

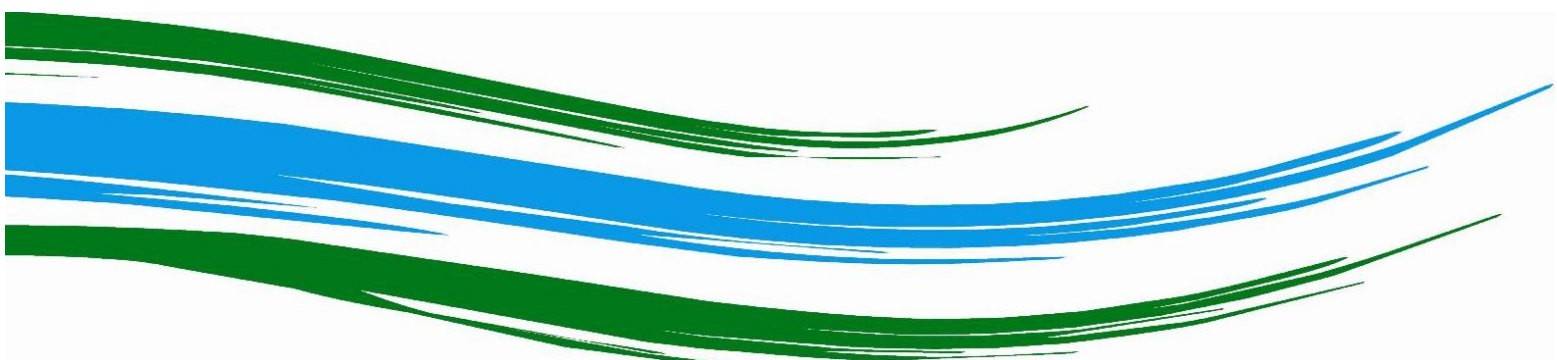


Camden Council

Attachments

Ordinary Council Meeting
23 July 2019

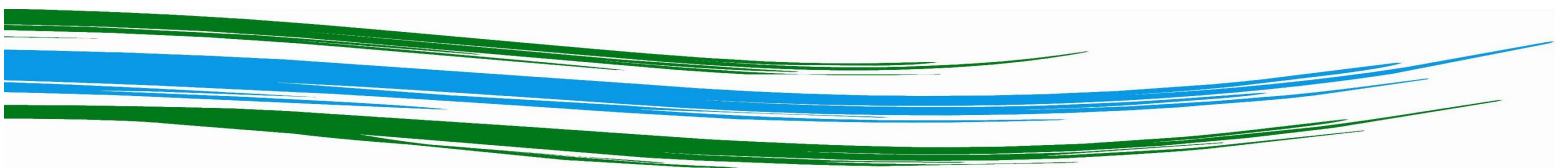
Camden Council
Administration Centre
70 Central Avenue
Oran Park



ORDINARY COUNCIL

ATTACHMENTS - ORDINARY COUNCIL

ORD01	Camden LEP 2010 Amendment - Minimum lot size and frontage controls for dual occupancy and multi dwelling housing	
	Attachment 1: Planning Proposal - Minimum Lot Size and Frontage Controls for Dual Occupancy and Multi Dwelling Housing - as exhibited	4
	Attachment 2: Previous Council Report - Minimum Lot Size for Dual Occupancy and Multi Dwelling Housing - 24 July 2018.....	29
	Attachment 3: Submissions Response Table	35
ORD03	Adoption of Volunteer Management Policy	
	Attachment 1: Volunteer Management Policy	41
ORD04	Feedback Policy And Unreasonable Customer Conduct Policy	
	Attachment 1: Dealing with Unreasonable Customer Conduct Policy	46
	Attachment 2: Feedback Policy (formerly Complaints Management Policy)	64
ORD05	Section 355 Community Management Committee Procedural Manuals	
	Attachment 1: Draft S355 Manual - Bicentennial Equestrian Park	76
	Attachment 2: Draft S355 Manual - Camden Town Farm	110
	Attachment 3: Draft S355 Manual - Camden International Friendship Association	142
	Attachment 4: Draft S355 Manual - Camden Seniors Programs Committee.....	170
ORD06	Investment Monies - June 2019	
	Attachment 1: Investment Report - June 2019	196





camden council



Camden Council Planning Proposal

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

Version 2
March 2019

 70 Central Ave,
Oran Park NSW 2570

 PO Box 183, Camden 2570

 4654 7777

 DX 25807

 mail@camden.nsw.gov.au

 camden.nsw.gov.au

 4654 7829

 ABN: 31 117 341 764

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

Contents

BACKGROUND..... 3

PART 1 – OBJECTIVES AND INTENDED OUTCOMES..... 8

PART 2 – EXPLANATION OF PROVISIONS 8

PART 3 – JUSTIFICATION..... 9

 SECTION A – NEED FOR THE PLANNING PROPOSAL..... 9

 Minimum Lot Size Justification 10

 Minimum Frontage Justification 11

 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK 12

 A Metropolis of Three Cities – The Greater Sydney Region Plan 12

 Western City District Plan..... 13

 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT 15

 SECTION D – STATE AND COMMONWEALTH INTERESTS 15

PART 4 – MAPPING..... 16

PART 5 – COMMUNITY CONSULTATION..... 17

PART 6 – PROJECT TIMEFRAME..... 17

APPENDICES..... 18

 Appendix 1: Consistency against State Environmental Planning Policies..... 19

 Appendix 2 : S117 Directions..... 23



Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

BACKGROUND

This planning proposal seeks to amend the Camden Local Environmental Plan 2010 (Camden LEP 2010). The proposal introduces a new clause (Clause 4.1D) to provide minimum lot size and minimum frontage controls for dual occupancies and multi dwelling houses.

The proposed controls aim to encourage low rise medium density housing that are in keeping with the established character of localities outside of the Growth Areas and to ensure that sufficient space is provided for good quality architectural design, landscaping and ancillary developments such as car parking.

The proposed controls will also work in conjunction with the local housing strategies to be developed under the Western City District Plan.

Camden Council's Current Controls

Camden LEP 2010 was gazetted on 3 September 2010 and applies to all land in the Camden Local Government Area (LGA), with the exception of land which falls under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP).

Council is currently undertaking a comprehensive review of the LEP as part of its obligations to ensure controls remain reflective of local development trends. This review is expected to be completed towards 2020.

Camden LEP 2010 does not contain minimum lot or minimum frontage controls for specific development types. Site controls are contained in Camden Development Control Plan 2011 (Camden DCP 2011). The current site requirements for low rise medium density development are as follows:

Permitted Zones in Camden LGA	RU1, RU2, RU4, R1, R2, R3, R5, B4	R1, R3, B4
Minimum Lot Size	600sqm or 800sqm on corner lots	N/A
Minimum Frontage	22m	25m

Figure 1: Summary of existing Camden DCP 2011 controls for dual occupancy and multi dwelling housing

Low Rise Medium Density Housing Code

In October 2016, the Department of Planning and Environment (DPE) exhibited a Draft Medium Density Housing Code (draft Housing Code) for public comment. The draft Housing Code proposed that dual occupancies, manor houses and multi dwelling housing, known as low rise medium density housing, be approved under a Complying Development Approvals pathway and without the need for Council approval. The aim of the draft Housing Code was to fast track development and increase housing supply in Greater Sydney. A summary of the controls are shown in **Figure 2**.

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

Permitted Zones in Camden LGA	R1, R2, R3	R1 & R3
Minimum Lot Size	400m	600m
Minimum Frontage	12m	15m

Figure 2: Summary of Medium Density Housing Code controls for dual occupancy and multi dwelling housing

On 13 December 2016, Council resolved to forward a submission to DPE. Council's submission raised the following concerns:

1. The draft Housing Code would affect Camden's ability to sustainably manage development in appropriate locations. This is important given the challenges the Council is facing in protecting its rural lands, providing sufficient infrastructure and facilitating further development in the Growth Areas;
2. The draft Housing Code does not recognise the existing number of dwellings currently provided by Camden Council. Camden is currently meeting its required housing targets and is actively engaged in providing housing diversity to meet the community via its work with the Department of Planning in the Growth Areas;
3. Council has an average determination time of 34.5 days and is already meeting its legislative requirements. The draft Housing Code does not recognise Camden's ability to provide sufficient, and diversified housing to meet the needs of the community;
4. The CDC process does not provide sufficient opportunities for community consultation. This is particularly important given the significant impacts that medium density development would have on low density established areas;
5. The draft Housing Code would put additional strain on Council's resources including increased referrals to Council staff for information and advice on matters such as waste collection, drainage infrastructure and capacity, and local traffic impact and advice;
6. The proposed car parking controls, which require one space per dwelling, do not align with Camden's car parking demand which sees residents with 2 or more vehicles. The proposed controls also do not provide sufficient space to provide kerbside parking for the community;
7. The additional complexities associated with assessing medium density housing developments would require further education for Certifiers; and
8. A number of technical issues, such as basement excavation, acoustic treatments and laneway setbacks contained in the Design Guide need to be clarified.

In light of the above, the submission requested that Camden Council be excluded from the requirements of the draft Housing Code.

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

The DPE released a revised Housing Code in May 2018. The Housing Code included the ability to construct dual occupancies, manor houses and medium density housing (terraces) under a CDC approval and mandate minimum lot sizes and frontages below that currently enforced in the Camden LGA.

Following release of the Code, Council again formally sought an exemption from application of this part of the Code sighting concerns over density and character impacts particularly in existing residential areas.

On 5 July 2018, the DPE formally gazetted an amendment to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP) to defer its application to the Camden LGA for a 12 month period.

The deferral provides the opportunity for Council to review its LEP to ensure appropriate controls are in place prior to the conclusion of the 12 month period.

The Planning Proposal aims to ensure that these controls are in place prior to the cessation of the 12 month period.

Effects of the Housing Code

Camden Council is one of the fastest growing Councils in Greater Sydney. In 2016 – 2017, the population of Camden grew by 8.4%, and is double the growth of City of Sydney at 4% and Parramatta at 3.6% (ABS, 2018).

Camden is also providing a significant number of dwellings to accommodate for this growth. From 2013 – 2017, development applications in the Camden LGA grew by 57% (from 1,183 to 1,793). A large portion of these approvals relate to residential development.

Camden Council is carefully managing this rapid growth through a combination of Council policies and planning controls. The Housing Code will undermine Council's ability to control this growth leading to density, infrastructure provision and neighbourhood character impacts. These are further discussed below:

Density Concerns

Secondary dwellings, dual occupancies and multi dwelling housing have become increasingly popular in the last four years. From 2013 – 2017, development approvals in the Camden LGA for secondary dwellings and dual occupancies rose by approximately 294% and 814% respectively and in 2018 alone, approvals for these housing types are at 43 and 42 respectively (see **Figure 3**). This shift towards smaller dwellings is driven by factors such as housing affordability and increase in land values.

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

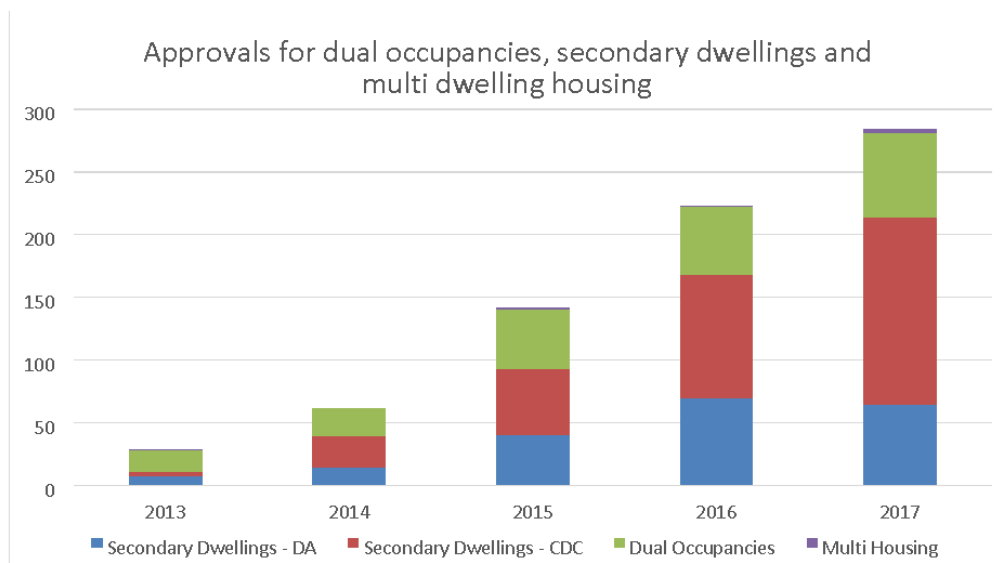


Figure 3: Approvals of dual occupancies, secondary dwellings and multi dwelling housing between 2013 - 2017

Approved development applications of dual occupancies and multi dwelling houses over the previous 5 years (see Figure 4) are generally increasing with the exception of 2018. This is likely part of a wider decline in housing growth across the Greater Sydney region.

Region	Category	2014	2015	2016	2017	2018
R1	Dual Occupancy	66*	139	117	51	12
	Multi-Unit Housing	2	1	0	1	0
R2	Dual Occupancy	38*	22	3	3	6
	Multi-Unit Housing	1	1	0	1	0
R3	Dual Occupancy	1	0	0	1	2
	Multi-Unit Housing	3	1	1	1	0

Figure 4: Number of approved development applications for dual occupancy and multi-dwelling housing 2014 to 2018. (*includes DA's lodged and not yet determined)

The Housing Code is likely to further increase the number of dual occupancies and multi dwelling housing by streamlining the approval process and allowing these types of developments on lots smaller than what is currently permitted under Camden DCP 2011 controls.

Under the Housing Code, the mandated minimum lot size of 400m², initial investigation estimates the development of approximate 8,000 additional lots that would previously not have met minimum lot size requirements for dual occupancy development.

The Housing Code controls (see Figure 2) would facilitate a maximum of 29,418 dual occupancy dwellings and 4,522 multi dwelling houses (see Figure 5). This calculation includes all potential subdivisions, and excludes heritage items, community titled and state-owned land,

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

road reserves, retention basins, public reserves and sites that do not meet the Housing Code requirements.

The proposed Camden Local Environment Plan 2010 (Camden LEP) controls (see **Figure 6**) would support the potential development of 10,762 dual occupancies and 1,440 multi dwelling houses across the LGA (see Figure 5). This calculation includes all potential subdivisions, and excludes heritage items, community titled and state-owned land, road reserves, retention basins, public reserves and sites that do not meet the proposed CLEP requirements.

This is a reduction of 64% & 67% respectively from maximum yields between the proposed CLEP controls and the Medium Density Housing Code.

Medium Density Housing Code	29,418	4,522
Proposed CLEP Controls	10,762	1,440
Difference	18,656	3,082

Figure 5: Potential opportunity for dual occupancy and multi-dwelling development under the Medium Density Housing Code, and proposed CLEP controls, based on 18,815 existing lots in R1, R2 & R3 zones.

This unplanned growth will have density impacts across the Camden LGA, and particularly on the character of established and newer release areas such as Elderslie and Spring Farm.

Infrastructure Provision

The Camden Contributions Plan 2011 (Camden CP) enables the collection of funds to provide infrastructure for the expected community. The Camden CP applies to land outside of the Growth Areas. The contribution rates and identified infrastructure, contained in the Camden CP are calculated according to Camden's forecast population.

Under the Ministerial Direction dated 21 August 2012, restrictions were placed on Councils as to the amount of monies that could be collected under existing contributions plans.

At this time the Camden CP was "grandfathered" by the Ministerial Direction to protect the collection of monies in areas such as Elderslie and Spring Farm where the rate significantly exceeded the mandated cap.

The grandfathering of the Camden CP significantly restricts Council's ability to review the CP to consider increases in residential densities, that may be created as a result of the Housing Code.

Whilst Council could still collect monies under the CP there would be an under provision of infrastructure for the population generated, as the funds collected can only be spent on items within the plan.

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

Camden Local Planning Panel (CLPP)

In accordance with the Ministerial Directions dated 23 February 2018, Council is required to refer planning proposals to the Camden Local Planning Panel (formally IHAP) after 1 June 2018. The Planning Proposal was submitted to CLPP for information on 21 August 2018.

PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The aim of this Planning Proposal is to ensure that appropriate controls are in place to facilitate the effective management of low rise medium density development, once the Housing Code comes into effect.

The controls help ensure that sufficient space can be provided to accommodate for setbacks, private open space, ancillary buildings and driveway access while still maintaining the amenity and character of neighbourhoods outside of the Growth Areas.

The amendments will provide sustainable growth, compatible with the character of the established and that transitioning areas of the Camden LGA are maintained.

PART 2 – EXPLANATION OF PROVISIONS

The Planning Proposal recommends that Camden LEP 2010 is amended by inserting clause '4. 1D Minimum lot sizes for dual occupancies and multi dwelling housing'. The proposed clause will introduce controls as per **Figure 6**.

Proposed CLEP controls for dual occupancies and multi dwelling housing.		
Permitted Zones in Camden LGA	RU1, RU2, RU4, R1, R2, R3, R5, B4	R1, R3, B4
Minimum Lot Size	600m or 800m on corner lots	1500m
Minimum Frontage	18m or 22m if side by side	25m

Figure 6: Proposed CLEP controls for dual occupancies and multi dwelling housing.

A comparison table of the Housing Code, existing controls in Camden DCP 2011 and proposed controls in the draft Planning Proposal are contained in **Figure 7**.

