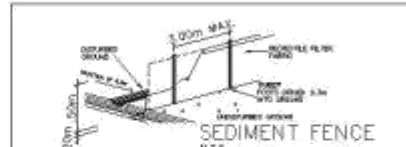
SITE ANALYSIS & DRAINAGE PLAN



LONGHURST STREET



NOTE: ANY RETAINING WALL VISIBLE FROM THE STREET OR 900mm HIGH AND OVER ARE TO BE OF MASONRY CONSTRUCTION.



- SEDIMENT CONTROL NOTES**
1. ALL EROSION AND SEDIMENTATION CONTROL MEASURES, INCLUDING REVEGETATION AND STORAGE OF SOIL AND TOPSOIL, SHALL BE IMPLEMENTED TO THE STANDARDS OF THE SOIL CONSERVATION OF NSW.
 2. ALL DRAINAGE WORKS SHALL BE CONSTRUCTED AND STABILIZED AS EARLY AS POSSIBLE DURING DEVELOPMENT.
 3. SEDIMENT TRAPS SHALL BE CONSTRUCTED AROUND ALL RELIEF PITS, CONSISTING OF 300mm WIDE x 150mm DEEP TRAPS.
 4. ALL SEDIMENT BASINS AND TRAPS SHALL BE CLEARED WHEN THE STRUCTURES ARE A MAXIMUM OF 60% FULL OF SOIL MATERIALS, INCLUDING THE MAINTENANCE RECORD.
 5. ALL DISTURBED AREAS SHALL BE REVEGETATED AS SOON AS THE RELEVANT WORKS ARE COMPLETED.
 6. SOIL AND TOPSOIL STOCKPILES SHALL BE LOCATED AWAY FROM DRAINAGE LINES AND AREA WHERE WATER MAY CONCENTRATE.
 7. FILTER SHALL BE CONSTRUCTED BY STRETCHING A FILTER FABRIC (WOVEN OR APPROVED EQUIVALENT BETWEEN POSTS AT 2.0m CENTRES) FABRIC SHALL BE BURIED 150mm ALONG ITS LOWER EDGE.



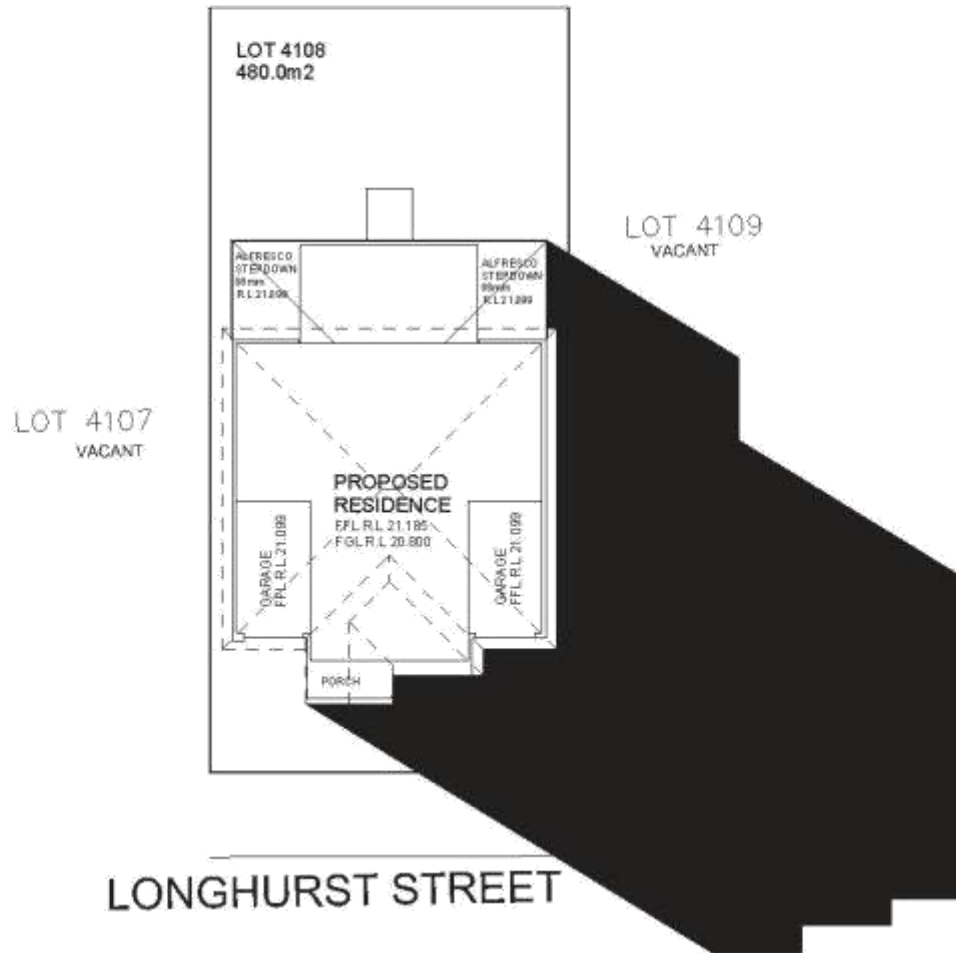
Client signature:	
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The Draco	Drawn: JS	Date: 30/03/2015
DAWN RAH Garage	Client: EJ HOMES Site Address: LOT 4108 LONGHURST STREET ORAN PARK (DP 1186202)	
CONSTRUCTION PLANS		

LOT 4108
 D.P: 1186202
 .G.A: CAMDEN


ORD01

Attachment 1



SAFETY WARNING
 RING 1100 "DIAL BEFORE YOU DIG"
 PRIOR TO ANY EXCAVATIONS
 ANY REGISTERED BASEMENT WITHIN THE LOT
 IS SHOWN ON THIS SITE PLAN.

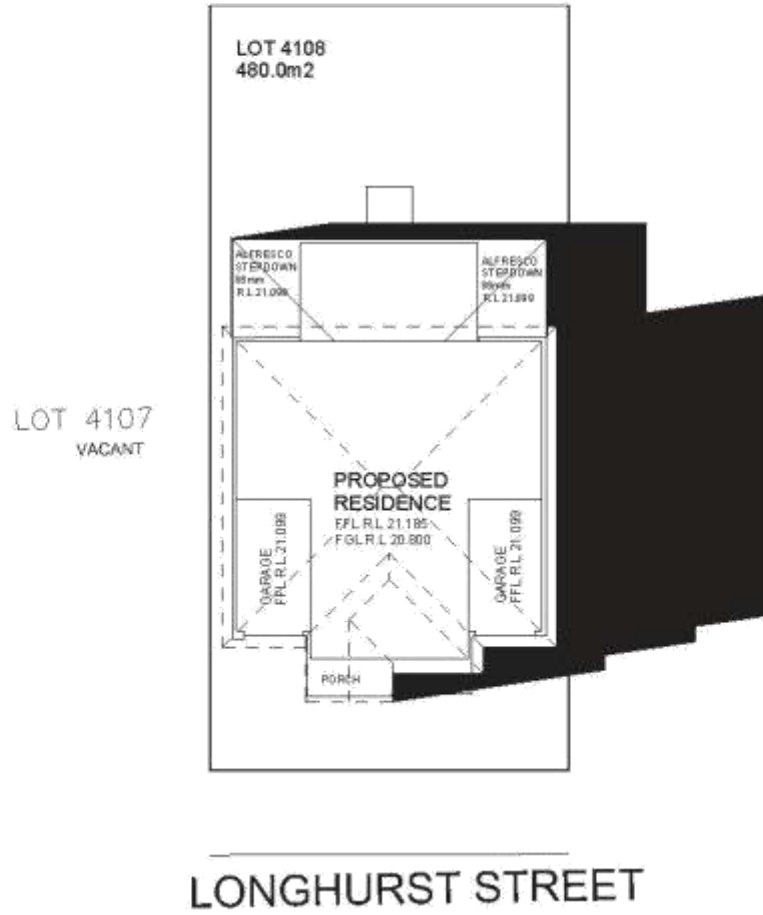
3AM SHADOW DIAGRAM

	Client signature: _____	The Draco		Client: EJ HOMES
		DAWN R/H Garage		Site Address: LOT 4108 LONGHURST STREET ORAN PARK (DP 1186202)
		Drawn: JS	Date: 30/03/2015	CONSTRUCTION PLANS

ORD01

Attachment 1

LOT 4108
 J.P: 1186202
 .G.A: CAMDEN



SAFETY WARNING
 RING 1100 "DIAL BEFORE YOU DIG"
 PRIOR TO ANY EXCAVATIONS.
 ANY REGISTERED EASEMENT WITHIN THE LOT
 IS SHOWN ON THIS SITE PLAN.

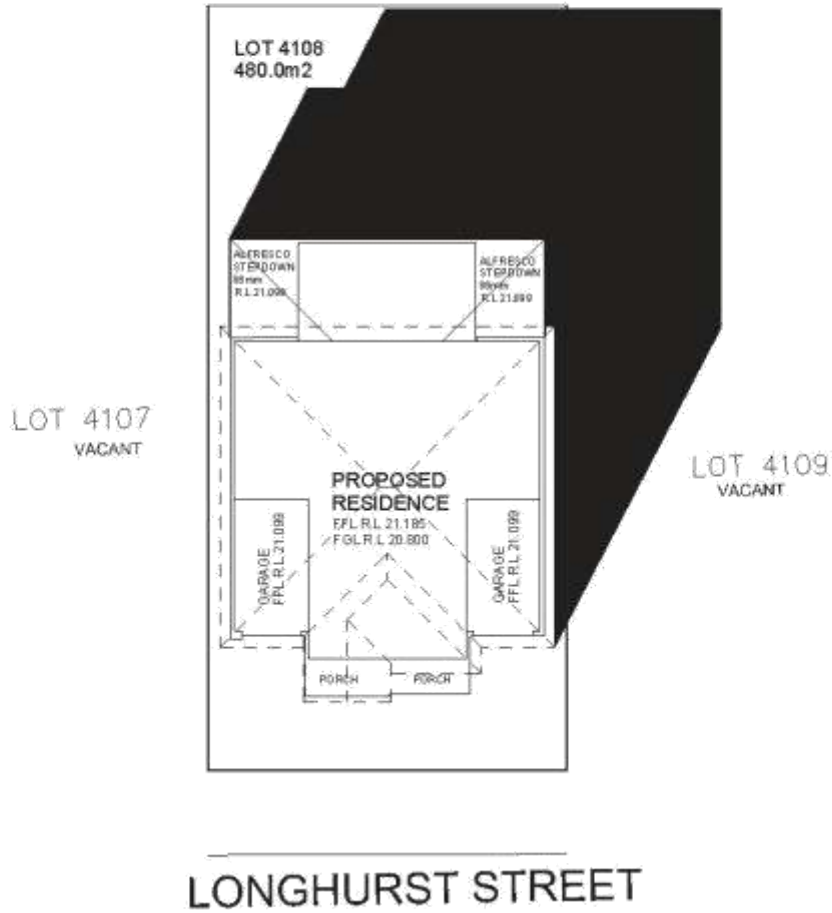
12PM SHADOW DIAGRAM

	Client signature:	The Dráco		Client: EJ HOMES
		DAWN RAH Garage		Site Address: LOT 4108 LONGHURST STREET DRAN PARK (DP 1186202)
		Drawn: JS	Date: 30/03/2015	CONSTRUCTION PLANS

LOT 4108
 D.P: 1186202
 .G.A: CAMDEN



ORD01



Attachment 1

SAFETY WARNING
 RING 1100 "DIAL BEFORE YOU DIG"
 PRIOR TO ANY EXCAVATIONS
 ANY REGISTERED BASEMENT WITHIN THE LOT
 IS SHOWN ON THIS SITE PLAN.