Comparison Table of Controls			
	Housing Code	Camden DCP 2011	Proposed LEP Controls
Dual Occupancies	400sqm	600sqm or 800sqm for corner lots	600sqm or 800sqm for corner lots



Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

	12m minimum frontage	22m minimum frontage	18m (one behind another) 22m (side by side)
Multi Dwelling Housing	600sqm	25m frontage (no minimum lot control)	1,500sqm
	18m minimum frontage		25m minimum frontage

Figure 7: Comparison table for controls for dual occupancies and multi dwelling housing.

The proposed controls will only apply in zones which currently permit these types of developments. In this instance, the proposed dual occupancy controls will apply to all residential and rural zones. The multi dwelling housing controls will apply to R1 General Residential, R3 Medium Density Residential and B4 Mixed Use zones.

It is noted that the proposed amendments only apply to land zoned under the Camden LEP 2010. *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) contain minimum lot sizes and minimum lot frontage for dual occupancies and multi dwelling housing. The proposed controls do not seek to amend the existing controls contained in this SEPP. Development Applications submitted in the Growth Areas will continue to be assessed according to the controls specified in the Growth Centres SEPP.

It is intended to introduce a savings and transitional clause should the proposed amendments be endorsed and adopted. The amendments will be applied from the date of gazettal. Existing control should be applied prior to gazettal of the proposed amendments.

It is noted that this draft clause is subject to legal drafting and minor alterations may be required under this process.

PART 3 – JUSTIFICATION

SECTION A – NEED FOR THE PLANNING PROPOSAL

1. Is the planning proposal a result of any strategic study or report?

No. Council officers are currently developing a housing strategy for Camden as part of the LEP review process. The housing strategy is being prepared and has yet to be endorsed by Council. It will be provided to the DPE once a draft report has been prepared.

The Planning Proposal is a result of Council’s recognition that the Housing Code would significantly increase the popularity of low-rise medium density housing and the construction of these dwellings will be undertaken in an unplanned manner.

An explanation of the numerical controls, and how Council arrived to these numbers are contained below:

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

Minimum Lot Size Justification

Dual Occupancies

The Camden DCP 2011 currently allows dual occupancies to be constructed on lots greater than 600sqm or 800sqm where the proposed development is on a corner site.

The Housing Code permits dual occupancies to be constructed on lots:

1. With a minimum lot area of 400sqm; or
2. The minimum lot area specified for dual occupancies in the environmental planning instrument (Camden LEP) that applies to the land concerned.

The Housing Code stipulates that where a LEP has a larger minimum lot size than that identified in the Code, it is the LEP minimum lot size which applies to the proposed development. Any DCP control is not taken into consideration.

The Housing Code permits dual occupancy development on 400 sqm lots, as Council currently has no minimum lot size control for dual occupancies within the Camden LEP it is this minimum lot size that would apply.

It is therefore proposed to insert the minimum lot size control of 600 sqm and 800 sqm (corner sites) for dual occupancy development into the Camden LEP 2010. These controls will ensure that a consistent approach is provided for all dual occupancies on land outside of the Growth Areas.

Multi Dwelling Housing

The Camden DCP 2011 does not currently contain any minimum lot size controls for multi dwelling developments. Instead, the DCP requires lots comply with minimum lot frontage requirements.

The Housing Code will introduce minimum lot requirements and permits multi dwelling housing on lots:

1. With a minimum lot area of 600sqm; or
2. The minimum lot area specified for multi dwelling housing in the environmental planning instrument (Camden LEP) that applies to the land concerned.

The Planning Proposal seeks to incorporate a minimum lot size of 1,500sqm for multi dwelling housing (terraces). This control will apply to R1 General Residential, R3 Medium Density Residential and B4 Mixed Use zones.

In determining the minimum lot size, Council officers have reviewed four other Sydney Councils' controls and the existing lots requirements in Oran Park and Camden Growth Areas.

As shown in the comparison table in **Figure 8**, there is no numerical consistency between Councils. It is noted however that the majority of minimum lot sizes are 1,000sqm or greater.

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

Comparison of minimum lot sizes for multi dwelling housing		
Council	Environmental Planning Instrument	Minimum Lot Size
Camden – Oran Park	SEPP (Sydney Region Growth Centres) 2006	1,500sqm
Camden – Camden Growth Areas	SEPP (Sydney Region Growth Centres) 2006	1,500sqm in lower density bands
Canterbury - Bankstown Council	Bankstown LEP 2015	1,200sqm
Blacktown City Council	Blacktown LEP 2015	1,800sqm (in R3 zones) Or Min. lot width of 20m (all other zones)
Campbelltown City Council	Campbelltown (Sustainable City) DCP 2015	700sqm
Liverpool City Council	Liverpool DCP 2008	1,000sqm or 650sqm for smaller housing product.

Figure 8: Comparison of minimum lot size controls for multi dwelling developments

The proposed minimum lot size of 1,500 sqm is consistent with the current control contained in the Oran Park and Camden Growth Centres SEPP and will offer a consistent approach to multi dwelling housing across the LGA.

The proposed minimum lot size of 1,500 sqm is larger than the minimum lot size contained in the Housing Code. However, it is considered that larger lots can provide better design outcomes such as building separation, open space, landscaping, solar access, cross ventilation and car parking.

Minimum Frontage Justification

Dual Occupancies

The Camden DCP 2011 requires a minimum frontage of 22m or greater for a dual occupancy. The Housing Code requires a minimum frontage of 12m for a dual occupancy.

The Planning Proposal will introduce frontage controls of 18m and 22m in the Camden LEP 2010. The 18m frontage control is designed to permit a dual occupancy where one dwelling is

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

built behind the other. The 18m frontage allows for a 15m dwelling frontage and a 3m wide access handle (driveway) to permit vehicular access to the dwelling at the rear.

The draft Planning Proposal will also introduce a 22m frontage control for dual occupancies in a side by side formation. This frontage width is consistent with the existing control contained in the Camden DCP 2011.

Multi Dwelling Housing

The Camden DCP 2011 requires a minimum frontage of 25m for small multi dwelling developments with direct street access. To provide consistency, this control will also be introduced into the Camden LEP 2010.

The 25m minimum frontage will provide sufficient space for landscaping, streetscape, front entry, driveway and/or pedestrian access.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. An amendment to Camden LEP 2010 to introduce minimum lot sizes is considered the best means of achieving the objectives and outcomes specified in Part 1 of this section.

The controls ensure that consistency is provided between development applications and complying development applications for dual occupancies and terraces.

There are no other relevant means of accommodating lot size or frontage requirements which would be considered by both development applications and Complying Development Certificates (CDCs).

3. Is there a net community benefit?

Given the minor nature of the proposed amendment, it is not considered that a Net Community Benefit Test needs to be undertaken. The matters addressed in the Planning Proposal strengthen the Camden LEP 2010 by providing consistent and robust minimum lot controls for dual occupancies and multi dwelling housing.

SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

4. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

A Metropolis of Three Cities – The Greater Sydney Region Plan

A Metropolis of Three Cities is the first Regional Plan developed by the Greater Sydney Commission. The Plan provides a vision and actions for managing growth in Greater Sydney and enhancing its status as a global city. The Plan envisions Sydney as three cities connected by transport links. Camden is located in the Western City.

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

The Planning Proposal is consistent with the following objectives of the Greater Sydney Region Plan:

4. Liveability:

Objective 10 Greater Housing Supply

Objective 11 Housing Is More Diverse and Affordable

Objective 12 Great Places that Bring People Together

Comment: The Planning Proposal does not remove permissibility of any form of housing forms. Instead it aims to create better quality developments and well designed neighbourhoods for the better of the community. The majority of Camden's housing supply is of single detached housing, in this instance the proposal will not significantly impact on housing supply or Camden's ability to meet housing targets.

6. Sustainability:

Objective 26 A cool and green parkland city in the South Creek Corridor

Objective 30 Urban tree canopy cover is increased

Comment: The larger lots enable more space to accommodate for high quality landscaping and more usable open space. The amendments will contribute to the green parkland city land the South Creek Corridor and play a role in maintaining tree canopy cover.

6. Sustainability:

Objective 28 Scenic and cultural landscapes are protected

Objective 29 Environmental, social and economic values in rural areas are protected and enhanced

Comment: Council has recently endorsed a Rural Lands Strategy. The Strategy aims to ensure that Camden's remaining agricultural land is protected and to ensure that the important scenic landscapes which make Camden unique are retained. The Strategy will work in conjunction with the above objectives to ensure that Camden's important landscapes and rural areas are protected.

The Planning Proposal is in keeping with Camden's Rural Lands Strategy by encouraging growth in appropriate residential locations to reduce landuse conflicts, maintain significant views and create developments in keeping with the prevailing neighbourhood character.

Western City District Plan

The Western City District Plan provides subregional objectives which steam from the Sydney Regional Plan. The document also provides a list of Planning Priorities, these priorities work together to create a liveable, vibrant Western City.

The Planning Proposal is consistent with *3. Liveability - W5 Providing housing supply, choice and affordability with access to jobs, services and public transport* of the Western City Plan:

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

Comment: The Western City District Plan notes that new housing is important to meet the needs of Greater Sydney, however this housing must be in the right place to meet the demand for different housing types, tenure, price points, preferred locations and design. More importantly, the District Plan notes that Council is in the best position to determine which areas are best to accommodate for medium density housing and would benefit from DPE's Housing Code.

The Planning Proposal amendments will also work in conjunction with the housing strategies required under the District Plan. The housing strategies are to:

- make provision for the anticipated growth associated with the 0–5 and 6–10 year housing targets (when agreed);
- align projected growth with existing and proposed local infrastructure and open space improvements (refer to Planning Priorities W1, W3 and W18);
- identify the right locations for growth, including areas that are unsuitable for significant change in the short to medium term;
- identify capacity to contribute to the District's 20-year strategic housing target;
- inform the Affordable Rental Housing Target Schemes for development precincts; and
- coordinate the planning and delivery of local and State infrastructure.

By introducing the controls, Council intends to allow medium density housing in appropriate locations to enable Council to meet their housing targets. The controls do not prohibit housing, instead it ensures that developments are sufficient to provide the infrastructure and services needed for medium density development.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Yes. The Planning Proposal is consistent with Council's Community Strategic Plan, *Camden 2040*.

6. Is the planning proposal consistent with applicable state environmental planning policies?

Yes. The Planning Proposal is consistent with the relevant State Environmental Planning Policies and deemed State Environmental Policies. These Policies have been addressed at **Appendix 1** to this Planning Proposal.

7. Is the planning proposal consistent with applicable Ministerial Directions (S9.1Directions)?

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

Yes. The Planning Proposal is consistent with the applicable Ministerial Directions (S9.1 Directions).

The S9.1 directions applicable to the Planning Proposal have been addressed at **Appendix 2** of this Planning Proposal.

SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

There is no likelihood of any adverse effect on any critical habitat or threatened species, population or ecological communities, or their habitats, as a result of the proposal.

9. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Given the minor nature of the proposal, there are no likely environment effects.

10. How has the Planning Proposal adequately addressed any social and economic effects?

The proposal is unlikely to create any social or economic effects. In some cases, lots may not be able to develop multi dwelling housing as a result of the Planning Proposal. These lots will require amalgamation for further development. However, the benefits of introducing these minimum lot sizes result in significant social benefits for the greater community and are considered to outweigh the negatives.

SECTION D – STATE AND COMMONWEALTH INTERESTS

11. Is there adequate public infrastructure for the planning proposal?

The proposal is unlikely to generate any need for additional public infrastructure.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

No consultation with State or Commonwealth agencies have been carried out to date. Council will consult with any public agencies and the community as directed by the Gateway Determination.

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

PART 4 – MAPPING

The Planning Proposal will not require any changes to the mapping.

Land affected by the Medium Density Housing Code is shown in **Figure 9**, and includes all R1, R2 and R3 lots over 400m² and currently zoned under the CLEP where the Housing Code would also apply for dual occupancy and multi dwelling housing development.

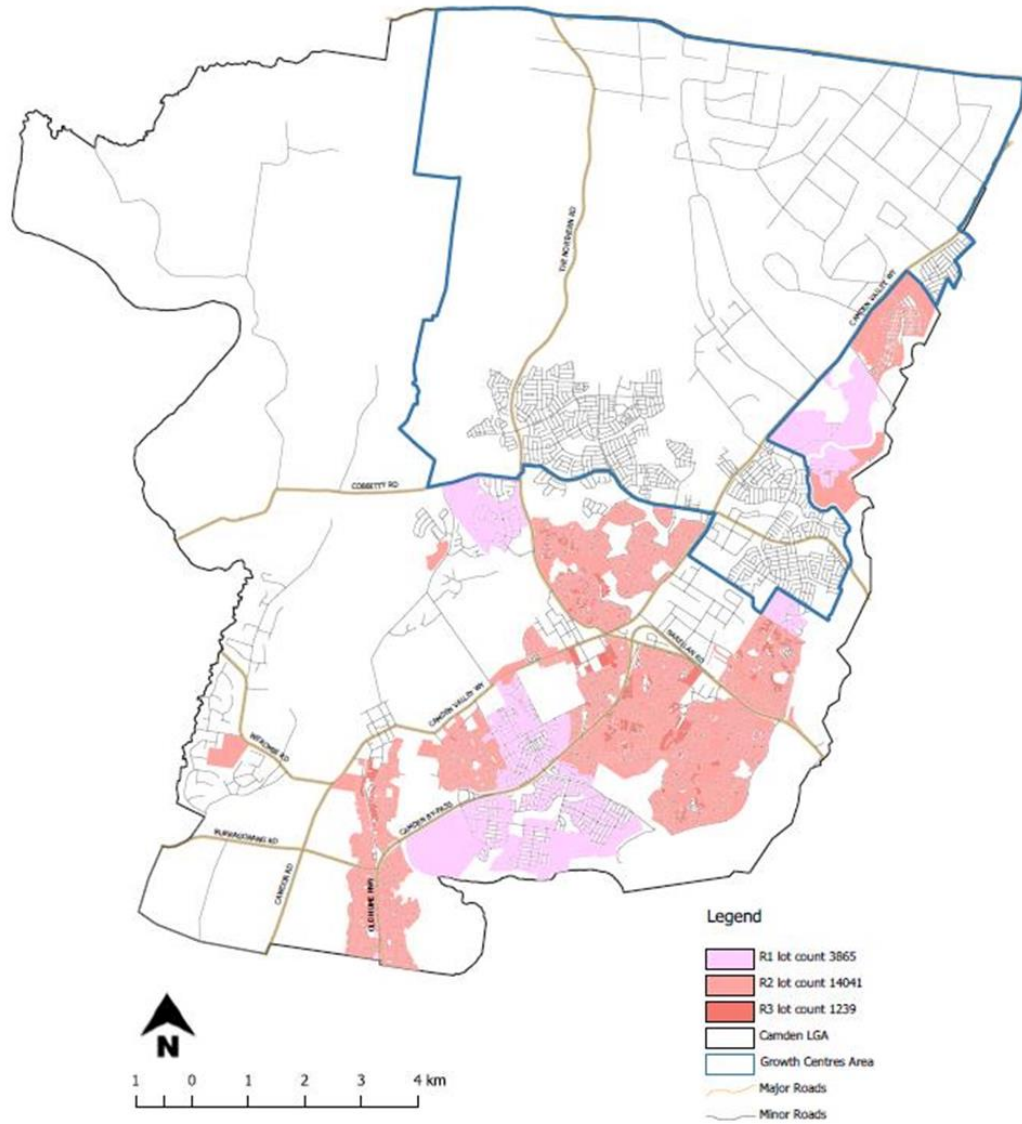


Figure 9: Lots affected by Medium Density Housing Code

Land affected by the proposed CLEP controls is shown in **Figure 10**, and includes all R1, R2, R3, R5, B4, RU1, RU2 and RU4 land over 600m² where the proposed controls would apply to dual occupancy and multi dwelling housing development.

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

The areas marked South West Growth Areas will potentially be rezoned under the Growth Area SEPP as future development occurs. Land within the growth area and not yet rezoned will be affected by this Planning Proposal

PART 5 – COMMUNITY CONSULTATION

The Planning Proposal and draft LEP amendments will be publicly exhibited for a period of 28 days or in accordance with the Gateway Determination. A notification will be in accordance with the directions of the Gateway Determination. Notification of the Proposal will also be placed in the local newspaper and the exhibition material available at:

- Oran Park Administration Centre, 70 Central Avenue, Oran Park (Hard Copy);
- Oran Park Library, 72 Central Avenue, Oran Park (Hard Copy);
- Narellan Library, Queen Street, Narellan (Hard Copy);
- Camden Library, John Street, Camden (Hard Copy); and
- Council website for the length of the exhibition period (Electronic Copy).

At the conclusion of the exhibition period, a report will be submitted back to Council detailing the submissions received.