3PM SHADOW DIAGRAM

	Client signature: _____	The Draco	Date: EJ HOMES
		DAWN RH Garage	Site Address: LOT 4108 LONGHURST STREET ORAN PARK (DP 1186202)
		Drawn: JS	Date: 30/03/2015
CONSTRUCTION PLANS			

SOIL CLASSIFICATION - TBA
WIND CLASSIFICATION - TBA

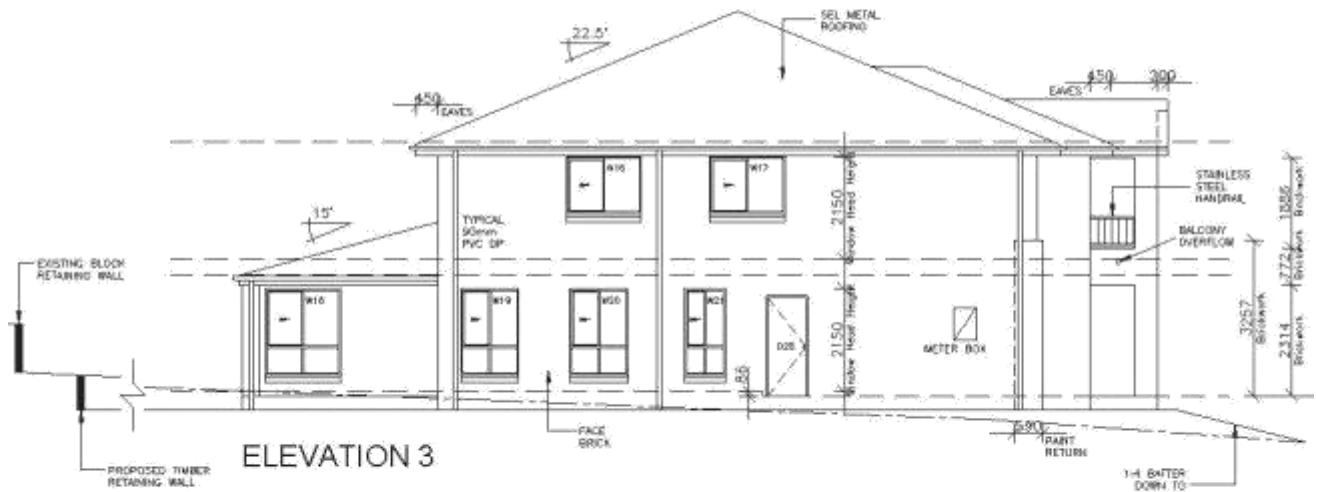
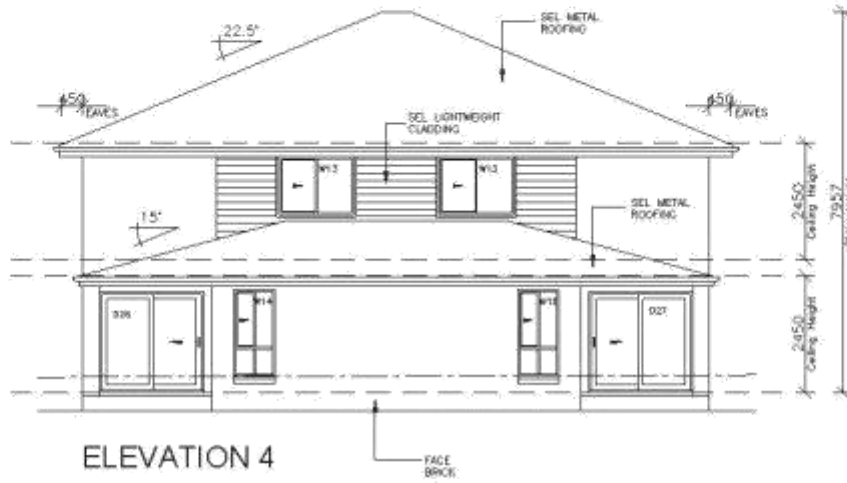
ORD01


Attachment 1



	Client signature:	The Draco	Dist: EJ HOMES
		DAWN RAH Garage	Site Address: LOT 4108 LONGHURST STREET ORAN PARK (DP 1186202)
		Drawn: JS	Date: 30/03/2015
CONSTRUCTION PLANS			

SOIL CLASSIFICATION - TBA
WIND CLASSIFICATION - TBA



	Client signature: _____	The Draco	Date: EJ HOMES
		DAWN R/H Garage	Site Address: LOT 4108 LONGHURST STREET ORAN PARK (DP 1186202)
		Drawn: JS	Date: 30/03/2015
CONSTRUCTION PLANS			

Attachment 1
ORD01



ORD02

ORDINARY COUNCIL

ORD02

SUBJECT: CAMDEN TOWN FARM 355 MANAGEMENT COMMITTEE - REQUEST TO REFUND APPLICATION FEES

FROM: Director Planning & Environmental Services

TRIM #: 15/236343

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a request from the Camden Town Farm 355 Management Committee for a refund of the application fees associated with the construction of a covered outdoor weather area on the Camden Town Farm site at 40 Exeter Street, Camden.

BACKGROUND

On 23 October 2014, Council received a combined development application (DA), Construction Certificate (CC) and Occupation Certificate (OC) application to construct a covered outdoor weather area on the Camden Town Farm site from the Camden Town Farm 355 Management Committee. The DA was approved under delegated authority on 25 November 2014.

The Construction Certificate for the development was issued on 3 December 2014.

This request seeks a refund of the fees which have been paid to Council.

A copy of the request is provided as an attachment to this report.

MAIN REPORT

On 18 August 2015, Council received a request for a refund of the fees associated with this development. Based on the estimated project value of \$145,000, the total Council and statutory fees paid for this development are listed below:

Council Fee	Purpose	Amount
DA fee	The assessment of the DA by Council	\$697.80
CC and OC fee	The assessment of the CC and OC (including inspections) by Council	\$1,318.80
Archiving fee	The physical and electronic storage of the applications by Council	\$58.00
		\$2,074.60
	Total Council fee refund available =	\$2,074.60

FINANCIAL IMPLICATIONS

The current balance of Councillor ward funds is \$89,056. This balance assumes that Council will re-vote the remaining balance of ward funds from 2014/15 (\$59,056) at its Ordinary meeting 27 October 2015. The refund could be funded from available ward funds or at the September Quarterly Budget Review.



CONCLUSION

A request has been received seeking a refund of the fees paid to Council associated with the construction of a covered outdoor weather area. The total amount of those fees available for refund is \$2,074.60. Should Council decide to refund the fee a funding source will need to be determined as provided in the financial implications section of this report.

RECOMMENDED

A matter for Council to determine and that the applicant be advised of Council's decision.

ATTACHMENTS

1. Request for Refund of DA Fees

ORD02



Camden Town Farm 355 management committee

President: David Buckley (0402204518)
 Secretary: Nicolet Westerhof

Correspondence to: 40 Exeter St
 Camden, 2570.

Camden Council
 John Street
 Camden NSW 2570
 Attention: The General Manager
 Re: COWA DA Fees

Dear Sir,

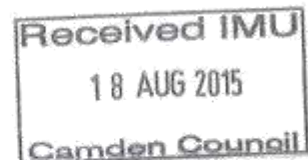
I write as requested at your Camden Town Farm 355 Management Committee's last meeting to ask that Council returns to the Committee's bank account the Development Fees previously charged by Council before its approval of the erection of the Covered Outdoor Workshop Area (COWA).

Given that this building is a Council asset sitting on Council's property, built with your Committee's volunteers' management in a timely and cost-effective manner, it is only logical that the DA Fee be returned. The moneys can then be invested on further improvements to your Town Farm,

Yours sincerely


 David Buckley

President, Camden Town Farm 355 Management Committee. (12/8/15)



Attachment 1



ORDINARY COUNCIL

ORD03

ORD03

SUBJECT: NOMINATION FOR A COUNCIL REPRESENTATIVE ON THE SELECTION PANEL FOR THE SOUTH WEST DISTRICT COMMISSIONER TO THE GREATER SYDNEY COMMISSION

FROM: Director Planning & Environmental Services

TRIM #: 15/270208

PURPOSE OF REPORT

The purpose of this report is to inform Council of a request from the Secretary of the Department of Planning and Environment (DoPE) to nominate a Council representative to sit on the selection panel for the appointment of the South West District Commissioner to the Greater Sydney Commission (GSC).

BACKGROUND

On 3 June 2014, the Premier of NSW, Mike Baird MP and then Minister for Planning Pru Goward MP announced plans to establish the GSC. Establishment of the GSC will enable a single agency to oversee the implementation of the NSW Government's infrastructure and urban planning priorities.

On 8 September 2015, the Minister for Planning, Rob Stokes MP formally announced the structure and function of the GSC.

The GSC will be responsible for advising on both metropolitan and district planning and oversee a coordinated approach to infrastructure provision. In addition to its advisory functions, the GSC will be responsible for the functions of the South West Joint Regional Planning Panel (JRPP) and Local Environmental Plan (LEP) creation.

The GSC will comprise 13 appointees, including:

- The Chair
- Environment Commissioner, Economic Commissioner, Social Commissioner
- Six (6) District Commissioners
- Secretary for Department of Planning and the Environment
- Secretary for Transport NSW
- Secretary of Treasury.

On 17 September 2015, the Secretary for Planning, Carolyn McNally wrote to Council seeking a nomination for a Council representative to sit on the selection panel for the appointment of the South West District Commissioner.

MAIN REPORT

What is the District Commissioner?

The GSC will comprise of six (6) District Commissioners representing the six (6) districts (previously referred to as subregions) within the Sydney Metropolitan Area.



Camden is located within the south west district and includes the local government areas of Campbelltown, Fairfield, Liverpool and Wollondilly.

The successful candidate for the position of South West District Commissioner will be an independent representative on the GSC and will also be the chairperson of the South West JRPP.

The District Commissioners will be required to have qualifications and experience in one of the following, planning, architecture, the environment, urban design, land economics, traffic/ transport, law, engineering, tourism or government/public administration.

Currently serving elected Council members and property developers will not be eligible to be appointed as District Commissioners. **Attachment 1 to this report Frequently Asked Questions and Purpose Statement** provides additional information on the role of a District Commissioner.

How will the District Commissioner be selected?

Step 1 – Panel of Council nominees established in each district (selection panel)

Step 2 – Expression of Interest advertised

Step 3 – Selection Panel to review candidates and make recommendation to the Minister

Step 4 – Ministerial appointment of District Commissioner to the GSC.

What is the role of Councils Representative on the Selection Committee?

The function of the selection committee will be overseen by Boomerang Partners, an executive recruitment consultant.

Council's representative will take part in the shortlisting of applicants, interview process, and the selection of the preferred candidate, which will be provided to the Minister for appointment.

The Council representative will need to be available during the month of November, for a period of 6-10 hours. Further details will be provided once all Council nominees have been received.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

CONCLUSION

As part of the establishment of the GSC, Council has been requested to nominate a representative to sit on the selection panel for the South West District Commissioner.

The selection of Council's nominee is a matter for Council, however it is recommended that Council nominate the General Manager or his delegate.



RECOMMENDED

That Council nominate the General Manager or his delegate to sit on the selection panel for the appointment of the South West District Commissioner to the Greater Sydney Commission.

ATTACHMENTS

1. District Commissioner Purpose Statement & FAQs

ORD03

Purpose Statement District Commissioner (6 positions)

Agency overview

The Greater Sydney Commission (GSC) is a statutory body reporting directly to the Minister for Planning. The GSC will focus on delivering the Government's vision for Sydney – "a strong global city, a great place to live" – by implementing *A Plan for Growing Sydney*.

The Commission comprises state government representatives, independent experts and six District Commissioners. The District Commissioners will provide independent expert advice on planning matters significant to their District and the region.

Primary purpose of the role

The District Commissioners will provide advice and represent the interests of their District and the community through the GSC Board, Strategic Planning Committee and Sydney Planning Panels.

The relevant District Commissioner will chair the Sydney Planning Panel on matters in their District. Through this role they will have a decision-making function on rezoning proposals and significant development applications in their District.

The six District Commissioners will also provide strategic and technical independent advice to implement *A Plan for Growing Sydney* and develop and implement District Plans by identifying infrastructure and planning priorities for their District and broadly for the Greater Sydney region.

The District Commissioners will represent the views and advocate for the interests of the District.

The Commissioners will perform their functions with integrity, impartiality, honesty, conscientiousness, skill, diligence and commitment to the public interest.

Key accountabilities

- Bring relevant skills and expertise to lead the Commission's vision, strategic planning framework and overall direction to implement the actions of *A Plan for Growing Sydney* and the District Plans
- Positively represent the District, contributing to proactive relationships with local and state government, the community, industry stakeholders and cross-jurisdictional networks
- Chair the Sydney Planning Panel when deciding on rezoning or development proposals in their District
- Oversee the preparation, implementation and monitoring of District Plans through the Strategic Planning Committee to support delivery of *A Plan for Growing Sydney*
- Work across councils and government agencies to lead the dialogue on strategic planning issues and to identify and advise on infrastructure priorities for the District to align with *A Plan for Growing Sydney* and the relevant District Plan
- Provide advice and evidence based recommendations to the Minister, Chief Executive Officer, Board of the Commission and senior decision-makers on matters relating to planning and development in the relevant District, including affordable housing, resilience planning, development proposals, rezonings, planning instruments, application of development funds and consistency of planning proposals with *A Plan for Growing Sydney*
- Provide leadership and guidance, meet performance and statutory reporting expectations.

Key challenges

- Maintain objectivity and independence in representing their District
- Consider and objectively represent the competing interests and aspirations, opportunities and resourcing of their District and the community with integrity and independence
- Capacity to quickly master a range of complex subjects and communicate these effectively to different audiences, identify solutions and justify the rationale for decision-making
- Implement *A Plan for Growing Sydney* in a manner that enables practical application of environmentally sustainable development principles and incorporation of social and economic considerations.

Role dimensions

Decision making

The District Commissioner:

- is a key adviser to the NSW Government on the identification and delivery of planning priorities in the District
- is fully accountable for the content, accuracy, validity, impartiality and integrity of advice provided, with advice and recommendations considered to be of critical importance
- makes major commitments and decisions that impact the achievement of NSW Government objectives
- conducts comprehensive technical reviews of proposals, planning matters, environmental issues, as required in its role on the Sydney Planning Panel
- provides independent technical review, assessment, evaluation and/or analysis of information on complex or controversial projects or policy issues in its role on the Sydney Planning Panel
- complies with Government sector core values, strategic plans and priorities, legislative and regulatory frameworks, finance directions, delegations, sector and agency strategic frameworks, and professional standards
- represents the District and Commission at committees, meetings and other forums, to articulate the NSW Government's position and interests in relation to delivery of *A Plan for Growing Sydney*
- acts with impartiality and independence to determine how to achieve results and represent the public's interest.

Reporting line

The District Commissioners report to the Commission Chair.

The District Commissioners are also accountable to the Minister for Planning.

Essential requirements

Leaders in their field, with expertise and specialist skills in at least one of the following areas*: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism, or government and public administration

Display a very high level of ethical behaviour and integrity

Extensive knowledge of the social and strategic planning issues, opportunities and constraints for the relevant District

Demonstrated communication skills, acute analytical ability and experience, and a demonstrated capacity to drive outcomes in a credible and authoritative manner

ORD03

Proven ability to operate impartially under pressure with a strong record of capacity to employ sound judgement with a structured and orderly approach to decision making and decision writing

Working knowledge of machinery of Government in NSW, Cabinet, parliamentary and legislative processes, and public sector management policies and practices

Highly developed negotiation skills to balance the views and inputs from the multiple Councils they will represent

Other

The position for GSC District Commissioners is initially until September 2018. Opportunities for reappointment are limited to one additional four-year term.

District Commissioners are prohibited from reappointment to their original or another District, after this period has expired.

Current serving Mayors, councillors, Members of Parliament or property developers are prohibited from concurrently holding these positions.

Travel throughout Greater Sydney will be required.

* Sch 3 2(2) State members of the Sydney Planning Panel

Attachment 1



Greater Sydney Commission District Commissioners – Frequently Asked Questions

September 2015

What is a District Commissioner?

A District Commissioner is a member of the Greater Sydney Commission. There will be six District Commissioners covering each district (formerly known as subregion) in Greater Sydney.

District Commissioners will make up six of the thirteen members on the Commission. The other members include three Commissioners (Social, Environment and Economic), the Chief Commissioner and secretaries from the Department of Planning and Environment, Transport for NSW and NSW Treasury.

District Commissioners will be appointed on the basis of a nomination process by councils, as outlined below.

What will be their role?

The District Commissioners will have advisory and decision making functions as part of the Commission and the committees that support the work of the Commission.

The proposed *Greater Sydney Commission Act 2015* and the *Environmental Planning and Assessment Act 1979* will provide the legislative framework for the work of the Commission including the District Commissioners.

District Commissioners will chair the Sydney Planning Panels on a rotating basis.

District Commissioners will be members of the Strategic Planning Committee and will play a key role representing local government priorities at the district and metropolitan level of strategic planning.

District Commissioners will be employed on a part time basis.

What skills will the District Commissioners be required to have?

The *District Commissioner – Purpose Statement* sets out the eligibility criteria for District Commissioners.

In particular, it is expected that the District Commissioners will need to:

- a. Be leaders in their field, with expertise and specialist skills in at least one of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism, or government and public administration;



- b. Display a very high level of ethical behaviour and integrity; and
- c. Have an extensive knowledge of the social and strategic planning issues, opportunities and constraints for the relevant District.

Currently serving elected councillors, State or Federal members of parliament and property developers will not be eligible for this role.

How will they be selected?

The appointment of District Commissioners will be council-led, and supported by the Department and a recruitment company. Councils within each District will need to decide upon their preferred appointment.

While the final appointment will, for statutory reasons, be a Ministerial appointment, the appointment will be on advice of the councils.

A model has been developed in consultation with the Office of Local Government for how this process will occur:

Step 1: Panel of Mayors/ Council nominees (selection panels) established in each District

Each council is asked to nominate a person to represent it on the recruitment selection panel. The panel for each District will be briefed on the process.

Step 2: Expression of Interest

Interested candidates are being invited to apply during the current Expression of Interest period. Advertisements for the inaugural District Commissioners have been published and applications are open until 12 October 2015. Late applications may be received at the relevant selection panel's sole discretion.

The Department has employed a recruitment company to receive and collate Expressions of Interest. The company will provide full details of Expressions of Interest received, along with basic non-binding advice on compliance with the *District Commissioner – Purpose Statement*, to the selection panels.

The Department will not be involved in this process except to the extent of:

- ensuring that the recruitment company provides these contracted services to the selection panels; and
- organising advertisements and information for the community about the Expression of Interest process.

Step 3: Selection process

The selection panel will review candidate information provided by the recruitment company and interview a short-list of candidates (as determined by the selection panel).

It is envisaged that the short-list stage will involve around five candidates.



Each selection panel will select a preferred candidate for their District (together with two additional candidates for an eligibility list). The panel will also provide information to the Minister for Planning on the basis that the three ranked candidates are recommended. This information will explain how each recommended candidate satisfies the eligibility criteria and will set out details of the process undertaken to determine the three candidates to be put forward.

It is the Government's expectation that councils will be able to reach a consensus decision. It is noted that a number of the Regional Organisations of Councils have already suggested processes for how councils might reach consensus. The Government supports this work, however it is for each selection panel to make its own decision on how it wishes to reach consensus.

In making its decision, the selection panel will be solely comprised of the council nominees. Furthermore, the recommended candidates will be solely the decision of the council nominees.

There will be no Department representatives, or representatives of the recruitment company, on the panel. The panel, however, may seek further assistance from the Department or the company as the panel sees fit. This may include, at the panels discretion, requesting the company prepare draft minutes and/or a draft recommendation to the Minister.

The Department will also provide an independent governance and probity advisor to each selection panel. The advisor will be available to provide advice to the panel, if requested. The advisor will also observe deliberations of the panel and provide a probity report to the Minister on the process followed (if required).

In the event that the selection panel is unable to make a consensus decision, the Government will determine a proportional voting system, based on the relative population sizes of councils.

Step 4: Ministerial appointment

The Minister for Planning will review the recommendations from the District to ensure that the preferred candidates comply with the eligibility criteria.

In the unlikely event that a preferred candidate is determined not to comply, the Minister will assess the other eligibility list candidates against the criteria.

Once the Minister is satisfied that a candidate, recommended by a District, complies with the eligibility criteria, the Minister will appoint the candidate as a District Commissioner.

How long is their term?

The new legislation to establish the Greater Sydney Commission will include provisions that will allow District Commissioners to be appointed for a period up to four years and for a maximum period of eight years.

ORD03

Attachment 1

**What will the Commissioners get paid?**

The pay of the District Commissioners will be determined by the Public Service Commissioner in line with the *Classification and Remuneration for NSW Government Boards and Committees*.

What is the expected workload?

It is expected that the District Commissioner role will require two to three days' work per week. Note that due to the JRPP functions carried out by the District Commissioners, it is expected that the workload of District Commissioners recommended by the councils may be slightly higher than the workload of the three Commissioners appointed by the Government.

Any other questions

For further information, please contact Elizabeth Kinkade, Executive Director, Planning Policy by phone (02) 9228 6380 or email Elizabeth.Kinkade@planning.nsw.gov.au



ORDINARY COUNCIL

ORD04

ORD04

SUBJECT: RESPONSIBLE PET OWNERSHIP GRANT PROGRAM - COMMUNITY DE-SEXING PROJECT

FROM: Director Planning & Environmental Services

TRIM #: 15/272531

PURPOSE OF REPORT

To notify that Council received grant funding from the NSW Office of Local Government (OLG) for the proposed "Responsible Pet Ownership Grant Program (cat de-sexing initiative)" valued at \$14,000 (GST Inc).

BACKGROUND

The Office of Local Government has offered a \$900,000 grants program to support Responsible Pet Ownership projects coordinated by local councils. The program is funded over a three year period and Council submitted an application requesting \$15,000 (GST Inc).

Council's basis for the grant was due to the large number of feral cats and unwanted litters of kittens being delivered to Council's pound facility. The adoption rate from the pound is low, therefore to see a reduction Council has proposed a de-sexing program.