PART 6 – PROJECT TIMEFRAME

	Oct. 2018	Nov. 2018	Dec. 2018	Jan. 2019	Feb. 2019	Mar. 2019	Apr. 2019	May. 2019	Jun. 2019	Jul. 2019
Anticipated commencement date (date of Gateway determination)										
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)										
Commencement and completion dates for public exhibition period										
Timeframe for consideration of submissions										
Timeframe for the consideration of a proposal post exhibition										
Date of re-submission to the department to finalise the LEP										

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

APPENDICES

Appendix 1: Consistency against State Environmental Planning Policies

Appendix 2: S9.1 Directions

Appendix 3: Council Report and Minutes

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

Appendix 1: Consistency against State Environmental Planning Policies

State Environmental Planning Policy	Applicable to this Proposal?	Comment	Consistent
Standard Instrument (Local Environmental Plans) Order 2006	Yes	The proposal intends to introduce a new clause into the Camden LEP 2010 but is generally consistent with the standard instrument.	Yes
Standard Instrument—Principal Local Environmental Plan	Yes	The proposal intends to introduce a new clause into the Camden LEP 2010 but is generally consistent with the standard instrument.	Yes
State Environmental Planning Policy No 1—Development Standards	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy No 19—Bushland in Urban Areas	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy No 21—Caravan Parks	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy No 30—Intensive Agriculture	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy No 33—Hazardous and Offensive Development	Yes	This SEPP applies to the state, however, the proposal is not hazardous or offensive. This Planning Proposal is not inconsistent with the SEPP.	Yes
State Environmental Planning Policy No 36—Manufactured Home Estates	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy No 44—Koala Habitat Protection	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy No 47—Moore Park Showground	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy No 50—Canal Estate Development	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy No 55—Remediation of Land	Yes	This Planning Proposal will not modify the need to consider contaminated land during the assessment process	Yes
State Environmental Planning Policy No 64—Advertising and Signage	No	This policy is not applicable to the Planning Proposal.	N/A

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

State Environmental Planning Policy	Applicable to this Proposal?	Comment	Consistent
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	No	This policy is not applicable to the Planning Proposal.	N/A
State Environment Planning Policy (Aboriginal Land) 2019	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy (Affordable Rental Housing) 2009	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy (Coastal Management) 2018	No	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy (Concurrences) 2018			
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes	The proposal seeks to call upon the Housing Code requirement to consideration of the Camden LEP minimum lot sizes; and seeks consistency between the application of this SEPP and the Camden LEP.	Yes
State Environmental Planning Policy (Gosford City Centre) 2018	N/A	This policy does not apply to the Camden LGA	N/A
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy (Infrastructure) 2007	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	N/A	This policy does not apply to the Camden LGA.	N/A

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

State Environmental Planning Policy	Applicable to this Proposal?	Comment	Consistent
State Environmental Planning Policy (Kurnell Peninsular) 1989	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy (Primary Production and Rural Development) 2019	No	This policy will apply to lands to which this proposal applies but will not impact permitted development under this SEPP.	Yes
State Environmental Planning Policy (State and Regional Development) 2011	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy (State Significant Precincts) 2005	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy (Three Ports) 2013	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy (Urban Renewal) 2010	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	No	This policy is not applicable to the Planning Proposal.	N/A
State Environmental Planning Policy (Western Sydney Employment Area) 2009	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy (Western Sydney Parklands) 2009	N/A	This policy does not apply to the Camden LGA.	N/A
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)	N/A	This policy does not apply to the Camden LGA.	N/A
Sydney Regional Environmental Plan No 9—	No	This policy is not applicable to the Planning Proposal.	N/A

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

State Environmental Planning Policy	Applicable to this Proposal?	Comment	Consistent
Extractive Industry (No 2—1995)			
Sydney Regional Environmental Plan No 16—Walsh Bay	N/A	This policy does not apply to the Camden LGA.	N/A
Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)	No	This policy is not applicable to the Planning Proposal.	N/A
Sydney Regional Environmental Plan No 24—Homebush Bay Area	N/A	This policy does not apply to the Camden LGA.	N/A
Sydney Regional Environmental Plan No 26—City West	N/A	This policy does not apply to the Camden LGA.	N/A
Sydney Regional Environmental Plan No 30—St Marys	N/A	This policy does not apply to the Camden LGA.	N/A
Sydney Regional Environmental Plan No 33—Cooks Cove	N/A	This policy does not apply to the Camden LGA.	N/A
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	This policy does not apply to the Camden LGA.	N/A

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

Appendix 2: S117 Directions

No.	Title	Comment
1 – Employment and Resources		
1.1	Business and Industrial Zones	The amendments will not impact on the continued viability of the B4 zone or on its ability to provide further commercial opportunities.
1.2	Rural Zones	The purpose of the amendments are to mitigate impacts associated with residential development on existing agricultural land uses and provide better quality developments to reduce potential land use conflicts.
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable
1.4	Oyster Aquaculture	Not applicable
1.5	Rural Lands	Not applicable
2 – Environment and Heritage		
2.1	Environment Protection Zones	The amendments aim to conserve and enhance environmentally sensitive areas by ensuring that sufficient space is provided for setbacks from significant areas.
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Consistent
2.4	Recreation Vehicle Areas	Not applicable
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3 – Housing Infrastructure and Urban Development		
3.1	Residential Zones	The purpose of the amendments is to provide good quality medium density development on suitable sites. It seeks to maintain the low density character of established neighbourhoods in Camden whilst still facilitating housing growth through DPE's Housing Code.
3.2	Caravan Parks and Manufactured Home Estates	Consistent
3.3	Home Occupations	Consistent
3.4	Integrating Land Use and Transport	Consistent
3.5	Development Near Licensed Aerodromes	Not applicable
3.6	Shooting Ranges	Not applicable
3.7	Reduction in non-hosted short-term rental accommodation period	Not applicable
4 – Hazard and Risk		
4.1	Acid Sulfate Soils	A detailed assessment will still be required to ensure developments do not affect acid sulfate soils.
4.2	Mine Subsidence and Unstable Land	Consistent
4.3	Flood Prone Land	A detailed assessment will still be required to ensure developments do not affected by flooding.
4.4	Planning for Bushfire Protection	A detailed assessment will still be required to ensure developments do not affected by bushfire risk
5 – Regional Planning		
5.1	Implementation of Regional Strategies	The Planning Proposal is consistent with the relevant goals, directions and actions of the Western City District Plan and the Greater Sydney Region Plan.

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

No.	Title	Comment
5.2	Sydney Drinking Water Catchments	Not applicable
5.3	Famland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.8	Second Sydney Airport, Badgerys Creek	Not applicable
5.9	North West Rail Link Corridor Strategy	Not applicable
5.10	Implementation of Regional Plans	Not applicable
5.11	Development of Aboriginal Land Council land	Not applicable
6 – Local Plan Making		
6.1	Approval and Referral Requirements	Consistent
6.2	Reserving Land for Public Purposes	Not applicable
6.3	Site Specific Provisions	The amendment has been introduced to reduce the need for unnecessary site specific controls. It is considered that all sites, suitable for medium density development will be able to do so under these amendments.
7 – Metropolitan Planning		
7.1	Implementation of A Metropolis of Three Cities	Consistent
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable
7.4	Implementation of North West Priority Growth Area Interim Land Use	Not applicable
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Plan	Not applicable
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Plan	Not applicable
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable
7.8	Implementation of Western Sydney Aerotropolis Priority Growth Area Interim Land Use and Infrastructure Plan	Not applicable
7.9	Implementation of Bayside West Precincts 2036 Plan	Not applicable
7.10	Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable

Amendment to Camden LEP 2010 to include minimum lot and minimum frontage controls for dual occupancy and multi dwelling housing

APPENDIX 3: COUNCIL MEETING REPORT AND MINUTES





ORDINARY COUNCIL

ORD02

SUBJECT: ADDITION OF MINIMUM LOT CONTROLS IN CAMDEN LEP 2010
FROM: Director Planning and Environment
TRIM #: 18/181945

PURPOSE OF REPORT

This report seeks Council endorsement of a draft Planning Proposal to amend the Camden Local Environmental Plan 2010 (Camden LEP 2010). The amendment seeks to include minimum lot size and frontage controls for dual occupancies and multi dwelling housing.

BACKGROUND

In October 2016, the Department of Planning and Environment (DPE) exhibited a draft Medium Density Housing Code (draft Housing Code) for public comment. The draft Housing Code proposed that dual occupancies, manor houses and multi dwelling housing, known as low rise medium density housing, be approved under a Complying Development Approvals pathway and without the need for Council approval.

On 13 December 2016, Council resolved to forward a submission to the DPE. Council's submission, included as an **attachment** to this report, objected to Council's inclusion in the draft Housing Code.

In May 2018, the DPE released a revised Housing Code, which allows dual occupancies, manor houses and medium density housing (terraces) as Complying Development and provides minimum lot sizes and frontages below that currently applicable in the Camden LGA. Following its release, Council again sought an exemption from the Code.

On 5 July 2018, the DPE gazetted an amendment to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP) to defer its application to the Camden LGA for a 12 month period.

The deferral provides the opportunity for Council to review the LEP to ensure appropriate controls are in place prior to the conclusion of the 12 month period.

This matter was presented to a Councillor briefing on 26 June 2018.

MAIN REPORT

Key Issues

The Housing Code is likely to increase the number of dual occupancies and multi dwelling housing developments, as it permits these types of development on lots smaller than what is currently permitted by Council's controls.

This unplanned growth is likely to impact on density across the Camden LGA and particularly on the character of established and new release areas such as Elderslie

This is the report submitted to the Ordinary Council held on 24 July 2018

Page 1



and Spring Farm. Further, the Housing Code will affect Council's ability to provide sufficient local infrastructure to the community.

These key concerns are further discussed in the **attachment** to this report.

Draft Planning Proposal

The draft Planning Proposal seeks to amend the Camden LEP 2010 to insert minimum lot size and minimum frontage controls for dual occupancies and multi dwelling housing. The Planning Proposal is included as an **attachment** to this report.

The draft Planning Proposal includes:

- Dual occupancies – inclusion of the following controls:
 - 600 sqm minimum lot size or 800 sqm on corner lots;
 - 18m minimum frontage where dwellings are directly behind one another or 22m where dwellings are side by side;
- Multi dwelling housing – inclusion of the following controls:
 - 1,500 sqm minimum lot size; and
 - 25m minimum frontage control.

A comparison of the Housing Code, existing controls in the Camden DCP 2011 and proposed controls in the draft Planning Proposal are contained in **Figure 1**.

Comparison Table of Controls			
	Housing Code	Current Camden DCP 2011 Controls	Proposed LEP Controls
Dual Occupancies	Min Lot Size: 400sqm	Min Lot Size: 600sqm or 800sqm for corner lots	Min Lot size: 600sqm or 800sqm for corner lots
	Min Frontage: 12m	Min Frontage: 22m	Min Frontage: 18m (one behind other) 22m (side by side)
Multi Dwelling Housing	Min Lot Size: 600sqm	Min Lot Size: No minimum lot size	Min Lot Size: 1,500sqm
	Min Frontage: 18m minimum	Min Frontage: 25m	Min Frontage: 25m

Figure 1: Comparison table of controls for dual occupancies and multi dwelling housing.

The proposed controls will only apply to zones that currently permit these types of developments. The proposed dual occupancy controls will apply to all residential and rural zones. The multi dwelling housing controls will apply to R1 General Residential, R3 Medium Density Residential and B4 Mixed Use zones.

It is noted that the proposed amendments only apply to land zoned under the Camden LEP 2010. *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*



(Growth Centres SEPP) contains minimum lot sizes and frontage controls for dual occupancies and multi dwelling housing in the growth areas.

This Planning Proposal does not seek to amend the Growth Centres SEPP. Development Applications submitted in the growth areas will continue to be assessed against the existing controls in the Growth Centres SEPP.

Minimum Lot Size Justification

Dual Occupancies

The Camden DCP 2011 currently requires a minimum lot size of 600 sqm for a dual occupancy, or 800 sqm for corner sites.

The Housing Code permits a dual occupancy on lots where:

1. With a minimum area of 400sqm; or
2. The minimum area specified for dual occupancies in the environmental planning instrument (Camden LEP 2010) that applies to the land.

The Housing Code stipulates that where a LEP has a larger minimum lot size than that identified in the Code, it is the LEP minimum lot size that applies to the proposed development. A DCP control is not taken into consideration.

The Housing Code permits dual occupancy development on 400 sqm lots, as Council currently has no minimum lot size control for dual occupancies within the Camden LEP. It is this minimum lot size that would apply. It is therefore proposed to insert the minimum lot size control of 600 sqm and 800 sqm (corner sites) for dual occupancy development into the Camden LEP 2010.

Multi Dwelling Housing

The Camden DCP 2011 does not currently contain a minimum lot size control for multi dwelling developments. However, the DCP requires that lots comply with minimum frontage requirements.

The Housing Code permits multi dwelling housing on lots:

1. The minimum lot area specified for multi dwelling housing in the environmental planning instrument (Camden LEP) that applies to the land concerned; or
2. If no minimum lot area is specified in the environmental planning instrument - 600sqm.

This Planning Proposal seeks to insert a minimum lot size control of 1,500 sqm for multi dwelling housing in the Camden LEP. This control will apply to R1 General Residential, R3 Medium Density Residential and B4 Mixed Use zones.

In determining the appropriate minimum lot size, Council officers have considered other Sydney councils' controls and the current requirements in Oran Park and the Camden Growth areas.

As shown in Figure 2, there is a range of minimum lot sizes between councils. However, most require a minimum lot size of 1,000sqm or more.



Comparison of minimum lot sizes for multi dwelling housing

Council	Environmental Planning Instrument	Minimum Lot Size
Camden – Oran Park	SEPP (Sydney Region Growth Centres) 2006	1,500sqm
Camden – Camden Growth Areas	SEPP (Sydney Region Growth Centres) 2006	1,500sqm in lower density bands
Canterbury - Bankstown Council	Bankstown LEP 2015	1,200sqm
Blacktown City Council	Blacktown LEP 2015	1,800sqm (in R3 zones) Or Min. lot width of 20m (all other zones)
Campbelltown City Council	Campbelltown (Sustainable City) DCP 2015	700sqm
Liverpool City Council	Liverpool DCP 2008	1,000sqm or 650sqm for smaller housing product.

Figure 2: Comparison of minimum lot size controls for multi dwelling housing

The proposed minimum lot size of 1,500 sqm is consistent with the current control contained in the Oran Park and Camden Growth Centres SEPP and will offer a consistent approach to multi dwelling housing across the LGA.

The proposed minimum lot size of 1,500 sqm is larger than the minimum lot size contained in the Housing Code. However, it is considered that larger lots can provide better design outcomes such as building separation, open space, landscaping, solar access, cross ventilation and car parking.

Minimum Frontage Justification

Dual Occupancies

The Camden DCP 2011 requires a minimum frontage of 22m or greater for a dual occupancy. The Housing Code requires a minimum frontage of 12m for a dual occupancy.

The draft Planning Proposal inserts a minimum frontage control of 18m and 22m for a dual occupancy in the Camden LEP. The 18m frontage control is designed to permit a dual occupancy where one dwelling is built behind the other. The 18m frontage allows for a 15m dwelling frontage and a 3m wide access handle (driveway) to permit vehicular access to the dwelling at the rear.

The draft Planning Proposal will also insert a 22m frontage control for a dual occupancy designed with both dwellings fronting the street. This frontage control is consistent with the existing control in the Camden DCP 2011.



Multi Dwelling Housing

The Housing Code allows multi dwelling housing to be constructed on lots with a minimum frontage of 18m.

The draft Planning Proposal seeks to introduce a 25m lot frontage control into Camden LEP 2010. This control is consistent with the existing frontage control for multi dwelling housing contained in Camden DCP 2011.

Camden Local Planning Panel (CLPP)

In accordance with the Ministerial Direction dated 23 February 2018, Council is required to refer Planning Proposals to the Camden Local Planning Panel (formerly IHAP) after 1 June 2018. If Council resolves to endorse the Planning Proposal, the proposal will be referred to the CLPP in accordance with the current requirements.

FINANCIAL IMPLICATIONS

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

CONCLUSION

This draft Planning Proposal seeks to amend the Camden LEP 2010 to insert minimum lot size and frontage controls for dual occupancies and multi dwelling housing. The draft Planning Proposal is proposed to respond to potential increased density and character impacts associated with the new Housing Code proposed to come into effect on 1 July 2019.

Should Council resolve to proceed with the draft Planning Proposal, it will be forwarded to the DPE for Gateway Determination and placed on public exhibition.

RECOMMENDED

That Council:

- i. endorse the draft Planning Proposal and forward to the Department of Planning and Environment for a Gateway Determination;**
- ii. pending a favourable response from the Department of Planning and Environment, proceed to public exhibition of the Planning Proposal for a period of 28 days or in accordance with the terms of the Gateway Determination notice; and**
- iii. at the conclusion of the public exhibition period:**
 - a. subject to no unresolved submissions being received, forward the Planning Proposal to the Department of Planning and Environment for the plan to be made; or**

if unresolved submissions are received, require a further report which outlines the results of the public exhibition.