In June 2015, Council submitted an application for grant funding to participate in the Responsible Pet Ownership Program. The application was endorsed by Council's Companion Animals Advisory Committee for the activity of running a subsidised cat de-sexing program for socio-economic disadvantaged people in the community.

MAIN REPORT

The Responsible Pet Ownership Grant Program Guidelines indicated that targeted de-sexing programs generally achieve positive results when focused on areas of socio-economic disadvantage, providing an incentive to pet owners who may struggle to meet the costs of de-sexing.

Council has established a working relationship with Camden Community Connections to assist with ensuring the most suitable residents benefit from the project.

Residents will be required to submit an application to Council where they will be required to meet the eligibility criteria.

Eligibility criteria are as follows:

- Hold a valid Pension Card
- Hold a valid Health Care Card
- Persons who have been identified through Camden Community Connections

A subsidy voucher system will be provided for successful applicants to use at any veterinarian practice within the Camden LGA. Veterinary practices in the Camden LGA are supportive of the project and have indicated their willingness to participate.



ORD04

The current cost of de-sexing a cat is approximately \$300 for a female and \$150 for a male. The project will provide subsidy vouchers in the amount of \$100 for a female and \$50 for a male cat.

It will also be compulsory that any cat de-sexed under the Responsible Pet Ownership funding be micro-chipped and registered, as required under the *Companion Animals Act 1998*. This is also in accordance with the Funding Agreement.

All grant funding must be committed by 30 June 2016 with the final project report submitted by 30 October 2016.

FINANCIAL IMPLICATIONS

Council has received and signed a Funding Agreement for \$14,000 (GST Inc) with the OLG. The Funding Agreement was required to be signed by 9 October 2015.

Council's application included in-kind contributions to the project for administration, project management and promotional displays. The in-kind contribution also includes educational activities which Council already undertakes, ie PAWS education in schools and public events. There is no additional monetary contribution required from Council.

CONCLUSION

Council has received for \$14,000 (GST Inc) to participate in the Responsible Pet Ownership Program – Cat De-sexing Project. The program offers a subsidy through a voucher system to disadvantaged residents. The project incorporates working with Camden Community Connections and local veterinary practices.

RECOMMENDED

That Council note the report and the funding be included in the 2015/16 Operational Plan (Budget).



ORDINARY COUNCIL

ORD05

ORD05

SUBJECT: PROPOSED ROAD NAMING - NEW ROADS IN RELEASE AREAS OF GLEDSDOOD HILLS

FROM: Director Customer & Corporate Services

TRIM #: 15/228945

PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to place on public exhibition a list of proposed road names to be assigned to new roads in the release area within the suburb of Gledswood Hills.

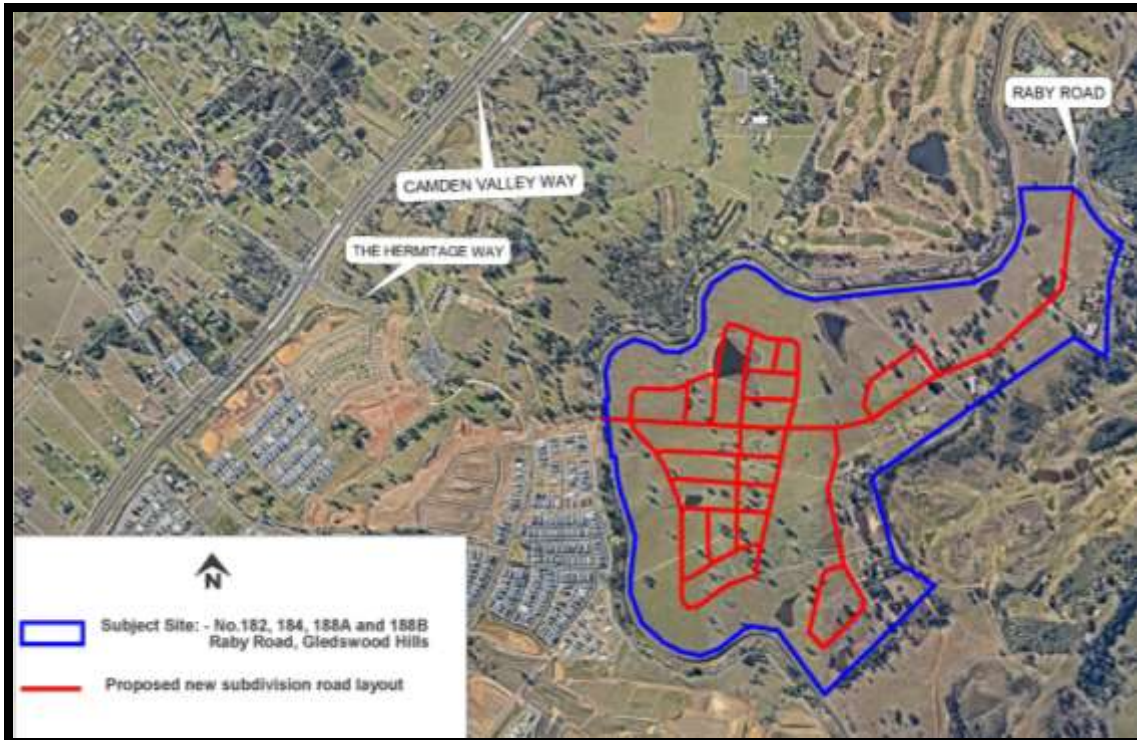
BACKGROUND

Mirvac Homes (NSW) Pty Ltd has submitted a list of proposed road names to be used in the release area located in the eastern edge of The Hermitage Estate, within the suburb of Gledswood Hills.

No, 182,184, 188A and 188B Raby Road, Gledswood Hills, under Camden Local Environmental Plan 2010, R1 – General Residential, R2 – Low Density Residential, and RE2 – Private Recreation, RU2 – Rural Landscape.

Development Application (DA) 2014/1077 bulk earthworks was approved at the Ordinary Council meeting of 23 June 2015 for residential development.

Aerial Photo (Showing Indicative Road Layout)





MAIN REPORT

Mirvac Homes (NSW) has submitted a number of proposed names for the release area within the Suburb of Gledswood Hill.

The Geographical Names Board (GNB) has advised Council of the process to be followed by the roads authority in respect to the naming of new roads in accordance with the Road Act 1993. In this instance, Council is the Road Naming authority.

The proposed road names listed below are consistent with Council’s Road Naming Policy and are historically related to the Camden LGA. In addition, Council has endeavored to contact the families of the names listed where possible.

Council is continuing to source names from the community and community groups via Council’s Website and Facebook page.

It is noted that Councillors were briefed on this road naming proposal at the briefing held on 15 September 2015.

The following table lists the names proposed by Mirvac Homes Pty Ltd:

Proposed Road Name	Reason and background for Naming	Source of Naming
Mayfield Street	The landowners have operated a cattle business from the site for over 30 years named Mayfield Park Stud. Cattle, horses, stables were a prominent part of this land for many years. The Mayfield name was therefore deemed to be appropriate to reflect the historical land use.	Provided by Mirvac Homes on behalf of the land owners, reflecting features of the landscape
Serenity Circuit Pleasant Circuit	The site is bound by the heritage listed water supply canal, existing homesteads to the east and Raby Road to the north-east. The proposed entry road is long and winding passing rural and recreation land joined to the first stage of the proposed residential lots. The site has abundant scenic and visual qualities with long elevated views and significant vegetation. Access to the recreation area and separation from adjoining properties justifies the use of Serenity and Pleasant as street names.	Provided by Mirvac Homes on behalf of the land owners, reflecting features of the landscape
Caballo Avenue	To reflect the history of the site and the El Caballo Blanco heritage.	Provided by Mirvac Homes on behalf of the land owners, reflecting features of the landscape
Crest Drive	Named to reflect the natural topography and character of the land. Crest is also the name adopted by Mirvac for this new development. This will be used extensively in marketing material and signage for the life of the project.	Provided by Mirvac Homes on behalf of the land owners, reflecting features of the landscape
Verdant Circuit	Meaning ‘(of countryside) green with grass’ to reflect the natural character	Provided by Mirvac Homes on behalf of the land



Proposed Road Name	Reason and background for Naming	Source of Naming
	of the land and the greater Camden region. Mirvac has adopted this name to market the R2 zoned allotments proposed in the eastern side of the development. This will be used extensively in marketing material and signage for the life of the project.	owners, reflecting features of the landscape
Provided by Council		
Barber Road	William Barber born 1836 in Kent England (Son of James Barber & Ann Bell), arrived 1855. Occupation storekeeper, forwarding agent, died 17/10/1884 Yass NSW, married 12/2/1866 St. John's Camden NSW Mary Maria Chapman born 1843 Camden Park NSW.	Camden Pioneer & Federation Index 1800-1930
Spice Street	Henry Spice borne 28/11/1846 Cobbitty, NSW. (Child of John Spice & Mary Cooper). Occupation Miner, Farmer, Teamster, died 2/4/1910 Narellan NSW buried St. Thomas' Church of England Narellan, NSW.	Camden Pioneer & Federation Index 1800-1930
Silvester Road	George Silvester born 1798 in Middlesex, England, arrived 1845 from Moreton Bay, as a convict. Occupation labourer, painter, glazier. Died 10/5/1857 Narellan NSW, buried St Paul's Church of England Cobbitty, NSW.	Camden Pioneer & Federation Index 1800-1930
Beattie Street	Robert Beattie (child of Robert Beattie), died 1896, occupation Doctor in Camden in 1880's. Leaseholder of Camden Park (1883-1885)	Camden Pioneer Register Third Edition 1800-1920
Whybrow Road	Alfred Whybrow born 28/10/1876 Brownlow Hill, Camden NSW. Occupation Butcher, Carter, died 1936 North Sydney, NSW	Camden Pioneer Register Third Edition 1800-1920
Dreadnought Road	In 1905, Charles Butler, a farmer and dairyman from Cawdor established a coaching service from Camden to Yerranderie. One of the Coaches was named the Dreadnought which could carry 26 passengers and operated daily departing at 7.30am and arrived back at 5.30pm. The coach carried passengers, suppliers and mail.	Camden Pioneer Register Third Edition 1800-1920
Allinson Road	Garlies Allinson born 1828 Whitehaven, Cumbria England (child of Joseph Allinson & Ann) arrived 7/5/1854 on the Daniel Webster as a free man. Occupation Merchant, died 7/2/1859 Camden Park, NSW. Buried St Johns Church of England Camden	Camden Pioneer Register Third Edition 1800-1920
Ashwell Circuit	Moses Ashwell born in England, arrived 22/9/1820 on the Agamemnon, convict ship. Occupation was overseer for Mr T.H Hart, Cobbitty NSW 1828	Camden Pioneer Register Third Edition 1800-1920



ORD05

Proposed Road Name	Reason and background for Naming	Source of Naming
Baxter Road	James Baxter born 17/10/1851 Camden, NSW (child of Thomas Baxter & Mary Armour nee Maher) occupation dairy farmer died 12/10/1943 Picton, NSW	Camden Pioneer Register Third Edition 1800-1920
Arkinstall Street	Jones Thomas Arkinstall born 16/8/1857 "Maryland", Bringelly, NSW (child of Thomas Arkinstall & Elizabeth Jane Jones) occupation: Carpenter, married 26/11/1878 St John's Church of England Camden	Camden Pioneer Register Third Edition 1800-1920
Blondell Crescent	Thomas Blondell had a home in the Cawdor area in 1850's.	Camden Pioneer Register Third Edition 1800-1920
Coomber Road	Cordelia Ann Burgess nee Coomber born around 1797 Battle Sussex England (daughter of Thomas Coomber & Ann Watson). Arrived 26/10/1839, died 11/1/1887 Cawdor NSW buried Wesleyan Cawdor NSW.	Camden Pioneer Register Third Edition 1800-1920
Kinghorne Boulevard	James Chisholm (later Sir James, M.L.C.) came into the possession of "Gledswood" in 1829 at the age of 23 where wheat farming was extensive until 1861. James Chisholm married Elizabeth Kinghorne and their son, James Kinghorne Chisholm, was a prominent member of the Camden community.	Camden Pioneer Register Third Edition 1800-1920
Beeston Avenue	John Beeston was the first Station Master at Menangle when the line opened in 1863. His daughter married Samuel Huthnance, also of the railway staff. Mr. and Mrs. Samuel Huthnance had a daughter (Mrs. Hodge) and sons (John and Albert Huthnance).	Camden Pioneer Register Third Edition 1800-1920
Bringolf Way	Bertie Claude Bringolf born 31/3/1884 Cobbitty NSW. Married Mary Ann Bugden in 1909 at Camden.	Camden Pioneer Register Third Edition 1800-1920
Stanham Avenue	Herbert William Stanham born 24/8/1879 Cobbitty NSW (son of William Fryer & Rhoda Phoebe Wakeling), died 16/7/1934 Luddenham NSW	Camden Pioneer Register Third Edition 1800-1920
Kerillian Street	George Kerillian born 1836 Sydney NSW (son of George Gray & Mary), Occupation farmer, died 2/2/1863 NSW, married 2/8/1860 Saint Pauls Cobbitty NSW	Camden Pioneer Register Third Edition 1800-1920
Glendiver Street	Robert Johnston's grant was purchased by Edward Moore in 1851 (Glendiver Estate). He divided the property into three portions that were sold to three of his sons, James, Robert and Joseph, in 1856	Camden Pioneer Register Third Edition 1800-1920
Meale Avenue	Mary Anne Meale born 21/10/1859 Cobbitty NSW, Married 8/12/1879	Camden Pioneer Register Third Edition 1800-1920



Proposed Road Name	Reason and background for Naming	Source of Naming
	Cootamundra NSW.	
Sevira Way	Jane Sevira born circa 1857 in Camden NSW died 13/6/1922 at Narellan NSW, Married Joseph Chapman 24/8/1880 in Camden	Camden Pioneer Register Third Edition 1800-1920

The process, should Council endorse the names for public exhibition, is:

1. The approved names are published in the NSW Government Gazette and in local newspapers for public comment; and
2. If no submissions are received, Council proceeds with the proposed naming.
3. If submissions are received, a further report to Council will follow setting out the submissions.
4. Once confirmed, Council informs Australia Post, the Registrar General, the Surveyor General and the RMS of the new road names.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The proposed road names have been assessed by Council staff in accordance with the Council Road Naming policy and GNB criteria.

Subject to Council endorsement, a 30 day exhibition period will commence and subject to no submissions being received, proceed with the road naming process.

RECOMMENDED

That Council:

- i. **endorse the list of proposed road names for the release area within the suburb of Gledswood Hills for a 30 day exhibition period;**
- ii. **subject to no submissions being received, proceed with the naming process; and**
- iii. **advise Mirvac Homes of Council's decision.**



ORD06

ORDINARY COUNCIL

ORD06

SUBJECT: PECUNIARY INTEREST RETURNS - 1 JULY 2014 TO 30 JUNE 2015
FROM: Director Customer & Corporate Services
TRIM #: 15/229075

Pursuant to section 449(3) of the *Local Government Act 1993* ("the Act"), a councillor or designated person holding that position at 30 June in any year must complete and lodge with the General Manager within 3 months after that date a Pecuniary Interest Return.

Under section 450A of the Act, completed Pecuniary Interest Returns are required to be tabled at the first meeting of Council held after the lodgement date (being 30 September 2015).

The completed Ordinary Returns for the period 1 July 2014 to 30 June 2015 are tabled and available to be viewed.

RECOMMENDED

That the information be noted.



ORDINARY COUNCIL

ORD07

ORD07

SUBJECT: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE MAYOR AND COUNCILLORS POLICY

FROM: Director Customer & Corporate Services

TRIM #: 15/254934

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 review and submit its policy to the Director-General of the Division of Local Government by 30 November each year. 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 have been highlighted in yellow.

On 28 October 2014, Council resolved (ORD226/14) to ensure that the allowances provided for under this policy would be indexed each year by CPI (Sydney All Groups) as at 30 September, however as these figures are not available from the Australian Bureau of Statistics until the 28 October 2015, the full year to June 2015 figure, an increase of 2.2% has been used to determine the below amounts.

This report proposes a number of minor amendments only to the policy:

- grammatical changes; and
- the allowances to be indexed in line with CPI (Sydney All Groups), as shown in Table 1.

ITEM FOR REIMBURSEMENT	CURRENT AMOUNT (inc. GST)	PROPOSED AMOUNT (inc. GST)
Mobile phone costs including data usage	\$200 per month	\$205 per month
Telephone line rental and call costs	\$122 per month	\$125 per month
Internet / iPad data usage costs	\$50 per month	\$52 per month
Care Arrangements	Up to \$30 per hour	Up to \$ 31 per hour

Table 1 - Proposed changes to existing allowances due to CPI increase.



ORD07

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 24 November 2015.

RECOMMENDED

That Council:

- i. 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 24 November 2015;**
- iii. submit a copy of its adopted policy to the Director-General of the Office of Local Government by 30 November 2015; and**
- iv. resolve in future to use the CPI (Sydney All Groups) figure for the full year to 30 June for the purpose of increasing allowances under this policy.**

ATTACHMENTS

1. Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy - for Public Exhibition



PAYMENT OF
EXPENSES &
PROVISION OF
FACILITIES TO THE
MAYOR &
COUNCILLORS
POLICY
POLICY 5.57

Proposed for Exhibition

ORD07

Attachment 1

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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 [insert date].
- 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:
- (a) ensure there is consistency in the application of reimbursement of expenses and provision of facilities to Councillors in an equitable and non-discriminatory manner;

- (b) assist Councillors to represent the interests of residents and ratepayers of Camden and to facilitate communication between the community and Council; and
- (c) provide a level of support which will serve to encourage residents to seek election to civic office.

2.2 This policy applies equally to the Mayor and all Councillors.

3. MAKING AND ADOPTION OF THE POLICY

- 3.1 *The Local Government Act 1993* ('the Act') requires Council to review and submit its policy to the Director-General of the Office of Local Government within 28 days of adoption by the Council, even if it proposes to adopt an unchanged policy. Current policies must be submitted by 30 November each year.
- 3.2 Before adopting or amending this policy, the Council must give public notice of its intention and allow at least 28 days for public submissions. Any public submissions received will be considered, and appropriate changes made, prior to the adoption of the policy.
- 3.3 Even if changes that are considered 'not substantial' are proposed, the required annual adoption of this policy must still be subject to the public notification process outlined above.
- 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.

4. REPORTING REQUIREMENTS

- 4.1 Section 428 of the Act requires councils to include in their annual report:
 - (a) the Council's policy on the provision of facilities for, and the payment of expenses to, Mayors and Councillors;
 - (b) the total amount of money expended during the year on providing those facilities and paying those expenses; and
 - (c) additional information as required by the *Local Government (General) 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;

- 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 Development & Support 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' (**Annexure 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 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 Development & Support Coordinator are 'Authorised Officers' for the purpose of completing the 'Councillor Travel and/or Expense Form'.

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 the conference venue, 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.
- 7.9 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.

- 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 Councillors 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 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.

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 Councillor's 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.

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' (**Annexure 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.
- 10.3 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.

- 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**
- 13.1 Councillors 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**
- 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).

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.
- 17.2 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.

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 in accordance with **Annexure B** 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 in accordance with **Annexure B** 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) 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, in accordance with **Annexure B** per month (inclusive of GST).
- 19.6 If an individual landline is installed to the Councillor's premises, Council will reimburse in accordance with **Annexure B** 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 in accordance of **Annexure B** 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 **Annexure B** (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 provider's 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 in accordance with **Annexure B** 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.

- 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 or 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.

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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 smart-phone 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
 - internet and iPad data usage for Council related business up to the value of in accordance with **Annexure B** per month (inclusive of GST).

26. PROVISION OF FACILITIES

- 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;
 - Councillors' letter-head;
 - 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 Development & Support Coordinator to assist and support Councillors.

27. PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR MAYOR

- 27.1 The role of the Mayor is:
- (a) 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 Development & Support Coordinator;
 - (c) a dedicated Mayoral car-parking space in the Council car-park 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

- 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.

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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.

Proposed for Exhibition

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 Policy

RESPONSIBLE DIRECTOR: Director Customer & Corporate Services

APPROVALS: ELG, Council

NEXT REVIEW DATE: **November 2016**

RECORD KEEPING NOTES:

CONFIDENTIALITY/PRIVACY: Publicly available document - available on Council's website.

HISTORY:

VERSION CONTROL

Issue	Approved by	Changes made (with TRIM Ref)	Date Adopted	ORD Ref TRIM Ref
P3.0111.2	Council	Minor formatting and editing changes Report (exhibit policy) - [to be inserted] Report (adopt policy) - [to be inserted]	[to be inserted]	[to be inserted]
P3.0111.1	Council	Changes to value of allowances; formatting changes; updates to position titles. Report (exhibit policy #1) (28 Oct 2014) - 14/163299 Report (exhibit policy #2) (09 Dec 2014) - 14/195752	10/02/2015	ORD41/15 15/8739
5.57	Council	Report (exhibit policy) (22 Oct 2013) - 13/43837	26/11/2013	ORD322/13 13/56178
5.57	Council	Report (exhibit policy) (23 Oct 2012) - 13/52080	27/11/2012	ORD296/12 13/52362
5.57	Council	Report (adopt policy) - 13/51099	08/11/2011	ORD270/11
5.57	Council		23/11/2010	ORD262/10
5.57	Council		27/10/2009	ORD252/09
5.57	Council		25/11/2008	ORD302/08
5.57	Council		11/09/2007	ORD238/07
5.57	Council		12/02/2007	ORD25/07

5.57 P3.0111.2 PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY
Adopted by Council: 10 Feb 2015 [insert date]
Minute No: ORD4446 [insert ORD]

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ANNEXURE A
COUNCILLOR TRAVEL &/OR EXPENSE CLAIM
 SECTION 252 LOCAL GOVERNMENT ACT 1993

COUNCILLOR:	
MONTH:	

TRAVEL EXPENSES				
MEETING DETAILS	DATE	KMS	RATE *	VALUE
			SUB TOTAL:	\$

* Kilometre rate (cents per kilometre) depending on vehicle capacity and current Local Government (State) Award.

OTHER EXPENSES	
DETAILS	VALUE
SUB TOTAL: \$	

If additional space is required, please include attachment
 Note: For amounts over \$75.00 (exclusive of GST) a Tax Invoice **must** be provided.