ATTACHMENTS

1. Submission to DPE
2. Attachment - concerns



-
3. Proposed Amendment - Minimum Lot and frontage controls

This is the report submitted to the Ordinary Council held on 24 July 2018 - Page 6

Submissions Response Table for Minimum Lot Size for Dual Occupancy and Multi Dwelling Housing – Exhibition 7 May to 18 June 2019

Submissions Response Table			
Submitter	Reference		
1. Public Agencies	1.01 - 2.01		
2. Interested Parties	3.01 - 10.01		

Ref No	Issue/Comment	Officer Response	Proposed Action
Submission 1 – ENDEAVOUR ENERGY			
1.01	No objection, concerns regarding infrastructure capability to increased density	This will be addressed at the development application stage, or by a certifier through the CDC process.	No action required
Submission 2 - SYDNEY WATER			
2.01	No concerns	Noted	No action required
Submission 3 - FORMAL OBJECTION			
3.01	1. The proposal will increase the Camden population through dual occupancy development.	<p>1. The draft Planning Proposal does not increase the permissibility of dual occupancy development and maintains current development standards. The proposal will not increase the number of dual occupancy developments or have additional impacts on population growth.</p> <p>If the draft Planning Proposal does not proceed, the MDHC is likely to increase the number of dual occupancy and multi dwelling housing developments as it permits these types of development as complying development on lots smaller than what is currently permitted by Council's controls.</p>	Concerns noted No action required

Ref No	Issue/Comment	Officer Response	Proposed Action
	<p>2. There are insufficient services (schools and traffic) to support additional growth.</p> <p>3. Increased density will negatively affect the current rural setting.</p>	<p>2. The draft Planning Proposal does not increase the permissibility of dual occupancy and multi dwelling housing. The proposal will have no additional impact on local roads and services.</p> <p>3. The draft Planning Proposal does not increase the permissibility of dual occupancy and multi dwelling housing. As such, the proposal will have no impact on the rural setting.</p>	
Submission 4			
4.01	<p>1. The proposal will impact local character.</p> <p>2. Increased density reduces private green spaces and thereby adding to the heat island effect.</p>	<p>1. The draft Planning Proposal maintains existing development controls for dual occupancy and multi dwelling housing. As such, the proposal will have no additional impact on local character.</p> <p>2. The draft Planning Proposal does not increase the permissibility of dual occupancy and multi dwelling housing development. The proposal does not amend existing landscape area and private open space controls in the MDHC, Camden DCP 2011 and draft Camden DCP.</p>	<p>Concerns noted No action required</p>
Submission 5			
5.01	<p>1. The proposal should review parking ratios to allow for 3 spaces per dual occupancy dwelling. This is to reduce street parking and increase traffic accessibility.</p>	<p>1. The parking controls in the MDHC, Camden DCP 2010 and draft Camden DCP require a minimum of 2 spaces per dual occupancy dwelling. It is outside the scope of the draft Planning Proposal to review the current car parking controls for dual occupancy.</p>	<p>Concerns noted No action required</p>

Ref No	Issue/Comment	Officer Response	Proposed Action
	<p>2. Additional consideration should be given to building design and heat island impacts (eaves and solar orientation)</p> <p>3. Dual Occupancy minimum lot size should be increased to 800m lots</p> <p>4. Excessive land clearing for new estates</p>	<p>2. The draft Planning Proposal does not amend the existing building design controls for solar orientation and eave widths in the MDHC, Camden DCP 2011 and draft Camden DCP. Building design controls are matters for consideration in the DCP. It is outside the scope of the draft Planning Proposal to address this matter.</p> <p>3. The draft Planning Proposal maintains existing controls for dual occupancy and multi-dwelling housing. Increasing the minimum lot size to 800m² would reduce the permissibility of dual occupancy development.</p> <p>4. Land clearing and residential subdivision controls are outside the scope of the draft Planning Proposal.</p>	
6.01	<p>Submission 6</p> <p>1. The proposal may trigger redevelopment of a local Childcare centre</p> <p>2. The proposal will increase on street parking and reduce traffic accessibility.</p> <p>3. The multi dwelling housing minimum lot size should be increased to 2,000m² to allow for additional parking.</p>	<p>1. The draft Planning Proposal does not increase the permissibility of dual occupancy and multi dwelling housing. It is outside the scope of the draft Planning Proposal to address this matter.</p> <p>2. The parking ratio controls in the MDHC, Camden DCP 2010 and draft Camden DCP require a minimum of 2 spaces per dual occupancy dwelling.</p> <p>3. The parking controls in the MDHC, Camden DCP 2011 and draft Camden DCP set the minimum number of car spaces for multi dwelling housing. Increasing the minimum lot size for multi dwelling housing to 2,000m² would not necessarily increase parking. This proposal</p>	<p>Concerns noted No action required</p>

Ref No	Issue/Comment	Officer Response	Proposed Action
Submission 7 7.01	1. The proposal should allow for variations for minimum frontage widths on narrow lots.	does not consider any change to the current parking controls.	
Submission 8 8.01	1. Clause 4.6 of Camden LEP 2010 permits variations to development standards based on planning merit. No further amendments are required to allow for variations to the minimum lot size and frontage controls included in the draft Planning Proposal. 2. Clause 4.6 of Camden LEP 2010 permits variations to development standards based on planning merit. No further amendments are required to allow for variations to the minimum lot size and frontage controls included in the draft Planning Proposal.		Concerns noted No action required
Submission 9 9.01	1. The proposed is inconsistent with Clause 4.1A of the Camden LEP 2010	1. Clause 4.1A of Camden LEP 2010 allows for the subdivision of attached dwellings and semi-detached in a permitted area of Spring Farm. Attached dwellings are defined as 3 or more dwellings attached by a common wall, and each dwelling on its own land. Semi-detached dwellings are defined as a dwelling on its own land and attached to another dwelling. This differs from dual occupancy dwellings, defined as 2 dwellings on a single lot, either attached or detached. Any assessment involving Clause 4.1A would be unrelated to the assessment of a dual occupancy dwelling.	Concerns noted No action required

Ref No	Issue/Comment	Officer Response	Proposed Action
	<p>2. The MDHC controls should be preserved in response to the above point.</p> <p>3. The proposal is inconsistent with the Regional and District Plan regarding the provision of affordable housing.</p> <p>4. The proposed controls impact the ability for subdivision.</p>	<p>2. The draft Planning Proposal reflects Council's existing controls for dual occupancy and multi-dwelling housing. The controls within the MDHC are inconsistent with the established character of the Camden LGA.</p> <p>It is not recommended that Council adopt the controls in the MDHC as they allow dual occupancy and multi dwelling housing on lots smaller than what is currently permitted in Camden. This is likely to impact on density, the character of established areas and Council's ability to provide sufficient local infrastructure for the community.</p> <p>3. The draft Planning Proposal includes an assessment against the Region and District Plans, including the provision of affordable housing.</p> <p>The provision of housing across the Camden LGA, including the provision for affordable housing, will be addressed in the Housing Strategy being developed as part of the LEP Review project. It is outside the scope of the draft Planning Proposal to address this matter.</p> <p>4. The proposed controls are not related to the minimum lot size subdivision. The proposed controls set a minimum lot size for the development of dual occupancy and multi dwelling housing.</p>	
Submission 10 - PETITION 10.01	<p>1. The MDHC controls should be preserved as set by the DPLC.</p>	<p>1. The draft Planning Proposal reflects Council's existing controls for dual occupancy and multi-dwelling housing. The controls within the MDHC are inconsistent with the established character of the Camden LGA.</p>	<p>Concerns noted No action required</p>

Ref No	Issue/Comment	Officer Response	Proposed Action
	<p>2. The MDHC should be applied to R3 Medium Density Residential lots in close proximity the Narellan Town Centre to increase the density.</p>	<p>It is not recommended that Council adopt the controls in the MDHC as they allow dual occupancy and multi dwelling housing on lots smaller than what is currently permitted in Camden. This is likely to impact on density, the character of established areas and Council's ability to provide sufficient local infrastructure for the community.</p> <p>2. The R3 Medium Density Residential zone permits a variety of residential accommodation including multi dwelling housing, dual occupancies, residential flat buildings, and attached dwellings. These dwelling types enable increased density on R3 zoned land close to Narellan Town Centre.</p> <p>The proposed multi dwelling housing minimum lot size of 1,500m² is consistent with the Growth Centres SEPP controls.</p> <p>The need for additional housing in specific areas, such as close to Narellan Town Centre will be considered in the Housing Strategy as part of the LEP Review project.</p>	



VOLUNTEER MANAGEMENT POLICY P3.0100.2

VOLUNTEER MANAGEMENT POLICY

DIVISION: Customer and Corporate Strategy

BRANCH: People and Learning

CATEGORY: 2

PART 1 – INTRODUCTION

1. BACKGROUND

- 1.1 Council recognises the benefits and contributions volunteers make to the community in the Camden Local Government Area (LGA). The contribution made by volunteers is highly valued by Council.
- 1.2 The activities undertaken by volunteers are of benefit to Council and the local community and complement, but do not replace, the services and programs facilitated by Council employees.

2. OBJECTIVE

- 2.1 The purpose of this policy is to:
 - a. provide an over-arching framework for consistent volunteer management across all Council business units
 - b. establish a high quality and consistent standard approach to recruiting, training and managing volunteers across all areas and activities of Council
 - c. provide the opportunity for community members to participate in Council programs or services as volunteers
 - d. ensure that volunteers are treated with equity, fairness and respect and used ethically
 - e. ensure the health, safety and wellbeing of volunteers is protected in the workplace.

3. SCOPE

- 3.1 This policy applies to all volunteers, committees and sub-committees involved in Council organised activities or programs, including Council staff that volunteer to be involved in such activities or programs which is external to their normal workplace duties. To avoid doubt, this policy applies to volunteer committees established for the purposes of section 355 and 377 of the *Local Government Act 1993* (NSW).

4. DEFINITIONS

- 4.1 **Council** means Camden Council

- 4.2 **Volunteer** means any person from the community who offers to do work for Council without monetary compensation.

PART 2 - POLICY STATEMENT

Council is committed to creating opportunities for volunteers that are productive, meaningful and of benefit to the community and the volunteer. Council will ensure that all volunteers are treated as equals, receive training where necessary, given appropriate recognition and support and protected through the provision of a safe and healthy workplace. Council is committed to increasing volunteering opportunities that will lead to skills development and learning opportunities.

5. SELECTION, ENGAGEMENT AND MANAGEMENT OF VOLUNTEERS

- 5.1 Volunteering is open to any person who has been assessed as capable of carrying out the volunteer activities.
- 5.2 Volunteers must be approved by Council before undertaking any volunteering duties. Council may prescribe specific prerequisites for a volunteer performing certain activities (e.g. specific qualifications and/or medical clearance) to ensure the safety of the volunteer and/or others involved in the activity.
- 5.3 All required prerequisites will be included in the Volunteer Application Form that must be completed by all volunteers and reviewed by Council before the volunteer is approved.
- 5.4 Volunteers will be appropriately managed, supervised and supported by Council in a way that is consistent with the duties the volunteers perform.
- 5.5 Council reserves the right to suspend or terminate the services of a volunteer or discontinue the running of an activity without notice as outlined in Council's Volunteer Handbook.

6. IDENTIFYING ACTIVITIES INVOLVING VOLUNTEERS

- 6.1 Council will:
- Identify activities within Council that involve, or are likely to involve, volunteers, including:
 - Community events
 - Non-event activities (such as park and bush maintenance)
 - Community services and fundraising
 - Council committees and sub-committees (e.g. Section 355 Committees).
 - Identifying volunteer roles for these activities.

6.2 Council approval must be obtained prior to the commencement of any task to be undertaken by a volunteer who has been deemed competent to carry out the task. Approval for certain tasks contained within the Volunteer's Position Description can be provided by Council on an ongoing basis. For any work or activity relating to a program of works or relating to an unplanned event, the relevant Council Officer must be contacted for approval prior to that work or activity being commenced.

7. OBLIGATIONS OF VOLUNTEERS

7.1 Volunteers are expected to maintain the same standards of confidentiality, courtesy, organisational discipline and compliance with Camden Council's Code of Conduct, Work Health and Safety and other relevant policies and procedures.

8. WORK HEALTH AND SAFETY

8.1 Under the *Work Health and Safety Act 2011 (NSW)*, Volunteers are deemed to be a worker of Council and as such are owed a statutory duty of care while undertaking activities on behalf of Council.

8.2 Council will provide guidance to volunteers in relation to the process of identifying risks and hazards. Council will also provide guidance on the implementation of appropriate controls to eliminate or if not possible, reduce the level of risk to an acceptable level to create a safer, healthier workplace for volunteers.

8.3 Volunteers have an responsibility not to place themselves or other persons at risk while undertaking Council related activities or carrying out work on Council owned facilities.

9. REIMBURSEMENT OF EXPENSES

9.1 Volunteers will be reimbursed by Council for any expenses reasonably incurred in connection with the performance of voluntary work. A volunteer making a claim for reimbursement must supply Council with proof of the expense claimed.

10. INSURANCE

10.1 Appropriate and adequate insurance coverage will be provided to volunteers.

11. MEDIA

11.1 Volunteers are not permitted to make any comments to the media on behalf of Council. Any queries for a statement to the media must be referred to Council's Media Advisor.

12. TRAINING

12.1 Volunteers must attend all training required by Council.

13. REVIEW

13.1 This policy will be reviewed biennially. More frequent reviews may be required if there are changes to legislative requirements, organisational change or amendments to Council's Safety Management System.

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RELEVANT LEGISLATIVE INSTRUMENTS:

Work Health and Safety Act 2011 (NSW)
Work Health and Safety Regulations 2017
Local Government Act 1993
Anti-Discrimination Act 1977
Child Protection (Working with Children) Act 2012
Privacy and Personal Information Protection Act 1998

RELATED POLICIES, PLANS AND PROCEDURES:

Camden Council Volunteer Handbook
 Work Health & Safety Policy
 Prohibited Substance & Alcohol Policy
 Code of Conduct Policy
 Respect & Dignity in the Workplace Policy
 Contractor Management Procedure
 Media Policy
 Procurement Procedures and Guidelines

RESPONSIBLE DIRECTOR:

Customer and Corporate Strategy

APPROVAL:

Council

HISTORY:

Version	Approved by	Changes made	Date	TRIM Number
1	Council	New	29/01/2013	15/216613
2	Council	Minor amendments		



DEALING WITH UNREASONABLE CUSTOMER CONDUCT POLICY P3.0106.1

TABLE OF CONTENTS

•	PART 1 - INTRODUCTION	3
•	1..... BACKGROUND	3
•	2..... OBJECTIVE	3
•	3..... SCOPE	3
•	4..... DEFINITIONS	4
•	5.ROLES & RESPONSIBILITIES	6
	Employees	6
	The General Manager & Executive Leadership Group	6
	Complaints Coordinator	6
	Supervisors, Senior Managers & Directors.....	6
•	PART 2 - POLICY STATEMENT	8
•	6.HOW UNREASONABLE CUSTOMER CONDUCT WILL BE MANAGED	8
	Who – Limiting the Customer to a Sole Contact Point.....	8
	What – Restricting the Subject Matter of Communications We Will Consider	9
	When – Limiting When, Where & How a Complainant Can Contact Us.....	9
	Terminating Access to our Services	10
•	7.ALTERNATIVE DISPUTE RESOLUTION	10
•	8.PROCEDURE TO BE FOLLOWED WHEN CHANGING OR RESTRICTING A COMPLAINANT’S ACCESS TO COUNCIL SERVICES	10
	Investigation, Reporting & Decision Making	10
	Warning Letter	12
	Notification Letter	12
	Notification to Employee About Access Changes/Restrictions	12
	Monitoring.....	14
•	9.REVIEW OF A DECISION TO CHANGE OR RESTRICT ACCESS TO OUR SERVICES	14
•	10.NON-COMPLIANCE WITH A CHANGE OR RESTRICTION ON ACCESS TO OUR SERVICES	14
•	11.PERIODIC REVIEW OF ALL CASES WHERE THIS POLICY APPLIES	14
12.	CONFIDENTIALITY	16

DEALING WITH UNREASONABLE CUSTOMER CONDUCT

DIVISION: Customer and Corporate Strategy

BRANCH: Corporate Performance and Customer Service

CATEGORY: 2

PART 1 - INTRODUCTION

1. BACKGROUND

- 1.1 Camden Council is committed to providing excellent customer service.
- 1.2 This includes a commitment to being accessible and responsive to our customers and ensuring that all interactions are fair, equitable and consistent.
- 1.3 It is recognised however that in a very small number of cases, some customers behave in ways that are inappropriate and unacceptable despite our best efforts to help them.
- 1.4 This policy has also been developed to assist employees of Camden Council in managing customers who display unreasonable behaviours in their interactions with Council.
- 1.5 Council has a zero-tolerance policy towards any harm, abuse or threats directed towards Council staff or officials. Any conduct of this kind will be dealt with under this policy and in accordance with our duty of care and work health and safety responsibilities.
- 1.6 This policy should be read in conjunction with Council's Feedback Policy and is based on the NSW Ombudsman's Unreasonable Complainant Conduct Guidelines and Model Policy (May 2013).

2. OBJECTIVE

- 2.1 This policy aims to:
 - ensure that customers are treated fairly and equitably;
 - provide guidance for Council employees in communicating with unreasonable customers and ensure they feel confident and supported in taking appropriate action to manage unreasonable customer conduct;
 - assist Council to implement and consistently apply unreasonable customer conduct strategies;
 - ensure that Council employees and customers are aware of the processes that are to be followed to report and record unreasonable customer conduct; and
 - provide, as far as is reasonably practicable, a safe working environment for Council employees.

3. SCOPE

- 3.1 This policy applies to all employees of Council, persons carrying out work on behalf of the Council, including contractors and volunteers, and Councillors.

4. DEFINITIONS

4.1 Unreasonable Customer Conduct means any behaviour by a customer which, because of its nature or frequency raises substantial health, safety, resource or equity issues for Council Officials, other service users and customers or the customer himself/herself. Unreasonable customer conduct is grouped into five categories of conduct:

- Unreasonable persistence;
- Unreasonable demands;
- Unreasonable lack of cooperation;
- Unreasonable arguments; and
- Unreasonable behaviour.

Unreasonable Customer Conduct refers to any behaviour by a customer which, because of its nature or frequency raises substantial health, safety, resource or equity issues for Council Officials, other service users and customers or the customer himself/herself.

4.2 Unreasonable persistence means continued, incessant and unrelenting conduct by a customer that has a disproportionate and unreasonable impact on Council Officials, services, time and/or resources.

Some examples of unreasonably persistent behaviour include:

- An unwillingness or inability to accept reasonable and logical explanations including final decisions that have been comprehensively considered and dealt with;
- Pursuing and exhausting all available review options when it is not warranted and refusing to accept further action cannot or will not be taken on their complaints;
- Reframing a complaint in an effort to get it taken up again;
- Bombarding with phone calls, visits, letters, emails (including cc'd correspondence) after repeatedly being asked not to do so;
- Consistently contacting different people within Council and/or externally to get a different outcome or more sympathetic response to their complaint.

4.3 Unreasonable demands means any demands (express or implied) that are made by a customer that have a disproportionate and unreasonable impact on Council Officials, time and/or resources.