TOTAL VALUE FOR REIMBURSEMENT: \$
--

CERTIFICATION
 I hereby certify that this claim is in accordance with Section 252 of the *Local Government Act* and Council's '5.57 Payment of Expenses & Provision of Facilities Policy'.

SIGNATURE OF CLAIMANT:	
DATE:	

Payment of this claim will be made by Electronic Funds Transfer (EFT), through Council's normal Creditor payment facility. Claimants should ensure that correct banking details are held by Council.

_____ Mayor/Deputy Mayor	_____ Authorised Officer (if within limits provided by the Policy)
_____ General Manager	_____ Authorised Officer (if within limits provided by the Policy)

ANNEXURE B
Monetary Limits to Expenses

EXPENSES	INDICATIVE EXPENSE LIMITS MAYOR & COUNCILLORS	POLICY CLAUSE
In-House Training	N/A Budget allocation	18
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).	15
Mobile phone costs including data usage	\$205 per month	19
Telephone line rental and call costs	\$125 per month	19
Internet / iPad data usage costs	\$52 per month	19
Care Arrangements	Up to \$31 per hour	20

ORD07

Attachment 1

ORD07

Attachment 1

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 Development & Support Coordinator	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



ORDINARY COUNCIL

ORD08

ORD08

SUBJECT: CODE OF CONDUCT REVIEW PANEL
FROM: Director Customer & Corporate Services
TRIM #: 15/255520

PURPOSE OF REPORT

The purpose of this report is to renew Council's Code of Conduct Review Panel for a further two years, bringing their total term to the allowable limit of 4 years.

BACKGROUND

On 24 September 2013, following a full expression of interest process, Council resolved to appoint the following applicants to the Code of Conduct Review Panel for a period of two years based upon the terms and conditions set out in their expression of interest:

No	Panel Member	Area of expertise
1	Monica Kelly of Prevention Partners	Law – experienced Code of Conduct Reviewer.
2	Kath Roach of Sinc Solutions	Government and public administration – experienced Code of Conduct Reviewer.
3	Linda Pettersson of Linda Pettersson Consulting Pty Ltd	Investigator into public services – experienced Code of Conduct Reviewer.
4	Annette Simpson	Law – experienced Code of Conduct Reviewer.
5	Internal Audit Bureau (various nominated experts)	Range of expertise – experience in Code of Conduct investigations.
6	Alison Cripps of Cripps Consulting	Law – experienced Code of Conduct Reviewer.
7	Robert Lopich and Lorraine Lopich of Mediate Today Pty Ltd	Law and Mediation – experienced Code of Conduct Reviewers.
8	Clinton Towers of Access Forensics Pty Ltd	Accounting/IT/Forensic investigations/audit. Previous Specialist Investigator for ICAC.
9	Lloyd Graham	State services background – experienced Code of Conduct Reviewer.

MAIN REPORT

As set out in the table above, the current panel provides for a range of knowledge and expertise, as well as a sufficient pool of panel members to call upon in terms of availability (particularly if concurrent complaints were being assessed at the same time).

The nine panel members have confirmed their willingness to remain on Council's Code of Conduct Review Panel and have confirmed their eligibility in accordance with Council's Code of Conduct Procedures.

The Code of Conduct Procedures state that Council must by resolution, establish a panel of conduct reviewers. It also states that a panel of reviewers is to have a term of up to four years. Given the current panel has only been appointed for a term of two



years, it is possible to renew the panel without having to go through a further EOI process.

It is therefore recommended that the current panel be renewed for a further two years, bringing their total term to the allowable limit of 4 years.

FINANCIAL IMPLICATIONS

Any expenses arising from Code of Conduct investigations are funded from the existing corporate legal expense account allocated in the 2015/2016 budget.

CONCLUSION

Council's panel of conduct reviewers were appointed until September 2015. The current panel members are of a very high caliber, offer a wide breadth of expertise and availability to consider complaints.

RECOMMENDED

That Council renew the appointment of the following Code of Conduct Review Panel members for a further two years, bringing their total term to the allowable limit of 4 years based upon the terms and conditions set out in their expression of interest:

- **Monica Kelly of Prevention Partners;**
- **Kath Roach of Sinc Solutions;**
- **Linda Pettersson of Linda Pettersson Consulting Pty Ltd;**
- **Annette Simpson;**
- **Internal Audit Bureau;**
- **Alison Cripps of Cripps Consulting;**
- **Robert Lopich and Lorraine Lopich of Mediate Today Pty Ltd;**
- **Clinton Towers of Access Forensics Pty Ltd; and**
- **Lloyd Graham**



ORDINARY COUNCIL

ORD09

ORD09

**SUBJECT: BUSINESS ASSURANCE AND RISK COMMITTEE CHARTER AND
INTERNAL AUDIT CHARTER**

FROM: General Manager

TRIM #: 15/248455

PURPOSE OF REPORT

The Business Assurance and Risk Committee has commenced operations and at its first meeting the Committee reviewed the Business Assurance and Risk Committee Charter.

The Business Assurance and Risk Committee also reviewed Council's Internal Audit Charter at its first meeting.

The purpose of this report is to recommend that Council adopt the revised Business Assurance and Risk Committee Charter and the Internal Audit Charter.

BACKGROUND

On 10 June 2014 Council resolved to adopt the Business Assurance and Risk Committee Charter. At that meeting it was advised that it is the elected Councils responsibility to approve the Business Assurance and Risk Committee. It was also advised that going forward it would become the responsibility of the Business Assurance and Risk Committee to review the Charter and submit any recommended changes to Council for consideration.

MAIN REPORT

Business Assurance and Risk Committee Charter

On 29 July 2015 the Business Assurance and Risk Committee held its inaugural Committee meeting. At this meeting, the Business Assurance and Risk Committee Charter was reviewed. As a result of that review, a number of changes were recommended to the Charter that do not change the roles and responsibilities of the Committee but are considered improvements. The most significant changes are:

- Inclusion of the following paragraph at the end of the Composition and Tenure section at paragraph 4.1 *"Councillors that are not members of the Committee are to have a standing invitation to attend any meeting of the Business Assurance and Risk Committee as an observer only"*.
- Amending the timing of the term of office for independent members to a four year term ending six months after the Council election. This change results in Councillor members being appointed for each Council term and independent external members commencing six months after the Council election to allow an appropriate hand-over to new members.
- Removal of the external independent members' remuneration details from the Charter. This change is recommended because the review and determination of



independent members' remuneration occurs separately from the review of the Business Assurance and Risk Committee Charter. The remuneration of independent members was last determined in an open report to Council on 10 February 2015 and as a result the detail in the last approved Charter is not accurate. The Office of Local Government Sample Audit Committee Charter does not include remuneration details and as such it is considered appropriate for this information to be excluded from the Charter's contents.

- A provision for the minutes of the Business Assurance and Risk Committee to be reported to Council.
- A change to outline that the members consist of a minimum of two (2) and maximum of three (3) independent external members.
- Inclusion of a clause to terminate a voting members' appointment where they fail to attend three (3) consecutive meetings without a leave of absence being granted.

The revised Business Assurance and Risk Committee Charter is attached for Council's consideration.

Minutes to the first Business Assurance and Risk Committee meeting will be submitted to Council for noting at a future meeting subject to these recommended changes in the Charter being approved.

Internal Audit Charter

The Internal Audit Charter is attached for Council consideration and includes such matters as:

- the role of the internal audit function which focuses on the identification of improvement opportunities;
- the provision of authority to the Business Assurance Officer to have unrestricted access to the information necessary to undertake the internal auditing role;
- the requirement for the internal audit function to remain independent of the processes being audited;
- the scope of internal audit work to be undertaken and the broad methodology to be applied;
- the reporting requirements of the internal audit function; and
- the quality assurance requirements for the internal audit function.

The Internal Audit Charter was reviewed by the Business Assurance and Risk Committee at its 29 July 2015 meeting and recommended to Council for adoption.

Both the Business Assurance and Risk Committee Charter and the Internal Audit Charter are to be reviewed every two years.

FINANCIAL IMPLICATIONS

Nil

CONCLUSION

The Business Assurance and Risk Committee and internal audit function are critical components of a robust governance framework. The Business Assurance and Risk



Committee and Internal Audit Charters are in accordance with the Internal Audit Guidelines issued under Section 23A of the *Local Government Act 1993* and as such are necessary for their operation.

RECOMMENDED

That Council:

- i. adopt the revised Business Assurance and Risk Committee Charter;**
- ii. adopt the Internal Audit Charter.**

ATTACHMENTS

- 1. Business Assurance and Risk Committee Charter**
- 2. Internal Audit Charter**

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Attachment 1



BUSINESS ASSURANCE AND RISK COMMITTEE CHARTER

Version C.001

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BUSINESS ASSURANCE AND RISK COMMITTEE CHARTER

DIVISION: BUSINESS ASSURANCE

PILLAR: BUSINESS ASSURANCE

VERSION: C.001

FILE / BINDER: BUSINESS ASSURANCE AND RISK COMMITTEE

1. OBJECTIVE

- 1.1 The objective of the Business Assurance and Risk Committee ("Committee") is to provide independent assurance and assistance to Camden Council on risk management, control, governance, and external accountability responsibilities.
- 1.2 In addition, the purpose and function of this Committee is to ensure that there is an adequate and effective system of internal control throughout Council and to assist in the operation and implementation of the Internal and External Audit Plans.

2. AUTHORITY

- 2.1 The Council authorises the Committee, within the scope of its role and responsibilities to:
 - obtain any information it needs from any employee or external party (subject to their legal obligations to protect information);
 - discuss any matters with the External Auditor or other external parties (subject to confidentiality considerations);
 - request the attendance of any relevant employee or Councillor at Committee meetings; and
 - obtain external legal or other professional advice considered necessary to meet its responsibilities (following budgetary consideration and consultation with the General Manager).
- 2.2 The Committee acts primarily as an advisory body to the Council and in making recommendations to the Council. The Committee does not, as of itself, have the power or authority of the Council in dealing with the matters on which it advises, except where certain powers are specifically set out in this Charter, or are otherwise delegated by the Council.
- 2.3 Subject to any regulatory obligations, it is not the responsibility of the members of the Committee to determine that the Council's financial statements and disclosures are complete and accurate and in accordance with applicable rules and regulations, or to plan or conduct audits. Generally speaking, these matters are the responsibility of management and/or the external auditor.

3. ROLES AND RESPONSIBILITIES

- 3.1 The Committee has no executive powers, except those expressly provided by the Council.
- 3.2 In carrying out its responsibilities, the Committee must at all times recognise that its primary responsibility for management of Council rests with the Council and the General Manager as defined by the *Local Government Act 1993*.
- 3.3 The responsibilities of the Committee may be revised or expanded by the Council from time to time. The Committee's responsibilities are:

Risk Management

- Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud.
- Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings.
- Review the impact of the risk management framework on its control environment and insurance arrangements.
- Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.

Control Framework

- Review whether management has adequate internal controls in place, including over external parties such as contractors and advisors.
- Review whether management has in place relevant policies and procedures, and these are periodically reviewed and updated.
- Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with.
- Review whether appropriate policies and procedures are in place for the management and exercise of delegations.
- Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

External Accountability

- Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards and are supported by appropriate management sign-off on the statements and the adequacy of internal controls.