Some examples of unreasonable demands include:

- Issuing instructions and making demands about how Council have/should handle their complaint, the priority it was/should be given, or the outcome that was/should be achieved;
- Insisting on talking to a Manager or the General Manager personally when it is not appropriate or warranted;
- Emotional blackmail and manipulation with the intention to guilt, intimidate, harass, shame, seduce or portray themselves as being victimised – when this is not the case;
- Insisting on outcomes that are not possible or appropriate in the circumstances – e.g. for someone to be sacked or prosecuted, an apology and/or compensation when no reasonable basis for expecting this; and

- Demanding services that are of a nature or scale that Council cannot provide when this has been explained to them repeatedly.

4.4 Unreasonable lack of cooperation means an unwillingness and/or inability by a customer to cooperate with the organisation, Council Official or feedback system and processes that result in a disproportionate and unreasonable use of Council services, time, resources and may prevent Council actioning the matter further.

Some examples of unreasonable lack of cooperation include:

- Sending a constant stream of comprehensive and/or disorganised information without clearly defining any issues of complaint or explaining how they relate to the core issues being complained about, only where the customer is clearly capable of doing this;
- Providing little or no detail with a complaint or presenting information in “drips and drabs”;
- Refusing to follow or accept Council’s instructions, suggestions or advice without a clear or justifiable reason for doing so;
- Arguing frequently and/or with extreme intensity that a particular solution is the correct one in the face of valid contrary arguments and explanations; and
- Displaying unhelpful behaviour – such as withholding information, acting dishonestly, misquoting others and so forth.

4.5 Unreasonable arguments means arguments, that are incomprehensible, false or inflammatory not supported by evidence, trivial or delirious and that disproportionately and unreasonably impact upon Council Officials, services, time, and/or resources.

Arguments are unreasonable where they:

- Fail to follow a logical sequence;
- Are not supported by any evidence and/or based on conspiracy theories;
- Lead a customer to reject all other valid and contrary arguments;
- Are trivial when compared to the amount of time, resources and attention that the customer demands; and
- Are false, inflammatory or defamatory.

4.6 Unreasonable behaviour means conduct that is unreasonable in all circumstances, regardless of how stressed, angry or frustrated that a customer is, because it unreasonably compromises the health, safety and security of Council Officials or other service users or the customer.

Some examples of unreasonable behaviours include:

- Acts of aggression, verbal abuse, derogatory, racist, or defamatory remarks;
- Discrimination on the grounds of age, disability, race, sex, intersex status, gender identity, sexual orientation and any other areas as identified in the *NSW Anti-Discrimination Act 1977*;
- Harassment, intimidation or physical violence;
- Rude, confronting and threatening correspondence;
- Threats of harm to self, employees or third parties, threats with a weapon or threats to damage property including bomb threats;
- Stalking (in person or online); and

- Emotional manipulation.

It should be noted that where threats of harm to self, employees or third parties are made, threats with a weapon or threats to damage property including bomb threats are made, immediate action will be taken in accordance with Council's Emergency Response Policy and Emergency Procedures Guide. This may see Council contact emergency services immediately to advise of the threat.

5. ROLES & RESPONSIBILITIES

Employees

- 5.1 All employees or persons carrying out work on behalf of Council, including contractors and volunteers, and Councillors are responsible for familiarising themselves with this policy and any related guidelines or procedures.
- 5.2 All employees are responsible for recording and reporting all incidents of unreasonable customer conduct they experience or witness within one (1) day of the incident occurring.
- 5.3 Incidents should be reported to the relevant supervisor.

The General Manager & Executive Leadership Group

- 5.4 The General Manager, in consultation with the relevant staff member, supervisor, Director and the Complaints Coordinator, has the responsibility and authority to change or restrict a complainant's access to our services in the circumstances identified in this policy.
- 5.5 It is recognised that there may be instances where the matter needs to be referred to Council's Executive Leadership Group for consideration and decision making. This is at the discretion of the General Manager to determine.

Incidents of unreasonable customer conduct must be recorded and reported within one (1) day of the incident occurring to the relevant supervisor and/or Complaints Coordinator.

5.6 The General Manager may delegate administrative aspects of dealing with unreasonable customer conduct under this policy to the Complaints Coordinator.

Complaints Coordinator

5.7 The Complaints Coordinator is responsible for recording, monitoring, reporting and reviewing of all cases where this policy is applied to ensure consistency, transparently and accountability. This includes managing and keeping a file record of all cases and an Unreasonable Customer Conduct Register in Council's Electronic Document Management System (EDMS).

Supervisors, Senior Managers & Directors

- 5.8 Supervisors, Senior Managers and Directors are responsible for supporting staff to apply this policy and any related guidelines or procedures and to ensure compliance with the processes and procedures identified.

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- 5.9 In accordance with Council's Work Health & Safety Policy, Supervisors, Senior Managers and Directors are responsible for ensuring the appropriate health and safety risk management processes to eliminate risk and reduce hazards are in place.
- 5.10 Following an unreasonable customer conduct incident, the relevant Supervisor, Manager and/or /Director is responsible for providing affected employees with the opportunity for support through Council's Employee Assistance Program (EAPs) and to debrief either formally or informally, as necessary.

PART 2 - POLICY STATEMENT

6. HOW UNREASONABLE CUSTOMER CONDUCT WILL BE MANAGED

6.1 Unreasonable customer conduct will generally be managed by limiting or adapting the ways that we interact with and/or deliver services by restricting:

Who they have contact with - limiting the customer to a sole contact point/ member within the organisation;

What they raise with us - restricting the subject matter that will be considered and responded to;

When they can have contact - limiting a customer's contact with the organisation to a particular time, day, or time limit or curbing the frequency of their contact with the organisation;

Where they can make contact - limiting the locations where face-to-face interviews are held to secured venues, facilities or rooms or in areas of the office which are highly accessible and visible to other members or security guards;

How they can make contact -

limiting or modifying how the customer can contact our office. This can include modifying or limiting face-to-face interviews, telephone and written communications, prohibiting access to our premises, contact through a representative only, taking no further action or terminating services all together.

Unreasonable customer conduct will be managed by limiting or adapting the ways that Council interact with and/or deliver services by restricting:

- **Who the customer has contact with**
- **What they can contact Council about**
- **When & where they can contact Council**

Alternatively, a customer's access to Council services may be terminated.

Who – Limiting the Customer to a Sole Contact Point

6.2 Where a customer tries to forum shop internally within our organisation, changes their issues of complaint repeatedly, reframes their complaint, or raises an excessive number of complaints it may be appropriate to restrict their access to a single staff member (a sole contact point) who will exclusively manage their interactions with Council. This may ensure they are dealt with consistently and may minimise the chances for misunderstandings, contradictions and manipulation.

6.3 The contact officer's supervisor will provide them with regular support and guidance as needed. The Complaints Coordinator will also review the arrangement every six months to ensure that the officer is managing/coping with the arrangement.

6.4 Customers who are restricted to a sole contact person will also be given the contact details of one additional staff member who they can contact if their primary contact is unavailable, such as during periods of extended leave.

What – Restricting the Subject Matter of Communications We Will Consider

- 6.5 Where customers repeatedly send written communications, letters, emails, or online forms that raise trivial or insignificant issues, contain inappropriate or abusive content or relate to a matter that has already been comprehensively considered and/or reviewed (at least once), Council may restrict the issues/subject matter the complainant can raise with us/we will respond to.
- 6.6 For example, Council may:
- refuse to respond to correspondence that raises an issue that has already been dealt with comprehensively, that raises a trivial issue, or is not supported by clear/any evidence. The customer will be advised that future correspondence of this kind will be read and filed without acknowledgement unless we decide that we need to pursue it further.
 - restrict the customer to one complaint/issue per month. Any attempts to circumvent this restriction, for example by raising multiple complaints/issues in the one complaint letter may result in modifications or further restrictions being placed on their access.
 - return correspondence to the customer and require them to remove any inappropriate content before we will agree to consider its contents. A copy of the inappropriate correspondence will also be made and kept for our records to identify repeat/further incidents.

When – Limiting When, Where & How a Complainant Can Contact Us

- 6.7 If a customer's telephone, written or face-to-face contact with Council places an unreasonable demand on our time or resources because it is overly lengthy (eg disorganised and voluminous correspondence) or affects the health, safety and security of our staff because it involves behaviour that is persistently rude, threatening, abusive or aggressive, we may limit when and/or how the customer can interact with Council.
- 6.8 This may include:
- limiting their telephone calls or face-to-face interviews to a particular time of the day or days of the week;
 - limiting the length or duration of telephone calls, written correspondence or face to face interviews;
 - limiting the frequency of their telephone calls, written correspondence or face to face interviews;
 - restricting their ability to attend Council premises to specified times of the day and/or days of the week only – for example, when additional security is available or to times/days that are less busy;
 - allowing them to attend our office on an 'appointment only' basis and only with specified staff. Note – during these meetings staff should always seek support and assistance of a colleague for added safety and security; and
 - banning the customer from attending our premises altogether and allowing some other form of contact – eg 'writing only' or 'telephone only' contact.
- 6.9 In cases where we cannot completely restrict our contact with a complainant and their conduct is particularly difficult to manage, we may also restrict their contact to contact through a support person or representative only. The support person may be nominated by the complainant but must be approved by the General Manager.

Terminating Access to our Services

- 6.10 In rare cases, and as a last resort when all other strategies have been considered and/or attempted, the General Manager (or the Executive Leadership Group in instances referred to them for consideration) may decide that it is necessary for Council to completely restrict a customer's contact/access to our services.
- 6.11 A decision to have no further contact with a customer will only be made if it appears that the customer has not modified their conduct and/or their conduct poses a significant risk for our staff or other parties because it involves one or more of the following types of conduct:
- acts of aggression, verbal and/or physical abuse, threats of harm, harassment, intimidation, stalking, assault;
 - damage to property while on our premises;
 - threats with a weapon or common office items that can be used to harm another person or themselves;
 - physically preventing a staff member from moving around freely either within their office or during an off-site visit – eg entrapping them in their home; or
 - conduct that is otherwise unlawful.
- 6.12 In these cases, the customer will be sent a letter notifying them that their access has been restricted as outlined below.
- 6.13 A customer's access to our services and our premises may also be restricted (directly or indirectly) using legal mechanisms such as trespass laws/legislation or legal orders to protect Council employees from personal violence, intimidation or stalking by a customer.

7. ALTERNATIVE DISPUTE RESOLUTION

- 7.1 If the General Manager (or the Executive Leadership Group in instances referred to them for consideration) determine that Council cannot terminate our services to a complainant in a particular case or that we/our employee/s bear some responsibility for causing or exacerbating their conduct, they may consider using alternative dispute resolution strategies such as mediation and conciliation to resolve the conflict with the customer and attempt to rebuild our relationship with them.
- 7.2 If using alternative dispute resolution is considered to be an appropriate option it will be conducted by a suitably qualified independent third party to ensure transparency and impartiality.
- 7.3 Each case will be assessed on its own facts to determine the appropriateness of this approach.

8. PROCEDURE TO BE FOLLOWED WHEN CHANGING OR RESTRICTING A COMPLAINANT'S ACCESS TO COUNCIL SERVICES

Investigation, Reporting & Decision Making

- 8.1 When the Complaints Coordinator receives notification of an unreasonable customer conduct incident, they will contact the employee concerned to discuss the incident within ten (10) working days.

- 8.2 They will discuss:
- the circumstances that gave rise to the incident;
 - the impact of the customer's conduct on Council, relevant staff, time and resources;
 - the customer's responsiveness to the employee's warnings/request to stop the behaviour;
 - the actions the employee has taken to manage the customer's conduct; and
 - the suggestions made by relevant staff (including the employee's supervisor) on ways that the situation could be managed.
- 8.3 Following consultation with relevant employees, the Complaints Coordinator will search Council's EDMS and Unreasonable Customer Conduct Register for information about the customer's prior conduct and history with Council.
- 8.4 In considering the incident, the Complaints Coordinator will consider:
- whether conduct in question involved overt anger, aggression, violence or assault or threats of a similar nature (which is unacceptable in all circumstances);
 - whether the customer's case has merit;
 - the likelihood of the customer modifying their unreasonable conduct if they are given a formal warning about their conduct;
 - whether changing or restricting access to Council services would:
 - be effective in managing the customer's behaviour;
 - affect the customer's ability to meet their obligations, such as reporting obligations; and
 - have an undue impact on the customer's welfare, livelihood or dependents;
 - whether the customer's personal circumstances may have contributed to the behaviour, for example the customer is a vulnerable person who is under significant stress as a result of one or more of the following:
 - homelessness;
 - physical disability;
 - illiteracy or other language or communication barrier;
 - mental or other illness;
 - personal crises; and
 - substance or alcohol abuse, etc;
 - whether the customer's response/conduct in the circumstances was moderately disproportionate, grossly disproportionate or not at all disproportionate; and
 - whether there are any statutory provisions that would limit the types of limitations that can be put on the customer's contact/access to services.
- 8.5 Once the Complaints Coordinator has considered these factors, a report will be prepared and provided to the General Manager to consider, outlining the investigations undertaken, whether the customer conduct is considered unreasonable and providing a recommendation on an appropriate course of action. This may include formal or informal options for dealing with the unreasonable customer conduct which may include one or more strategies outlined in this policy and/or related guidelines and procedures.
- 8.6 The General Manager may resolve to refer the matter to Council's Executive Leadership Group for consideration and determination.

Warning Letter

8.7 Unless the customer's conduct poses a risk to the health and safety of staff or other third parties, the General Manager (or the Executive Leadership Group in instances referred to them for consideration) may resolve to, in the first instance, provide them with a written warning about their conduct.

8.8 The warning letter will:

- specify the date, time, location of the unreasonable conduct incident;
- explain why the customer's conduct is inappropriate;
- list the types of access changes and/or restrictions that may be imposed if the behaviour continues;
- provide clear and full reasons for the warning being given;
- detail standards of behaviour by the customer acceptable to Council;
- provide the name and phone number of the employee they can contact about the letter; and
- be signed by the General Manager, or his/her delegate.

8.9 Regular updates should be provided to the relevant employee throughout the process to advise on progress of the matter.

Notification Letter

8.10 If the customer's conduct continues after they have been given a written warning, or in extreme cases of overt anger, aggression, violence, assault or other unlawful/unacceptable conduct, the General Manager (or the Executive Leadership Group in instances referred to them for consideration) has the discretion to send a notification letter immediately restricting the customer's access to Council services (without prior written warning).

8.11 The notification letter will:

- specify the date, time, location of the unreasonable conduct incident/s;
- explain why the customer's conduct is inappropriate;
- identify the change and/or restriction that will be imposed and what it means for the customer;
- provide clear and full reasons for this restriction;
- specify the duration of the change or restriction imposed, which will not exceed 12 months;
- indicate a time period for review;
- provide the name and phone number of the employee (a Senior Manager) they can contact about the letter; and
- be signed by the General Manager, or his/her delegate.

Notification to Employee About Access Changes/Restrictions

8.12 The Complaints Coordinator will notify relevant employees about any decisions to change or restrict a customer's access to our services. This may include notifying the Customer Relations team and security staff in cases where a customer is prohibited from entering Council premises.

8.13 The Complaints Coordinator will also update the Unreasonable Customer Conduct Register and EDMS with records outlining the nature of the restrictions imposed and their duration.

Monitoring

8.14 Once a customer has been issued with a warning letter or notification letter the Complaints Coordinator will review the customer's records not more than 12 months after the service change or restriction, on request by an employee or following any further unreasonable customer conduct incidents that involve the customer to ensure that they are complying with their restrictions/the arrangement is wording.

8.15 If the Complaints Coordinator determines that the restrictions have been ineffective in managing the customer's conduct or are otherwise inappropriate, they should report their findings to the General Manager (or the Executive Leadership Group in instances referred to them for consideration) who may decide to either modify the restrictions, impose further restrictions or terminate the customer's access to Council services altogether.

9. REVIEW OF A DECISION TO CHANGE OR RESTRICT ACCESS TO OUR SERVICES

9.1 Customers are entitled to an internal review of a decision to change/restrict their access to our services. This review will be undertaken by a senior employee assigned by the General Manager who was not involved in the original decision to change or restrict the customer's access.

9.2 This employee will consider the complainant's arguments along with all relevant records regarding the customer's past conduct. They will advise the customer of the outcome of their appeal by letter signed off by the General Manager. The employee will then refer any materials/records relating to the appeal to the Complaints Coordinator to be kept in the appropriate file.

9.3 If a customer continues to be dissatisfied after the appeal process, they may seek an external review from an oversight agency such as the NSW Ombudsman.

10. NON-COMPLIANCE WITH A CHANGE OR RESTRICTION ON ACCESS TO OUR SERVICES

10.1 All employees are responsible for recording and reporting incidents of non-compliance by customers.

10.2 Details of non-compliance should be recorded in a file note in EDMS and a copy forwarded to the Complaints Coordinator to report the matter to the General Manager (or the Executive Leadership Group in instances referred to them for consideration) who will decide whether any action needs to be taken to modify or further restrict the customer's access to our services.

11. PERIODIC REVIEW OF ALL CASES WHERE THIS POLICY APPLIES

All unreasonable customer conduct incidences where this policy is applied will be reviewed not more than 12 months after the service change or restriction was initially imposed or continued/upheld.

11.1 All unreasonable customer conduct incidences where this policy is applied will be reviewed not more than 12 months after the service change or restriction was initially imposed or continued/upheld.

11.2 The Complaints Coordinator may invite all customers to participate in the review process unless they determine that this invitation will provoke a negative response from the complainant (ie further Unreasonable Conduct). The invitation will be given and the review will be conducted in accordance with the customer's access restrictions (eg if contact has been restricted to writing only then the invitation to participate will be done in writing).

11.3 When conducting a review the Complaints Coordinator will consider:

- whether the customer has had any contact with the organisation during the restriction period;
- the customer's conduct during the restriction period;
- any information/arguments put forward by the customer for review; and
- any other information that may be relevant in the circumstances.

11.4 The Complaints Coordinator may also consult any staff members who have had contact with the customer during the restriction period.

11.5 Once the Complaints Coordinator has reviewed the matter, a report will be prepared and provided to the General Manager to consider and for a decision on the review to be made. The General Manager may resolve to refer the matter to Council's Executive Leadership Group for consideration and determination.

11.6 The Complaints Coordinator will notify the customer of the outcome of their review using the appropriate/relevant method of communication as well as in writing letter explaining the outcome, as applicable.

11.7 The review letter will:

- briefly explain the review process;
- identify the factors that have been taken into account during the review; and
- explain the decision/outcome of the review and the reasons for it.

11.8 If the outcome of the review is to maintain or modify the restriction the review letter will also:

- indicate the nature of the new or continued restriction;
- state the duration of the new restriction period;
- provide the name and contact details of the Council Officer who the customer can contact to discuss the letter; and
- be signed by the General Manager.

11.9 Like all other decisions made under this policy, the Complaints Coordinator is responsible for keeping a record of the outcome of the review, updating EMDS and Council's Unreasonable Customer Conduct Register and notifying all relevant staff of the outcome of the review including if the restriction has been withdrawn.

12. CONFIDENTIALITY

12.1 Information about unreasonable customer conduct allegations, investigations, findings and management is to be treated as confidential and is not to be publicly disclosed **except** as may be **otherwise** specifically required or permitted under these procedures.

-
- 12.2 Any personal information collected and stored by Council will be used and disclosed only in accordance with the *Privacy and Personal Information Protection Act 1998*.
- 12.3 Disclosure of customer details is not supported by Council but it is required to deal with any requests for access to such details in accordance with Council's Access to Information Policy, the *Local Government Act 1993* and/or the *Government Information (Public Access) Act 2009* (GIPA), whichever is applicable in the circumstances.

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RELEVANT LEGISLATIVE INSTRUMENTS:

*Local Government Act 1993,
Government Information (Public Access) Act 2009,
Privacy and Personal Information Protection Act, 1998*

RELATED POLICIES, PLANS AND PROCEDURES:

Feedback Policy (P3.0112.1)
Government Information (Public Access) Act 2009 – Agency Information Guide
Code of Conduct (P3.0109.8)
NSW Ombudsman Managing Unreasonable Complainant Conduct Model Policy & Procedure

RESPONSIBLE DIRECTOR:

Customer and Corporate Strategy

APPROVAL:

Council

HISTORY:

Version	Approved by	Changes made	Date	EDMS Number
1	Approved by Council	New Policy	Insert date	EDMS Number

UNREASONABLE CUSTOMER CONDUCT INCIDENT FORM

This form should only be completed if you encounter unreasonable customer conduct and consider that steps may need to be taken to change or restrict a customer’s access to services provide by our organisation.

You must complete this form and send it electronically to Council’s Complaints Coordinator within one (1) day of an unreasonable customer conduct incident occurring.

Date:	
Time:	
Place of Occurrence:	
Customer Name:	
Customer Contact Detail:	
Employee Name:	
Employee Position:	
Employee Branch:	
Details of customer conduct/incident:	
Why did you consider this conduct to be unreasonable?	
<i>For example – has it occurred before/repeatedly, caused significant disruptions to our organisation, has or could raise significant health and safety issues for our staff or other persons.</i>	
What action, if any, have you taken to deal with/manage the customers conduct?	

For example – warning the complainant ‘verbally’ about their conduct, other/previous attempts to manage the behaviour etc.

What do you think should be done to effectively manage the customers conduct?

Note – the final recommendation on the appropriate course of action will be made by the Complaints Coordinator and reported to the General Manager and/or Executive Leadership Group for consideration and decision.

Is there any other information that might be relevant to this case? If necessary, attached any supporting documentation.



FEEDBACK POLICY P3.0112.2

FEEDBACK POLICY

DIVISION: Customer and Corporate Strategy

BRANCH: Corporate Performance and Customer Service

CATEGORY: 2

PART 1 – INTRODUCTION

1. BACKGROUND

- 1.1 Camden Council is committed to providing excellent customer service.
- 1.2 Any compliments or complaints about our service or staff are welcomed and provide valuable feedback about Council's quality of service.
- 1.3 This policy relates to the management of feedback received by Camden Council, including the capture, handling, resolution and reporting of feedback in the form of compliments and complaints.

2. OBJECTIVE

- 2.1 This policy aims to:
 - Provide a clear and concise process for both customers and Council staff in making and/or dealing with feedback received by Council;
 - Ensure customer feedback is recorded and handled in an efficient, fair, effective and systematic way, allowing corrective actions to be taken where necessary;
 - See complaints dealt with impartially, confidentially and internally in the first instance;
 - Identify areas of good performance and customer satisfaction;
 - Recognise customer feedback as a positive means of identify opportunities to continuously improve customer service provision in all areas; and
 - Support the organisational commitment to Council's values of 'customer focus', 'partnership', 'innovation', 'commitment' and 'leadership'.

3. SCOPE

- 3.1 All employees of Council and persons carrying out work on behalf of the Council including contractors and volunteers must operate in accordance with this policy.
- 3.2 Anyone who has contact with Council employees or utilises Council facilities or services is eligible to provide feedback.
- 3.3 This policy applies to feedback in the form of complaints or compliments, as defined in this policy.

4. DEFINITIONS

4.1 **Complaint** means an expression of dissatisfaction with Council's decisions, policies, procedures, charges, employees, agents or the quality of the services it provides.

For the purposes of this policy, a complaint is not a:

- Request for works or services to be provided, actioned or approved
- Request for information, assistance or explanations of policy or procedure
- Report of damaged or faulty infrastructure (e.g. road pothole)
- Report of hazards (e.g. fallen tree branch)
- Report concerning neighbours or neighbouring property (e.g. noise or unauthorised building works)
- Report of failure to comply with laws regulated by Council
- An issue that is the responsibility of another authority or service provider, or
- The lodgement of an appeal or objection in accordance with a standard procedure, e.g. objection to a Development Application.

A 'complaint' is an expression of dissatisfaction with Council's decisions, policies, procedures, charges, employees, agents or the quality of the services it provides.

Some types of complaints may have processes separate to this policy, or Council may have statutory obligations that govern the way they are dealt with. These are outlined below:

COMPLAINT	DETAIL	POLICY REFERENCE /
Code of Conduct Complaints	Related to Council officials such as Councillors, members of staff of Council, administrators, Council committee members, conduct reviewers and delegates of Council. Complaints may relate to breaches of the standards of conduct prescribed under the Code of Conduct and may include suspected corrupt conduct, maladministration, competitive neutrality concerns, criminal activity or serious and substantial waste.	Refer to Council's Code of Conduct
Child Protection Complaints	Related to disclosure or allegation of child abuse or conviction against a current Council employee.	Refer to Council's Keeping Kids Safe Policy

Public Interest Disclosures	Related to a report made by a public official that meets the requirements of the <i>Public Interest Disclosures Act 1994</i> .	Refer to Council's Public Interest Disclosures Act Internal Reporting Policy
Privacy Breach Complaints	Related to public sector agencies. Complaints may relate to breaching any information protection principles of the <i>Privacy & Personal Information Protection Act 1998</i> (PPIPA) or the Privacy Code of Practice for Local Government.	Refer to Council's Privacy Management Plan
Staff Grievances	Related to a grievance lodged by an individual employee of Council about another employee or work-related problem.	Grievance Handling Procedure

- 4.2 Compliment means an expression of praise or regard for service received or performance given.

A 'compliment' means an expression of praise or regard for service received or performance given.

PART 2 - FEEDBACK PROCEDURES

5. HOW TO LODGE FEEDBACK

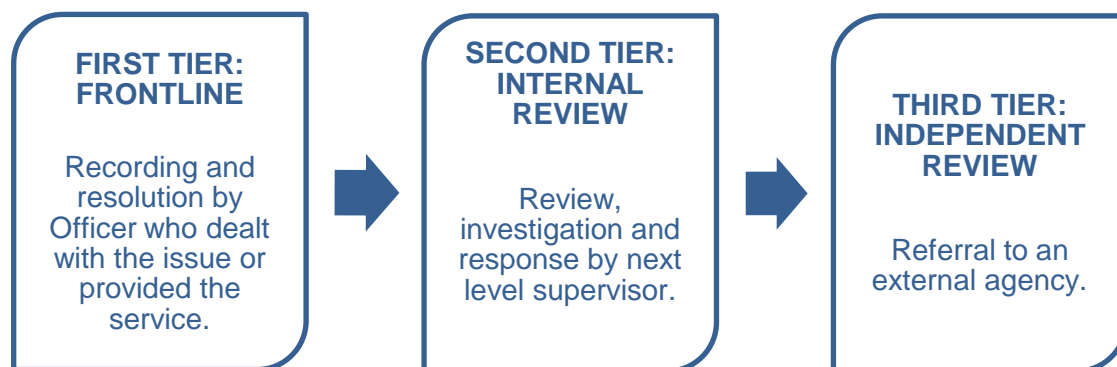
5.1 Feedback may be lodged with Camden Council in the following ways:

- Email: mail@camden.nsw.gov.au
- Council's website: <https://www.camden.nsw.gov.au/contact-us/have-your-say/>
- Mail:
Camden Council
PO Box 183
CAMDEN NSW 2570
- Phone: (02) 4654 7777
- In person, by making an appointment to talk to the employee with whom you have been dealing or visiting our Customer Service Hub at:
70 Central Ave
ORAN PARK NSW 2570
(Office hours: weekdays from 8.30am to 5pm, excluding public holidays)
- Social Media: <https://www.facebook.com/camdencouncil/>
- myCamden app, available for download from App Store for Apple and Google Play for Android, and
- Customer Feedback Surveys: <https://www.surveymonkey.com/r/CamdenVoC>.

5.2 Please note: anonymous feedback will only be investigated where there is sufficient information and the allegation is of a serious nature.

6. HOW COMPLAINTS WILL BE HANDLED

6.1 In order to respond to and resolve complaints as promptly and effectively as possible, a three-tier approach is employed by Council.



- **First Tier: Frontline**

6.2 To facilitate early resolution of complaints, in the first instance, customers are encouraged to provide feedback on the complaint to the appropriate Council Officer who provided the service or dealt with the issue.

An employee receiving a complaint should deal with the complaint at that time or refer it immediately to the appropriate Council Officer who may be able to resolve the complaint on the spot.

Where complaints cannot be resolved after speaking with the appropriate Council Officer (First Tier), or where they are received in writing, they will be forwarded to the appropriate next level supervisor to review, investigate and respond (Second Tier).

- **Second Tier: Internal Review**

6.3 All Second-Tier complaints will be acknowledged in writing within **1 business day** of receipt, giving contact details of the Council Officer who will be responsible for the investigation.

6.4 All Second-Tier complaints will be investigated and responded to within 10 business days.

6.5 Where this time frame cannot be met, the appropriate Council Officer will contact the customer via telephone prior to the time limit expiring, advising the customer of the reasons for the delay and providing a revised time frame.

Complaints escalated to the Second Tier will be acknowledged within 1 business day and reviewed, investigated and responded to within 10 business days.

- **Third Tier: Independent Review**

6.6 Where complaints cannot be resolved by Council, the complainant may be referred to an external agency such as the NSW Ombudsman, Department of Local Government, Office of the Small Business Commissioner or an alternative dispute resolution provider.

6.7 Detail on agencies that receive and investigate complaints is provided as Appendix A to this policy.

6.8 Complaints will move from one tier to the next if:

- The complaint is about the employee's own conduct or the employee has a real or perceived conflict of interest and it is not appropriate that they deal with it;
- The customer requests it;
- The complaint is outside the staff members' delegation or area of expertise; and
- An employee is alleged to have committed a serious criminal offence, acted corruptly or engaged in other serious or controversial conduct.

- **Outcomes**
 -
- 6.9 Where a complaint is determined to be justified, an appropriate response will be provided. Depending on the complaint, this may lead to one or more of the following remedies being applied:

- An apology
- An explanation
- The desired service being provided
- Mediation
- A change in, or review of, a decision
- A correction of misleading records
- A refund of any overcharged or incorrectly charged monies
- A review and/or change in Council policy, procedure or practice
- Referral to an external agency.

6.10 The Council Officer responsible for the investigation will maintain contact with the customer and advise the customer of the results of the investigation in writing. This will include details of any proposed remedies if appropriate.

6.11 There may be occasions where Council cannot resolve a complaint to the satisfaction of the customer. In such cases, Council may initiate conciliation or another form of alternative dispute resolution procedure or may refer the customer to an external agency or legal remedy.

The Council Officer responsible for the investigation of a complaint will advise the complainant of the outcome in writing, including any proposed remedies if appropriate.

Attachment 2

7. HOW COMPLIMENTS WILL BE HANDLED

- 7.1 Council will regularly monitor compliments about its services and staff to ensure best practice is celebrated and promoted. All compliments will be logged into Council's Compliments Register and forwarded to the relevant Director and Manager.
- 7.2 Employees who consistently demonstrate excellent customer service will be recognised through performance feedback and Council's Reward & Recognition arrangements.

8. HOW FEEDBACK WILL BE RECORDED & REPORTED

• Recording of Complaints

- 8.1 If a complaint is unable to be unresolved at the frontline (First Tier outlined above), details of the complaint are to be gathered and provided in writing to the relevant next level supervisor for review, investigation and response, as well as the relevant Divisional Personal Assistant (PA) for the information to be captured in Council's Complaints Register/s.
- 8.2 Records will also be maintained on the complaints review, any investigations carried out and the response provided to the complainant.

- 8.3 The record of the complaint in Council's Complaints Register will include:
- The contact information of the person making the complaint
 - Issues raised by the complainant and the outcomes they are seeking
 - How Council managed the complaint
 - The outcome/s of the complaint, including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations
 - Any outstanding actions that need to be followed up, and
 - Any other relevant information.
- 8.4 Documentation related to the complaint should be recorded and stored in accordance with Council's Information Management Policy.
- **Reporting**
- 8.5 Complaint data will be analysed to identify any systemic or recurring problems which need to be rectified to improve processes and customer satisfaction with Council services.
- 8.6 Reporting on feedback will be reported to Council's Executive Leadership Group on a monthly basis via Council's Corporate Health Indicators.
- **Confidentiality**
- 8.7 Confidentiality of feedback, including the identity of the customer, will be maintained where requested and in accordance with relevant legislation.
- 8.8 Any personal information collected and stored by Council will be used and disclosed only in accordance with the *Privacy and Personal Information Protection Act 1998*.
- 8.9 Disclosure of customer details is not supported by Council but it is required to deal with any requests for access to such details in accordance with Council's Access to Information Policy, the *Local Government Act 1993* and/or the *Government Information (Public Access) Act 2009* (GIPA), whichever is applicable in the circumstances. In dealing with the complaint, confidentiality may be maintained beyond anyone directly involved in the investigation if the investigating officer deems it is in the public's best interest to do so.

Feedback is captured, analysed and reported to Council's Executive Leadership Group on a monthly basis. Results are used to recognise good performance and guide continuous improvement activities at Council.

9. UNREASONABLE COMPLAINANT CONDUCT

- 9.1 There may be occasions where a customer's actions or motivations are unacceptable. Council employees and persons carrying out work on behalf of the Council including contractors and volunteers have rights that must be respected when dealing with aggressive or vexatious complaints,

as outlined in Council's Dealing with Unreasonable Customer Conduct Policy.

* * *

RELEVANT LEGISLATIVE INSTRUMENTS:

- *Privacy and Personal Information Protection Act 1998*
- *Children & Young Persons (Care & Protection Act 1998*
- *Public Interest Disclosures Act 1994*

RELATED POLICIES, PLANS AND PROCEDURES:

-
-
- Government Information (Public Access) Act 2009 – Agency Information Guide
- Public Interest Disclosures Act Internal Procedures Policy (P3.0107.3)
- Code of Conduct (P3.0109.8)
- Protection of Children in the Workplace Policy 5.31
- Access to Information Policy
- Information Management Policy
-
- Customer and Corporate Strategy
-
- Council
-

RESPONSIBLE DIRECTOR:

APPROVAL:

HISTORY:

Version	Amended by	Changes made	Date	EDMS Number
1	Council	New policy	27/10/2009	17/138517
2	Council	Revision based on NSW Ombudsman's model policy		

APPENDIX A - EXTERNAL CONTACTS

Agency	Type of Complaint
Anti-Discrimination Board Web: www.lawlink.nsw.gov.au/adb	Matters in relation to discrimination, disability and harassment.
Australian Competition and Consumer Commission (ACCC) Web: www.accc.gov.au	Competitive Neutrality complaints
The Independent Commission Against Corruption (ICAC) Phone: 02 8281 5999 Email: icac@icac.nsw.gov.au Web: www.icac.nsw.gov.au	Matters concerning corrupt conduct by councils, councillors and council staff. Under Section 11 of the ICAC Act 1988, the General Manager has a duty to report suspected cases of corrupt conduct.
The Information & Privacy Commissioner (NSW) Phone: 1800 472 679 Email: oinfo@oic.nsw.gov.au Web: www.oic.nsw.gov.au	Public Interest Disclosures about breaches of the GIPA Act
NSW Ombudsman Phone: 02 9286 1000 Email: nswombo@ombo.gov.au Web: www.ombo.nsw.gov.au	Matters concerning maladministration by Councils, councillors and council staff
Office of Local Government Email: olg@olg.nsw.gov.au Web: www.olg.nsw.gov.au	Matters concerning a serious breakdown in Council's operations or serious flaws in Council processes. Also pecuniary interest matters, councillor misbehaviour and public interest disclosures relating to serious and substantial waste. The General Manager has an obligation to refer complaints alleging breaches of pecuniary interest provisions to the Department.
Office of the Small Business Commission (OSBC) Tel: 1300 795 534 or (02) 8222 4800 Web: we.assist@smallbusiness.nsw.gov.au	Matters concerning complaints from small businesses that have not been resolved.
Privacy NSW Email: Privacy_NSW@agd.nsw.gov.au	Breaches of the Privacy and Personal Information Protection

Procedural Manual for Community Management Committees 2019

Bicentennial Equestrian Park

Version draft 04

1. INTRODUCTION

The *Local Government Act 1993* allows Council to delegate authority to committees to manage some of Council's facilities or functions. Council has resolved to delegate responsibility to four Community Management Committees. These Committees are:

- **Camden Bicentennial Equestrian Park Committee**
- **Camden Town Farm Committee**
- **Camden International Friendship Association Committee**
- **Camden Seniors Programs Committee**

Community Management Committees play an important role in the local community, and the volunteers who become members provide a valuable contribution to the local community.