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- Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments. This is to be undertaken following the initial response by Management.
- To consider contentious financial reporting matters in conjunction with council's management and external auditors.
- Review the processes in place designed to ensure financial information included in the annual report is consistent with the signed financial statements.
- Satisfy itself there are appropriate mechanisms in place to review and implement, where appropriate, relevant State Government reports and recommendations.
- Satisfy itself there is a performance management framework linked to organisational objectives and outcomes.

Legislative Compliance

- Determine whether management has appropriately considered legal and compliance risks as part of its risk assessment and management arrangements.
- Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.

Internal Audit

- Act as a forum for communication between the Council, General Manager, senior management, Business Assurance Auditor-Officer and External Auditor.
- Review the ~~Business Assurance Auditor~~ internal audit coverage and ~~Internal Business Assurance~~ Audit Plan, ensure the plan has considered the ~~Council's~~ Risk Management Framework and Plan, and approve the ~~Internal Audit~~ Plan.
- Consider the adequacy of the Business Assurance Auditor's Officer's resources to carry out his or her responsibilities, including completion of the approved Internal Audit Plan.
- Review all audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices.
- Monitor the implementation of the Business Assurance Auditor's Officer's recommendations by management.
- ~~Periodically~~ Every two years review the ~~Business Assurance~~ Internal Audit Charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place.

External Audit

- Act as a forum for communication between the Council, General Manager, senior management, the Business Assurance Auditor-Officer and External Auditor.
- Provide input and feedback on the financial statement and performance audit coverage proposed by the External Auditor, and provide feedback on the external audit services provided.

- Review all external plans and reports in respect of planned or completed external audits, and monitor the implementation of audit recommendations by management.
- Consider significant issues raised in relevant external audit reports and better practice guides, and ensure appropriate action is taken.

Responsibilities of Members

- 3.4 Members of the Committee are expected to:
- Understand the relevant legislation and regulatory requirements appropriate to Camden Council.
 - Contribute the time needed to study and understand the papers provided.
 - Apply good analytical skills, objectivity and good judgment.
 - Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.

4. COMPOSITION AND TENURE

- 4.1 The Committee will consist of:

Members (voting):

- 2 x Councillors
- Minimum of 2 and maximum of 3 x Independent external members (not employees or elected representatives of the Council)
- Chairperson to be one of the Independent members

Attendee (non-voting):

- General Manager
- Risk Management Officer
- Business Assurance ~~Auditor~~ Officer
- Manager Finance and Corporate Planning
- Senior Governance Officer/Governance Officer

Invitees (non-voting) for specific Agenda items:

- Representatives of the External Auditor
- Director Customer and Corporate Services
- Other officers may attend by invitation as requested by the Chair.

Councillors that are not members of the Committee are to have a standing invitation to attend any meeting of the Business Assurance and Risk Committee, as an observer only.

Skills and Experience

- 4.2 The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of Camden Council.

- 4.3 At least one external independent member of the Committee shall have accounting and related financial management experience, as well as an understanding of accounting and auditing standards in a public sector environment.
- 4.4 The selection criteria for external independent members may include (but is not limited to):
- knowledge of internal audit and governance frameworks;
 - relevant experience in senior management or governance roles;
 - high levels of financial literacy and if possible, accounting, financial, legal, compliance and/or risk management experience;
 - high levels of personal integrity and ethics;
 - knowledge of local government;
 - strong communication skills;
 - previous experience of serving on similar committees;
 - sufficient time available to devote to responsibilities as a Committee member; and
 - independence and freedom from contractual arrangements with Camden Council.

Selection of Members

- 4.5 The selection criteria and process for the appointment of the independent external members shall ordinarily be as follows:
- (a) The Council shall seek nominations from persons interested in being appointed to the available position. All nominees who satisfy the conditions of this Charter shall be eligible for appointment.
 - (b) Shortlisted applicants may be interviewed prior to a selection decision.
 - (c) The Council will be responsible for the appointment of independent external members.
- 4.6 The Councillor representatives on the Committee will be nominated at an ordinary meeting of Council.

Term of Office

- 4.7 Appointments to the Committee shall be for a period of up to 4 years (or as determined by the Council), ensuring that continuity of independent membership is maintained over each general Council election period where possible.
- 4.8 At the expiration of this period (the date of the general Council election period for Councillor members and six months after this date for independent external members), ~~all~~ positions will be declared vacant and new members will be sought for another term. Appointees may be reappointed by Council through this process.
- 4.9 In the case of resignation from the Committee by an independent external member, the General Manager will select a new independent member following the process outlined in this Charter.

- 4.10 In the case of resignation by the Chair, the remaining members will vote an acting Chair from the external members.
- 4.11 In the absence of the appointed Chair, the voted current serving independent external member shall serve as the Chair for the period of absence of the duly nominated Chair, until such time that the Council appoints a replacement Chairperson.

Code of Conduct

- 4.12 All members of the Business Assurance and Risk Committee are to abide by Camden Council's Code of Conduct.

Remuneration

~~4.13 Remuneration shall be paid to each independent member of the Committee as follows:~~

- ~~• \$500 per meeting for the Independent Chairperson;~~
- ~~• \$400 per meeting for external committee members;~~
- ~~all costs include GST, travel and on-costs.~~

- 4.13 Remuneration for independent members of the Committee will be determined ~~annually~~ by the Council.
- 4.14 Councillors appointed as elected representatives on the Committee are paid for duties as Councillors from their Councillor allowance determined each year.

5. ADMINISTRATIVE ARRANGEMENTS

Meetings

- 5.1 The Committee will meet at least four times per year, with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion.
- 5.2 The need for any additional meetings will be decided by the Chair of the Committee, though other Committee members and the General Manager may make requests to the Chair for additional meetings.
- 5.3 Meetings can be held in person, by telephone or by video conference but preferably face to face.
- 5.4 A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Business Assurance and Risk Committee Charter.
- 5.5 Where internal audit priorities change between meetings or new urgent issues arise, and where it is not possible to schedule an additional meeting, the Business Assurance and Risk Committee will be kept fully informed of all changes via email.

Quorum

- 5.6 A quorum will consist of a majority of Committee members, including at least one independent external member.
- 5.7 A meeting of the Committee must be adjourned if a quorum is not present within 15 minutes after the time designated for the holding of the meeting or at any time during the meeting. In either case, the meeting must be adjourned to a time, date and place fixed by the Chairperson, or in his or her absence, by the majority of members present.
- 5.8 ~~The Senior Governance Officer~~ must be recorded in the minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of quorum) at or arising during a meeting, together with the names of the members present.
- 5.9 A voting member shall no longer be a voting member of the Committee if they fail to attend three (3) consecutive meetings without a leave of absence being granted.

Chairperson to have precedence

- 5.10 The Chairperson is to have precedence over the control and management of the meetings.
- 5.11 The Chairperson may call any member to order whenever in the opinion of the Chairperson it is necessary to do so.
- 5.12 In the instance that the Chairperson is unavailable to chair a meeting, the remaining members will vote an external member to act as Chairperson.

Attendance of non-members

- 5.13 The attendance of non-members is subject to invitation by the Chair.
- 5.14 The contracted Business Assurance ~~Auditor Officer~~ will be invited to attend each meeting unless requested not to do so by the Chair.
- 5.15 The General Manager may attend each meeting but will permit the Committee to meet separately with the Business Assurance ~~Auditor Officer~~ and the External Auditor in the absence of management on at least one occasion per year.

Secretariat Support

- 5.16 Secretariat support is provided to the Committee ~~by the Council's Governance Team.~~
- 5.17 The Secretariat will ensure that an agenda for each meeting and supporting papers are circulated, at least one week before the meetings, and ensure that minutes of the meetings are prepared and maintained.

- 5.18 Minutes shall be approved by the Chair and circulated to each member within three weeks of the meeting being held. Minutes, after every meeting, are to be reported to Council for noting.

Confidentiality

- 5.19 Committee members will be bound by confidentiality requirements under Council's Code of Conduct.
- 5.20 Members may be entrusted with highly sensitive information at times, as well as personal information regarding staff members. Therefore, they must maintain confidentiality at all times, displaying a high level of ethics and professionalism.
- 5.21 Any requests for disclosure of information relating to the Committee will be managed by the Governance Team and in accordance with the *Government Information (Public Access) Act 2009* and the *Privacy and Personal Information Protection Act 1998*.

Conflict of Interests

- 5.22 Committee members must declare any conflict of interests at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.
- 5.23 Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

Induction

- 5.24 New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

6. REPORTING

Reporting Requirements

- 6.1 In addition to providing the Committee minutes to Council as outlined at 5.18, tThe Committee shall report ~~regularly, and~~ at least annually, to the governing body of Council on the management of risk and internal controls.
- 6.2 At the first Committee meeting after 30 June each year, the Business Assurance Auditor-Officer will provide a performance report of:
- the performance of the Business Assurance Auditor for the financial year as measured against agreed key performance indicators;
 - the approved Internal Audit Plan of work for the previous financial year showing the current status of each audit; and

- the Committee may, at any time, consider any other matter it deems of sufficient importance to do so. In addition, at any time an individual Committee member may request a meeting with the Chair of the Committee.

Decision Making

- 6.3 The Committee makes decisions by resolutions, which are to be recorded in the minutes.
- 6.4 Voting shall be by way of show of hands.
- 6.5 Each member of the Business Assurance & Risk Committee shall be entitled to one vote only. In the case of an equality of votes on any issue, the Chair shall have the casting vote.
- 6.6 For the purpose of clarity, the Business Assurance Auditor Officer, External Auditor, General Manager, Manager of Finance and Corporate Planning, Risk Management Officer and Senior Governance Officer/Governance Officer are not voting members of the Committee.

Assessment Arrangements

- 6.7 The Chair of the Committee will initiate a review of the performance of the Committee at least once every two years.
- 6.8 The review will be conducted on a self-assessment basis (unless otherwise determined by the General Manager), with appropriate input from management and any other relevant stakeholders.
- 6.9 When reviewing the Committee's performance, the Chair should be satisfied that an effective, comprehensive and complete service is being provided.

Review of Business Assurance and Risk Committee Charter

- 6.10 At least once every two years the Business Assurance and Risk Committee will review this Business Assurance and Risk Committee Charter.
- 6.11 The Business Assurance and Risk Committee will be responsible for recommending amending any changes to this Business Assurance and Risk Committee Charter subject to Council approval.

NB: Each Committee Member must sign a copy of this Charter at the commencement of their appointment.

NEXT REVIEW DATE: *September 2017*

HISTORY:

Issue	Approved by	Changes made	Date
1	Business Assurance and Risk Committee	Nil	29/07/2015

ORD09

Attachment 2



INTERNAL AUDIT CHARTER

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INTERNAL AUDIT CHARTER

DIVISION: BUSINESS ASSURANCE

PILLAR: BUSINESS ASSURANCE

VERSION: C.002

1. PURPOSE

The purpose of the internal audit function is to provide an independent, objective assurance and consulting activity designed to add value and improve Camden Council's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

2. INTRODUCTION

2.1 Internal Audit at Camden Council is managed by the person appointed from time to time by the General Manager as the Head of Internal Audit within Council. For the purposes of Camden Council's organisational structure, the internal audit function is named Business Assurance and the Head of Internal Audit is the Business Assurance Officer.

2.2 This Internal Audit Charter is a formal statement of purpose, authority and responsibility for an internal auditing function within Camden Council. This Charter:

- establishes Internal Audit within Camden Council and recognises the importance of such an independent and objective service to Council.
- outlines the legal and operational framework under which Internal Audit will operate.
- authorises Internal Audit to promote and direct a broad range of internal audits across Camden Council.