Camden Council recognises the contributions made by volunteers appointed to Community Management Committees and provides advice and direction to assist with their effective operation through Procedural Manuals.

This Manual outlines the responsibilities; functions and operations of the Camden Bicentennial Equestrian Park Community Management Committee; and clarifies Council's role in this partnership.

Upon Council's formal approval of a Camden Bicentennial Equestrian Park Community Management Committee, its members are required to adopt and adhere to the conditions set out in this Manual.

Councillors may on occasion attend the regular meetings of the Committee to enable them to develop an awareness and/or understanding of the operation of the Committee.

Council Contacts

Council's contact information is outlined below:

Contact with Council Officers can be made by contacting Camden Council, 70 Central Avenue, Oran Park - Phone (02) 4654 7777.

Business Hours (8.30am – 5.00pm) Monday – Friday

Contact can also be made via Council's After Hours Emergency Number (02) 4654 7777 which is a 24 hour service. This service should only be used for emergency situations. All other contact should be made during business hours.

Council will also appoint a Council Liaison Officer to act as the key point of contact within the Council for the Committee. This information will be provided directly to the Committee.

2. DEFINITIONS

In this Manual:

- a. "Annual use" shall mean any user granted use of any facility on a year-to-year basis.
- b. "BEP" is an abbreviation for Camden Bicentennial Equestrian Park
- c. "Casual Hirer" shall mean those groups or individuals that have been granted use of the sporting or building facilities for a one off activity.
- d. "Committee", or "Management Committee" or "Community Management Committee" shall mean that body of persons appointed in accordance with Section 3 of this Manual.
- e. "Community Representative" shall mean those individuals that are not specifically representative of any User Group and are a representative of the Camden LGA.
- f. "Council" shall mean the Council of Camden.
- g. "Council Liaison Officer" refers to an officer of Council assigned to be the key liaison point between a Management Committee & Council. The officer will not have voting rights on the Committee.
- h. "Delegate" refers to "Delegate & Alternate Delegate" as representatives nominated by an organisation to represent their group on the committee.
- i. "Manual" means this Community Management Committee Manual and its appendices.
- j. "Member" shall mean a person and/or organisation appointed to a Management Committee by Council.
- k. "Minor maintenance" shall mean all maintenance works within land, halls, and other buildings under the control of the Management Committee excluding those specified as being the responsibility of Council.
- l. "Premier User Group" A user group that fulfils particular ongoing conditions & obligations will be defined as a Premier User Group. Refer to the relevant section this manual.
- m. "Project" as defined in Council's Project Management Framework and includes, but is not limited to, works involving construction, alteration, conversion, fitting-out, commissioning, renovation, repair, maintenance, refurbishment, and demolition, decommissioning or dismantling of a structure.
- n. "Relative" means the spouse, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or the person's spouse.
- o. "Routine Operational Business" refers to administrative matters of the Committee and minor maintenance of the facility. No capital purchases are permitted without the prior approval of Council.
- p. "User Group" shall mean any club, group or organisation which is granted use of any portion of the facilities on a licensed annual, seasonal or longer term basis.
- q. "Structure" refers to anything that is constructed, whether fixed or moveable, temporary or permanent. Structures can include buildings, framework, pipelines, roads, pathways, sheds and fencing.

3. ROLES AND RESPONSIBILITIES OF MANAGEMENT COMMITTEES

3.1. Appointment & Election of Management Committees

3.1.1. Formation of the Management Committee

- 3.1.1.1. The appointment of Management Committees is at the discretion of the Council. Management Committees are appointed and reappointed in accordance with the provisions of the Local Government Act 1993 every four years.
- 3.1.1.2. Council aims to appoint Committees that are representative of the local community or interest group of the facility, which the Committee manages.
- 3.1.1.3. Council will call a public meeting to enable any interested person to find out about the committees available and the responsibilities of committees.
- 3.1.1.4. Council may call the public meeting by advertising in local newspapers and/or by advertisement on Councils' website.
- 3.1.1.5. To hold office and be responsible for the management of a Council facility or function, all committee members must be appointed by Council before they are able to vote or take part in the meetings of the Committee.
- 3.1.1.6. Committees are formally appointed by the Councillors in office, therefore as soon as practicable after the General Election of Councillors, all Community Committee Members will cease to hold office and new Management Committees appointed.
- 3.1.1.7. Existing Committees will maintain a caretaker role until the new committees are formally appointed by Council. The caretaker role permits the outgoing Management Committee to continue with the routine operational business of management & control of their facility and/or program. If clarification is required, the Committee should consult with their Council Liaison Officer.
- 3.1.1.8. All nominations for Community Committees are formally submitted in writing to Council for consideration of appointment.
- 3.1.1.9. Following the appointment of committees by Council, Council will issue a Deed of Delegation to each committee. This Deed must be signed by Committee members within one month of the appointment to acknowledge their role and responsibilities. The Committee continue to operate in caretaker capacity until the Deed of Delegation is signed by all members.
- 3.1.1.10. Where members are appointed to the Committee after the original Deed of Delegation is signed an appendix Deed of Delegation will be issued and signed by the new members to acknowledge their role and responsibilities.
- 3.1.1.11. Council will provide a structured induction programme for Committee members to ensure they understand the Committee's policies, processes and practices and become effective Committee members as soon as practicable. Induction may comprise a combination of face to face sessions, online and printed resources and mentoring/buddy system with other Committee members. Committee members must attend all induction training to remain a Committee member. The Committee Liaison Officer will also be available to provide information to members as required.

3.1.2. Management Committee Membership

3.1.2.1. BEP Management Committee Membership Composition

- BEP Committee membership is on a quadrennial basis for the term of Camden Council.
- The BEP Committee will comprise those people and organisations appointed to it by Camden Council. BEP Committee membership will not number less than 7 persons and not more than 15 persons.
- Camden Council may appoint Councillors to the committee however due to the operational nature of the Committee Councillors will act in an ex-officio capacity only unless upon appointment they elect to be considered part of the Quorum (see comment in Quorum).
- Management Committee membership should reflect the community of Camden and the organisations that use the facility and is open to community members and representatives of groups from within the local area between the ages of 18 and 90 years.
- Membership on the committee is open to individuals and groups in the local area, or the designated equestrian discipline district local to Camden;
- The Committee will comprise of representatives/delegates from:
 - Premier User Groups (as defined elsewhere in this manual)
 - Camden Men's ShedRemaining positions on the committee will comprise representatives/delegates from:
 - General Equestrian user groups
 - Equestrian Community Members
 - General Community Members
- Premier User Groups, Camden Men's Shed and General Equestrian user groups may nominate for membership of the BEP Committee. These groups will advise the Committee in writing the names of a delegate and alternate delegate to represent their group on the Committee. If and when the group representatives change the relevant group will advise the BEP Committee in writing of the updated representatives.
- Upon application for the Committee, all Members must declare their membership of any Premier User Groups or General Equestrian Groups and Camden Men's Shed.
- In approving Committee members, Council will consider limiting the number of members of these groups to ensure a balanced representation.
- Staff of Camden Council may not be members of the BEP Committee except with the approval of the General Manager. Approval will only be given where it can be demonstrated that membership of the Committee will not conflict with the employee's duties and responsibilities and does not pose a conflict of interest, or a perceived conflict of interest.
- Camden Council will appoint an appropriate staff member to the position of Council Liaison Officer for the Committee with the agreement of the General Manager.

3.1.2.2. Premier User Groups (PUG)

A user group or organisation that fulfils particular ongoing conditions & obligations will be defined as a Premier User Group.

- To become and remain a PUG a user group needs to meet 3 of the 4 points below on an ongoing basis:
 - The user group or organisation has made, and continues to make, a substantial contribution relative to its size and ability to contribute in cash or in kind to the ongoing approved maintenance and development of the Equestrian Park, its assets and infrastructure in accordance with the manual;
 - The user group or organisation continuously and exclusively uses the park as their home ground;
 - The user group or organisation and its officers act with probity within the equestrian and wider community and do not undertake any action that might cast their organisation, the BEP Management Committee or the Council in an unfavourable light; and
 - A majority (greater than 50%) of the group's membership is derived from equestrian users in the Camden and adjoining local government areas or the designated equestrian discipline district local to Camden.
- A Premier User Group receives the following benefits:
 - Priority membership on the BEP Management Committee;
 - Reduced hire fees associated with the use of the Park and its facilities as agreed by the Community Management Committee;
 - Option to elect for an indexed annual usage fee in lieu of usage based fees and charges as agreed by the Community Management Committee;
 - Advanced ground booking opportunities; and
 - Overall benefits derived from being part of the Community Management Committee representing broader equestrian users.
- To maintain their status Premier User Groups are required to submit an annual report to the Community Management Committee Annual General meeting. The report should include the following in an agreed format:
 - Confirmation that the PUG is a viable incorporated association registered with the NSW Department of Fair Trading;
 - Details of current public liability insurance at the level required by Council;
 - Confirmation that the PUG complies with the requirements of the *Associations Incorporation Act 1984*, including an up to date list of members, Public Officer, Annual General Meeting and an annual financial statement;
 - Names, addresses and contact details of the PUGs BEP Management Committee delegate and alternate delegate, office bearers, and public officer.

- Schedule of a planned maintenance and development program on the BEP grounds to be considered by the Management Committee for the coming year to be included in the annual program of works.
- Reconciliation of approved maintenance and development program on the BEP grounds undertaken and/or coordinated by the PUG for the previous year.
- If a Premier User Group does not furnish its annual report at the Annual General Meeting its voting rights and that of its delegate will be suspended until such time as the report is furnished.
- If a Premier User Group does not furnish its annual report to the Committee by the General Meeting held two calendar months following the Annual General Meeting the Premier User Group Status of the group will be revoked, and they will revert to being a General User Group and subject to pay all future and outstanding fees at the normal rate.

3.1.2.3. Leave of Absence

- A Committee member who is temporarily unable to fulfil their obligations on the Committee may request a leave of absence from the Committee.
- Typical reasons for needing to take a period of leave include but are not limited to personal health, family health, work or family commitments.
- A leave of absence may be granted by the Committee for a period of up to 6 months.
- A leave of absence can only be approved by a vote of 75% of members entitled to vote present at a properly convened meeting of the Committee.
- During a leave of absence, a member may not participate in votes of the Committee and the member will not be counted when calculating the quorum.
- A leave of absence may be requested by the member of the Committee or on behalf of a member by a relative of the member or by another member of the Management Committee.

3.1.2.4. BEP Committee Voting

- A motion is required to be moved and seconded prior to being put to a vote of the Committee.
- All Committee members (individuals and groups) shall carry 1 vote at Committee meetings and other times where voting is required. The chairperson/presiding officer also carries a casting vote to resolve any deadlocks for votes undertaken in meetings.
- When a Member declares an interest in an item being discussed and voted on by the Committee, the Committee will act in accordance with Section 5.5.
- Voting at BEP Committee meetings is by default undertaken by a show of hands.
- A motion may be passed to conduct votes by secret ballot using written votes. If a secret ballot is to be undertaken 2 scrutineers will be selected from those in attendance (not necessarily voting members) at the meeting to conduct and tally the votes.
- A member may request to have their voting intention recorded in the meeting minutes immediately after the result of a vote is announced by the chairperson.

- Proxy votes or absentee votes are not permitted at any General Meeting, Annual General Meeting or Extraordinary General Meeting of the Committee.
- Members on approved leave of absence or suspended are not included in votes of the Committee during their period of absence.

3.1.2.5. Electronic Show of Hands (eVote)

- On occasion it may be necessary to seek agreement among the Committee between Committee meetings for matters relating to emergency works or administrative matters affecting the immediate use of the facility. On these occasions an Electronic Show of Hands (eVote) may be used.
- The Executive Committee and/or the BEP Committee may request an eVote to be conducted either by the Secretary or Council Liaison Officer.
- An eVote requires that all Committee members are requested to respond electronically in writing (email, SMS etc) to a proposition within a defined period of time.
- Normal rules for a quorum and voting apply to eVotes where a response of more than 50% of committee members is required (Quorum) and a majority of those responses received in the affirmative are required for the proposition to be approved.
- Records of eVotes should be tabled at the next General Meeting and included in the official record of the meeting using a proforma template provided by Council.
- All decisions made by eVote are binding on the BEP Committee and are to be tabled at the next General Meeting for ratification by the BEP Committee.
- Members on approved leave of absence or suspended are not included in eVotes of the Committee during their period of absence.
- Secret ballots are not permitted for an eVote and all eVotes are public.

3.1.3. BEP Management Committee Membership Recruitment

3.1.3.1. No particular qualifications are necessary to be considered for membership of the Committee, however the general duties and expectations of being a member of the Management Committee are as follows:

- commitment to the equestrian and community activities of the Committee and the facility;
- willingness and ability to give adequate time and energy to the duties of being a Committee member, including the ability to attend monthly meetings and other meetings as required from time to time;
- **willingness to be actively involved in and contribute to Committee activities;**
- willingness to work collaboratively, cooperatively and respectfully with other community volunteers and Council staff;
- willingness to uphold the values and objectives of the Committee;
- ability to act with integrity and avoid or declare conflicts of interest;

- willingness to contribute to the strategic direction, including agreeing and monitoring the Plan of Management; and
 - willingness to ensure that risks to the organisation, staff, volunteers and service users are at an acceptable level and are effectively managed.
- 3.1.3.2. Management Committee members must be aged 18 years or older at the time of nomination.
- 3.1.3.3. Council will advertise and call for membership nominations at the time of, or soon after the quadrennial local government elections.
- 3.1.3.4. For casual vacancies Council may advertise and call for membership nominations at the time of the vacancy, provided there is more than 12 months until the next quadrennial local government elections.
- 3.1.3.5. Council will seek membership nominations using an application form designed to address the job description and an outline of relevant skills and experience that is beneficial to the Committee. The application may also require character references and other screening appropriate to the role.
- 3.1.3.6. Membership nominees and their written nominations will be screened and assessed by a selection panel comprised of Council staff. Other suitably experienced individuals may be invited to participate in the selection panel.
- 3.1.3.7. Membership nominees may be interviewed by the selection panel to further assess their suitability to serve on the Management Committee.
- 3.1.3.8. Nominees who have been members on previous committees will also be assessed on their previous performance with regard to their demonstrated contribution, attendance, behaviour, and their ability to collaborate as part of the Committee.

3.1.4. Management Committee Office Bearers

3.1.4.1. Election of Office Bearers

- The Committee will elect from its membership an Executive Committee comprising the Executive Office Bearers to fulfil the activities and responsibilities of the Executive roles.
- The Committee may elect from its membership other non-executive positions and/or sub-committees to coordinate works and programs relating to the operation of the facility (e.g. safety, maintenance, recreational riders, equine health, development and grants, projects etc.).
- Elections for office bearers are undertaken at the Annual General Meeting and/or as required to fill casual vacancies.

3.1.4.2. BEP Executive Committee

- The BEP Executive Committee will comprise of the Executive Office Bearers, namely the positions of:
 - President
 - Secretary
 - Treasurer
 - Vice President

➤ Booking Officer

- The Executive Committee is charged with both setting the direction for the General Committee and for considering, deciding and approving actions in the context of “control and management” with pressing operational matters of the BEP that require expedited attention between general meetings of the BEP Committee.
- All decisions made by the Executive Committee are binding on the BEP Committee and are to be tabled at the next General Meeting for ratification by the BEP Committee. The BEP Committee may only overturn a decision of the Executive Committee by resolution.
- The Executive Committee should operate in an agile manner. Decisions of the Executive Committee can be achieved by formal meetings, phone calls and informal meetings. Minutes of Executive meetings must be kept and provided to the next General Meeting of the Committee for ratification. Matters containing confidential items may be reported to the Committee as resolution only.
- A member may not hold an Executive Position on more than one Council Community Management Committee at one time.
- Where there is more than one person from a family, only one member of the family can be an Executive Office bearer on the same Committee at the same time.
- Only one (1) of those related office bearers is to approve individual payments (sign cheques/approve EFT payments).
- The Executive Committee may request an eVote (as described elsewhere in this document).

3.1.4.3. Executive Officer Bearer Position Descriptions

President/Chairperson

The President shall be the Executive head of the Management Committee. The President will:

- Ensure all necessary tasks for day to day running of the activities of the BEP Committee are carried out;
- Chair Committee and General Meetings ensuring that correct meeting procedures are followed and control of the meeting is maintained;
- Serve as a spokesperson and representative for the BEP Committee when required;
- Prepare and distribute the agenda (in consultation with the Secretary and Council Liaison Officer), setting out the items of business to be considered;
- Ensure Committee meetings are properly convened in accordance with this manual i.e. proper notice of a meeting is given and a quorum is present;
- Act impartially and use discretionary powers in the best interests of members and in accordance with the agreed standing orders and ensure all statutory regulations and organisational rules are observed; and
- Provide assistance to all members of the Management Committee to help ensure that they fulfil their respective roles.