3. ROLE AND AUTHORITY

3.1 The objectives of Internal Audit are to assist the General Manager in identifying operational improvement opportunities, identifying unsound practices, and recognise potential cost savings and performance improvements.

3.2 The scope of Internal Audit encompasses the examination and evaluation of the adequacy and effectiveness of the Council's internal controls and process efficiencies against existing policies, procedures, legislative requirements and best practice.

- 3.3 Internal Audit is authorised to direct a comprehensive program of internal audit work in the form of reviews, consultancy advice, evaluations, appraisals, assessments and investigations of functions, processes, controls and governance frameworks in the context of the achievement of Council's objectives.
- 3.4 As a result, Internal Audit is authorised to have full, free and unrestricted access to all functions, property, personnel, records, information, accounts, files and other documentation, as necessary for the conduct of their work.

4. OBJECTIVITY, INDEPENDENCE AND ORGANISATIONAL STATUS

- 4.1 Objectivity requires an unbiased mental attitude. As such, all Internal Audit staff (including contractors) shall perform internal audit engagements in such a manner that they have an honest belief in their work product and that no significant quality compromises are made. Further it requires Internal Audit staff not to subordinate their judgment on internal audit matters to that of others.

To facilitate this approach, Internal Audit shall have independent status within Camden Council, and for this purpose shall report directly to the General Manager and the Business Assurance and Risk Committee.

- 4.2 Internal Audit shall be independent of the activities reviewed, and therefore shall not undertake any operating responsibilities outside internal audit work. Neither shall Internal Audit staff have any executive or managerial powers, authorities, functions or duties except those relating to the management of the internal audit function. Internal Audit staff and contractors shall report to the Head of Internal Audit any situations where they feel their objectivity may be impaired. Similarly, the Head of Internal Audit should report any such situations to the Business Assurance and Risk Committee.
- 4.3 The work of Internal Audit does not relieve the staff of Camden Council from their accountability to discharge their responsibilities. All Camden Council staff are responsible for risk management and the operation and enhancement of internal control. This includes responsibility for implementing remedial action endorsed by management following an internal audit.
- 4.4 Internal Audit shall not be responsible for operational activities on a daily basis, or in detailed development or implementation of new or changed systems, or for internal checking processes.

5. SCOPE OF WORK

- 5.1 The scope of services provided by the Internal Auditor shall include:
- the examination and evaluation of the adequacy and effectiveness of systems of internal control, risk management, governance, and the status of ethical behaviour;
 - ascertaining conformity with the goals and objectives of Camden Council;
 - assessment of the economic and efficient use of resources;
 - the examination of compliance with policies, procedures, plans and legislation;
 - assessment of the reliability and integrity of information;
 - assessment of the safeguarding of assets; and
 - any special investigations as directed by the General Manager or the Business Assurance & Risk Committee via the General Manager.
- 5.2 Internal Audit is also responsible for the following audit supporting activities:
- assisting the Business Assurance and Risk Committee to discharge its responsibilities
 - monitoring the implementation of agreed recommendations
 - disseminating across Camden Council better practice and lessons learnt arising from its audit activities

6. INTERNAL AUDIT METHODOLOGY

- 6.1 Internal Audit shall use the most appropriate methodology for each internal audit engagement, depending on the nature of the activity and the pre-determined parameters for the engagement. Generally, internal audits will include:
- planning;
 - reviewing and assessing risks in the context of the audit objectives;
 - examination and evaluation of information;
 - communicating results; and
 - following up on implementation of audit recommendations.

7. OPERATING PRINCIPLES

- 7.1 Internal Audit shall conform with:
- the Standards and Code of Ethics issued by the Institute of Internal Auditors; and
 - relevant auditing standards issued by the Auditing and Assurance Standards Board.

8. REQUIREMENTS OF INTERNAL AUDIT

8.1 Internal Audit shall:

- possess the knowledge, skills, and technical proficiency essential to the performance of internal audits;
- be skilled in dealing with people and in communicating audit issues effectively;
- maintain their technical competence through a program of continuing education;
- exercise due professional care in performing internal audit engagements.

8.2 Internal audit staff shall:

- conduct themselves in a professional manner; and
- conduct their activities in a manner consistent with the concepts expressed in the Standards and the Code of Ethics.

9. REPORTING REQUIREMENTS

9.1 Internal Audit shall at all times report functionally to the Business Assurance & Risk Committee. At each Business Assurance & Risk Committee meeting, the Head of Internal Audit shall submit a report on:

- audits completed
- progress in implementing the annual audit work plan; and
- the implementation status of agreed internal and external audit recommendations.

9.2 On completion of each internal audit engagement, Internal Audit shall issue a report to its audit customers detailing the objective and scope of the audit, and resulting issues based on the outcome of the audit. Internal Audit shall seek from the responsible Senior Executive or Manager an agreed or endorsed action plan outlining remedial action to be taken, along with an implementation timetable and person responsible. Responsible Officers shall have a maximum of ten working days to provide written management responses and action plans in response to issues and recommendations contained in internal audit reports.

Internal Audit shall also provide the appropriate Senior Executive or Manager with a client feedback form requesting feedback on the conduct of the audit to enable an assessment of client satisfaction.

9.3 Internal Audit shall make available all internal audit reports to the Business Assurance & Risk Committee. However, the work of the Internal Auditor is solely for the benefit of Camden Council and is not to be relied on or provided to any other person or organisation, except where this is formally authorised by the Business Assurance & Risk Committee.

9.4 In addition to the normal process of reporting on work undertaken by Internal Audit, the Head of Internal Audit shall draw to the attention of the Business Assurance & Risk Committee all matters that, in the Head of Internal Audit's opinion, warrant reporting to the Business Assurance & Risk Committee.

9.5 At least annually, Internal Audit shall provide a report to the Business Assurance and Risk Committee outlining the results of the Internal Audit function. This should include an assessment against the performance measures endorsed by the Committee as per paragraph 14.1.

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Attachment 2

10. PLANNING REQUIREMENTS

- 10.1 Internal Audit shall use a risk-based rolling program of internal audits to establish a three year audit plan to be reviewed annually. The program of audits is to be divided into three 12 month periods clearly demonstrating the coverage for each year. This approach is designed to be flexible, dynamic and more timely in order to meet the changing needs and priorities of Camden Council.
- 10.2 The Head of Internal Audit shall prepare an Internal Audit Plan annually for review and approval by the Business Assurance & Risk Committee, showing the proposed areas for audit. The Internal Audit Plan shall be based on an assessment of the goals, objectives and business risks of Camden Council, and shall take into consideration any special requirements of the Business Assurance & Risk Committee and the Executive Leadership Group.
- 10.3 The Head of Internal Audit has discretionary authority to adjust the Internal Audit Plan as a result of receiving special requests from the Executive Leadership Group to conduct reviews that are not on the plan, with these to be approved at the next meeting of the Business Assurance & Risk Committee.

11. QUALITY ASSURANCE AND IMPROVEMENT PROGRAM

- 11.1 The Head of Internal Audit shall oversee the development and implementation of a quality assurance and improvement program for internal audit, to provide assurance that internal audit work conforms to the Standards and is focused on continuous improvement.

12. COORDINATION WITH EXTERNAL AUDIT

- 12.1 The Head of Internal Audit shall periodically consult with the External Auditor to discuss matters of mutual interest, to co-ordinate audit activity, and to reduce duplication of audit effort.

13. REVIEW OF INTERNAL AUDIT CHARTER

- 13.1 The Head of Internal Audit shall every two years review the Internal Audit Charter to ensure it remains up to date and reflects the current scope of internal audit work.

14. EVALUATION OF INTERNAL AUDITOR

- 14.1 The Head of Internal Audit shall develop performance measures (key performance indicators) for consideration and endorsement by the Business Assurance & Risk Committee, as a means for the performance of internal audit to be periodically evaluated.
- 14.2 Internal Audit shall also be subject to an internal quality review every two years and an independent quality review at least every five years. Such review shall be in line with the Standards of Professional Practice in Internal Audit and be commissioned by and reported to the Business Assurance & Risk Committee.

15. CONFLICTS OF INTEREST

- 15.1 Internal Audit is not to provide audit services for work for which they may previously have been responsible. Whilst the Standards provide guidance on this point and allow this to occur after 12 months, each instance should be carefully assessed.
- 15.2 When engaging internal audit contractors, the Head of Internal Audit shall take steps to identify, evaluate the significance, and manage any perceived or actual conflicts of interest that may impinge upon internal audit work.
- 15.3 Instances of perceived or actual conflict of interest by the Head of Internal Audit are to be immediately reported to the Business Assurance & Risk Committee by the Head of Internal Audit.

Any changes to this Internal Audit Charter will be approved by the Business Assurance & Risk Committee.

NEXT REVIEW DATE:

September 2017

HISTORY:

Issue	Approved by	Changes made	Date
<i>1</i>	<i>Approved by Business Assurance and Risk Committee</i>	<i>Nil</i>	<i>29/07/2015</i>

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ORDINARY COUNCIL

ORD10

SUBJECT: ROADS AND MARITIME SERVICES 2015/16 BLOCK GRANT AGREEMENT

FROM: Director Community Infrastructure

TRIM #: 15/266145

PURPOSE OF REPORT

To seek Council acceptance of funding for 2015/16 under the Regional Roads Block Grant Agreement.

BACKGROUND

The Roads and Maritime Services (RMS) provides funding assistance to Councils each year through the Regional Road Block Grant Agreement. The Agreement sets out the conditions of the grant funding, and reporting requirements as part of the grant acquittal process.

MAIN REPORT

The expenditure of Block Grant funds is at Council's discretion, but must be directed to "*acts of construction, maintenance improvements and related planning design, environmental surveys*" subject to the following conditions:

- Roads component and Supplementary Roads component being spent on Regional Roads, as identified in the Block Grant Agreement;
- Traffic Facilities component, being spent on traffic facilities to "*assist the flow of traffic and maximise road safety*" on Regional and Local Roads; and
- Expenditure of these grant monies is in accordance with the terms and conditions of the Block Grant Agreement.

Block Grant Component	2015/16 Grant (\$)
Roads Component	117,000
Supplementary Roads Component	39,000
Traffic Facilities Component	137,000

The total value of the Block Grant is \$293,000, compared to an amount of \$288,000 in 2014/15. The 2015/16 budget includes estimates for these three grant totalling \$296,000. There is a minor variation to the original budget of \$3,000 which will be adjusted as part of the next quarterly review of the budget. A copy of the "Block Grant Agreement" is provided in the **Supporting Document**.

FINANCIAL IMPLICATIONS

The Regional Road Block Grant Agreement does not require matching funding from Council. There are no financial implications to Council in accepting the funds other than a commitment to complete the works by 30 June 2016.



CONCLUSION

The RMS has confirmed annual block grant funding amounts for 2015/16, and it is proposed that Council accept the funding offers.

RECOMMENDED

That Council:

- i. accepts RMS funding of \$293,000 under the “Block Grant Agreement”;**
- ii. authorises the relevant documentation to be completed under Council’s Power of Attorney, granted on 27 August 2013, Minute Number ORD215/13; and**
- iii. writes to the relevant Minister and the State Member for Camden, thanking them for their ongoing support.**

ATTACHMENTS

- 1. Transport RMS Regional Roads Block Grant Agreement 2015-16 - *Supporting Document***

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