Secretary

The Secretary is the administrative manager of the Management Committee and is responsible for coordination of all administrative tasks. The Secretary will:

Before a meeting

- Draw up the agenda in consultation with the Chairperson;
- Make copies of the agenda if required.

During the meeting

- Maintain an attendance register;
- Take minutes of Committee meetings;
- Read minutes of previous meeting if necessary;
- Provide a list of correspondence in order and summarise any important points;
- Record any motions and/or decisions of the meeting including, mover and seconder.

After the meeting

- Forward minutes of Meetings to the BEP Committee and to Council;
- Keep a register of inward and outward correspondence and file copies of all letters written;
- Forward copies of all correspondence to Council for inclusion in its electronic document management system.

In between meetings

- Inform all other committee members of any correspondence requiring urgent attention.

Treasurer

Council will appoint a staff member to provide bookkeeping support to the Committee. Further details on the functions this role will undertake is provided in Section 3.1.6.

The Treasurer is the financial manager of the Management Committee and holds responsibility for the all financial matters. The Treasurer will:

- Ensure that all financial records of the Committee are kept in a proper manner;
- Keep financial records for incoming and outgoing transactions;
- Authorise purchase orders and receipt of goods through Council's book keeper or committee liaison officer, following a committee resolution to procure goods or services;
- Report the status of all purchase orders raised for goods or services to the committee as part of the monthly Treasurers Report, information to be provided by Council's Admin Officer;
- Upon resolution and nomination by the Committee, the Treasurer and one other nominated committee member be responsible for a purchase card for purchases less than \$500 (ex GST);

- **Report all payments made using a purchase card to the committee as part of the monthly Treasurers Report, information to be provided by Council's Admin Officer;**
- Bank all monies received by the Committee in an approved bank account;
- Present a Treasurer's report to each Committee meeting with the financials provided by Council.
- Prepare and present proposed annual budget to the Management Committee; and
- Provide any financial records required to complete the month end financial reports to Council within 5 working days.

Vice President

The Vice President is the Deputy Executive head of the Management Committee. The Vice President will:

- Act as President in the event of the President being unable to fulfil his or her duties;
- Support the President and Executive Committee in fulfilling the requirements of their roles;
- Ensure that the Committee activities are in accordance with the rules, regulations & guidelines required for the Management Committee;
- Ensure the committees procedures and documents are in order;
- Ensure action items and resolutions are carried out;
- Oversee Work Health and Safety matters and report any matters to the Committee; and
- Fulfil such other duties as the committee may request.

Booking Officer

The Booking Officer is the public interface between the Management Committee and the community, and coordinates co-ordinates all uses of the BEP facility. The Booking Officer will:

- Provide a point of contact for people wishing to hire the facility by phone, email or in person;
- Respond to requests for information on the hire of the facility in a timely fashion;
- Meet with potential hirers as required;
- Take bookings and record booking details. Council may supply booking software with a software provider of Council's choice for the Committee to use to manage bookings;
- If a booking software is not provided by Council, an electronic diary of bookings must be maintained;
- Liaise with the Committee over the acceptance of bookings where required, for example for major events;

- Ensure users/hirers complete a hire agreement and are made aware of the associated terms and conditions of hire, and that public liability insurance is in place for all hirers;
- Issue invoices in accordance with Council's approved fees and charges;
- Issue bond refunds/credit notes in accordance with BEP pricing (fees and charges);
- Liaise with BEP Treasurer regarding payments;
- Coordinate post event inspections and recommend refund or retention of bonds after events;
- Coordinate issuing of keys to hirers as required and maintain a register of keys issued and returned;
- Report to the Committee the status of all bookings at BEP meetings;
- Coordinate with Men's Shed (maintenance coordinator) for any facility preparation/maintenance requirements;
- Coordinate with Recreational Rider Coordinator (if appointed) regarding recreational rider applications;
- Advise the Committee of opportunities for reforms and improvements to booking practices; and
- Advise potential hirers and hirers of Council's External Events process for any events on the facility.

3.1.5. Council Committee Liaison Officer

- 3.1.5.1. Council, through the General Manager, may appoint a staff member to the role of Committee Liaison Officer. The Officer is authorised to participate in committee discussions, activities and deliberations but is without any voting rights at any time.
- 3.1.5.2. The Committee Liaison Officer reports to the relevant Council Director/Manager, not the Committee.
- 3.1.5.3. Council Directors/Managers may direct the Committee Liaison Officer to communicate certain advice relating to Council policies, legislation, operational matters and adherence to the controls of this manual to the Committee.
- 3.1.5.4. The Committee Liaison Officer may provide services such as professional advice and administrative duties as agreed between the relevant Director/Manager and the Committee.
- 3.1.5.5. The Officer may be temporarily appointed by the Committee to any of the Office Bearer roles except the role of President. The Officer may be elected by the Committee to chair meetings.
- 3.1.5.6. Where appropriate, the Committee Liaison Officer will provide advice to the Committee with regards to Council policies, legislation, operational matters and adherence to the controls of this manual. The Committee Liaison Officer may also seek guidance and/or instruction from Council to assist in the provision of advice to the Committee with regards to Council policies, legislation, operational matters and adherence to the controls of this manual.

- 3.1.5.7. The Committee Liaison Officer will monitor the Committee's compliance with the manual and report any instances of non-compliance as well as the performance, activities and operation of the Committee to their Director/Manager as required.
- 3.1.5.8. The Committee Liaison Officer is not to request or receive any payment from the Committee for provision of services.
- 3.1.5.9. The Committee Liaison Officer will coordinate the logging of any requests for service or maintenance required from Council teams into Council's CRM system on behalf of the Committee.
- 3.1.5.10. The Committee Liaison Officer can raise purchase orders and receipt goods following a resolution of the Committee.
- 3.1.6. Council Admin (Bookkeeping)**
- 3.1.6.1 Council will appoint a staff member to provide bookkeeping support to the Committee. The staff member will undertake the following tasks:
- Ensure that all financial records of the Committee are kept in a proper manner;
 - Prepare a financial report on behalf of the Management Committee. The report will include a bank reconciliation, income statement, balance sheet and cashflow statement as a minimum. The report will also discuss the financial position of the Committee including bank account, debtors outstanding, actuals to budget by amount and percentage, and approval for the payment of invoices, purchase orders and payments made using the Committees purchase card/s. Requests for expenditure over \$10,000 (ex GST) should also be reported at this time;
 - Raise purchase orders and receipt goods following a resolution of the Committee;
 - Provide a financial report to the Treasurer within 10 working days at the end of the month; and
 - Prepare financial records of the Management Committee for audit at the end of financial year;
- 3.1.6.2 The Council Admin (Bookkeeping) reports to the relevant Council Director/Manager, not the Committee.
- 3.1.6.3 The Council Admin (Bookkeeping) may provide services such as professional advice and administrative duties as agreed between the relevant Director/Manager and the Committee.
- 3.1.6.4 **The Council Admin (Bookkeeping) is not to request or receive any payment from the Committee for provision of services.**
- 3.1.7. Dissolution of Management Committee**
- 3.1.7.1. Council may dissolve a Management Committee at any time. Council may wish to dissolve a Management Committee to carry out the control of the facility itself.
- 3.1.7.2. Council may also dissolve a Management Committee if that Committee is not complying with the roles and responsibilities of the Committee outlined in this Manual.

- 3.1.7.3. The Management Committee shall be dissolved in the event of it becoming unviable where membership drops to less than seven (7) members.
- 3.1.7.4. The Committee can by resolution recommend to Council that the Committee be dissolved by a vote of 75% of members entitled to vote present at an Extraordinary Meeting of the Committee properly convened to consider this option. Council has established the following policy to address this issue:
- if a committee chooses to remain active it is given 6 months to re- establish a viable membership as above (i.e. minimum of 7 members); or
 - if a committee, facility or function becomes inoperable or inactive, the Committee will be dissolved and all responsibilities will be taken over by Council.
- 3.1.7.5. Upon a resolution to dissolve the Committee being passed and confirmed by Council, all assets and funds of the Management Committee shall, after payment of all expenses and liabilities, be handed over to Council.

3.1.8. Suspension and Revocation of membership of a Management Committee

3.1.8.1. Revocation of Membership

- A member (individual or organisation) shall have their membership on the Management Committee revoked and cease to be a member of a Management Committee when Council passes a resolution to remove the member from the Committee.
- If an individual or organisation has their membership of the BEP Management Committee revoked that member may not be reappointed to the BEP Management Committee during the same term of Council.

3.1.8.2. Suspension of Membership

- An individual or organisation may be suspended from the Management Committee. During a period of suspension the member may not participate in any activities of the Committee and as far as is practicable be excluded from all intra-Committee communication.
- Suspension of a member occurs to either allow time for Council to process the revocation of a membership, or as a punitive action against improper behaviour.

3.1.8.3. Automatic Suspension of membership

A member of the Management Committee will be automatically, immediately and indefinitely suspended if:

- Council passes a resolution to suspend a member;
- The member resigns from the Committee by notification in writing to the Committee and/or Council;
- The member is deceased;
- The member is bankrupt;
- The member holds any office of profit under the Committee;
- The member fails to disclose any pecuniary interest in any matter with which the Committee is concerned and takes part in the consideration, discussion or votes on any question relating to the matter;

- The member while holding that office is convicted of an offence under Part 4 of the *Crimes Act 1900* which includes offences relating to property; or
- The member intentionally disobeys the manual, Council policies, procedures and/or a Council direction.

Where a member is automatically suspended the Management Committee will provide advice to Council of the reasons for the suspension without prejudice.

A letter will be provided to the member by Council advising their membership has been suspended.

3.1.8.4. Suspension by resolution of the Management Committee

A member of the Management Committee may be suspended for a period of up to 3 months by the passing of a vote by 75% of members entitled to vote present at a properly convened General or Extraordinary General meeting for the following reasons:

- the member is absent for 3 or more consecutive general meetings without a leave of absence granted from the Committee;
- the member is absent for more than 50% of general meetings in a 12 month period without a leave of absence granted from the Committee;
- the member seeks to overturn a decision of the committee by making representations to Councillors or other third parties. This does not include contacting Council or making representations through formal mechanisms such as submissions to exhibited materials where council is seeking community feedback;
- the member uses or distributes information attained whilst undertaking their duties on the committee to lobby against a decision of the committee or to lobby Councillors or other third parties
- the member undertakes actions that defy and/or are contrary to a decision of the Management Committee;
- the member brings the reputation of the Management Committee and/or Council into disrepute;
- the member acts in a manner that is not in accordance with the role of an officer of Council or Council Committee; or
- the member directly or indirectly threatens or menaces other Committee members;

Where a member is suspended by resolution the Management Committee will provide advice to Council of the reasons for the suspension and may forward a recommendation for Council to consider removing the member from the Management Committee permanently without prejudice.

3.2. Duties and Responsibilities of Management Committees and Council

The duties and responsibilities of Management Committees and Council varies between committees.

3.2.1. Deed of Delegation

Council sets out the delegation of the committee in a Deed of Delegation. This Deed sets out the specific function delegated by Council and is accompanied by a Schedule of Delegation and a copy of this Manual.

3.2.2. Responsibilities of Council

3.2.2.1. Council's Overriding Authority

Management of the facility is delegated to the Management Committee by Council. Whilst the Committee has control over the facility, Council may exercise overriding authority and may revoke the powers of the Committee or otherwise direct the Committee as Council sees fit.

3.2.2.2. Funding Major Improvements

Council shall be responsible for the funding and erection of all major improvement works in the facility, in accordance with the adopted Plan of Management and the availability of funds.

3.2.2.3. Insurance of Assets

The Council shall fully insure all buildings and contents.

3.2.2.4. Insurance of Committee Members

The Council shall insure the Committee in respect of Public Liability Insurance, Professional Indemnity Insurance, Personal Accident Insurance and Motor Vehicle Insurance (for Council registered vehicles only).

3.2.2.5. Notification of Fees and Charges

The Council shall notify the Management Committee of any proposed variation of hire or membership fees proposed for the ensuing year by mid-October in each year.

3.2.2.6. Improvement Recommendations

The Council shall consider all improvements suggested by the Committee as part of its annual budget and works allocation processes.

3.2.2.7. Training of Committees

Council will provide compulsory training to advise members and the Executive of the Committee of the requirements of their positions. Training will be arranged by Council. Additional training may be requested by the Committee.

3.2.2.8. Customer Service Charter

Council will respond to requests of the Committee in accordance with its Customer Service Charter.

3.2.2.9. Legal Expenses

Council may consider the payment of legal expenses in relation to matters involving the Committee and members when acting in their capacity as members of the Committee.

3.2.3. Responsibilities of Management Committees

3.2.3.1. Responsibilities

The Community Management Committee will be responsible for the care, control, and management of either a facility (including letting, cleaning, minor maintenance works, minor repairs, operations and equipment purchases); or a program (including organising, operating and implementing).

3.2.3.2. Care, control and management

Care includes:

- Duty of care to ensure the health, safety and welfare of persons using the facility or participating in a program of the Committee; including contractors or volunteers;
- Conducting minor maintenance to maintain the facility or program and protecting the physical assets from damage, misuse and deterioration;
- Ensuring the security of the facility or program and adequate security systems are in place;
- Advising Council of any potential insurance risk that may arise in regard to buildings and/or users;
- Attaining sufficient funds to maintain the facility or program as a going concern;
- Ensuring sufficient and equitable access of the facility or program by the community; and
- Ensuring that all users of the facility or program conform to the insurance requirements as set out in this Manual.

Control includes:

- Holding regular meetings with recorded minutes;
- Monitoring and maintaining financial records;
- Submitting an annual report and all records to Council for an annual audit;
- Submitting monthly financial reports in accordance with GST requirements;
- Submitting a recommendation of fees and charges for the coming financial year by mid-October for Council's determination;
- Administering and overseeing the use of the centre by other groups;
- Clearly defining the role of office bearers and Committee members;
- Submitting an annual estimate of income and expenditure for the period 1 July - 30 June. The budget proposal will be submitted in mid-February each year, unless requested earlier by Council in special circumstances.
- Submitting a current list of all contents belonging to the Committee (not User Groups) for inclusion in Council's Insurance Policy, by 31 January each year;
- Maintaining a post office box or public postal address to which all physical correspondence will be forwarded;
- Maintaining a public email address to which all email correspondence will be forwarded;
- Submitting a current list of all Committee members including the address and phone number and emergency contact details to Council immediately following nominations of the Committee, and advise Council when there are changes; and
- Submitting officer bearers names and an audited financial report to Council following the Annual General Meeting each year.

Management includes:

- Ensuring that all monies received will be used for the benefit of the facility or activity in an equitable, honest and consistent manner;
- Ensuring that the organisation is not used for the financial gain of individual members;
- Ensuring that all written material provided to potential hirers or used to promote the facility or program acknowledges Camden Council, including display of the Council's logo;
- Ensuring that the standard hire forms, and terms and conditions are used;
- Ensuring Council's Work Health and Safety policies and procedures are followed at all times;
- Being aware of and involved in, appropriate community activities, which are compatible with the goals of the facility;
- Developing and updating Plans of Management;

- Recommending policies and procedures which contribute to the effective management of the facility/activity; and
- Being accountable to the community and the Council for the Committees actions and initiatives in respect of the facility/activity.

3.2.3.3. Limitations of powers

The Community Management Committee may not carry out any works on or to the facility including alterations, reconstruction or construction without the prior written consent of Council with the exception of minor maintenance work.

The Committee may not make decisions concerning the following:

- Fixing of charges or fees. The Committee may submit recommendations for approval to Council in relation to the fixing of charges and fees for the use of the facility under its control;
- Borrowing any monies without the express written consent of Council on each occasion;
- The sale, lease or surrender of any land or other property vested in its care under the provision of the *Local Government Act 1993* (as amended);
- The acceptance of tenders which are required to be called by Council;
- The purchase of goods and services of a value exceeding \$10,000 (ex GST) without the prior written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing and Procurement Policies. For any purchase which are considered to be related or to be used in relation to the same Project, their combined value must not exceed \$10,000 (ex GST) without the prior written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing and Procurement Policies.
- Formation of submissions to government without the prior written consent of Council;
- The payment or making of any profit, gain or gift, to or by its members as well as allowance or travelling expenses incurred whilst attending Committee meeting;
- As a voluntary Committee, members do not receive payment for their services. The Committee may by resolution reimburse the Committee members for reasonable expenses incurred in the completion of official Committee activities. No other payment is to be made to Committee members without the prior written approval of Council;
- Unreasonably withholding consent for the letting of the facility to any organisations or individuals who have demonstrated agreement to comply with and adhere to the rules adopted for the use of the facility, providing an acceptable letting period is available;
- The Committee is not permitted to vote monies for expenditure on the works, services or operations of Council;
- The Committee is not permitted to enter into any legal action;
- The Committee is not permitted to loan or donate funds for any purpose
- The Committee is not permitted to vary the overall design plan for the facility without Council's prior written approval; and
- The Committee is not permitted to set or charge fees for Membership of the Management Committee.

The exercise by the Committee of its powers and functions will be subject to such limitations and conditions as may from time to time be imposed by law, specified by resolution of the Council or in writing by the General Manager to the Committee. The Committee will observe any rules and regulations made by Council, in relation to the facility/ function under its management and control.

If at any time the Committee is deemed to be functioning outside the limits of its powers as described herein, all powers may be revoked by written notice to the Committee signed by the General Manager or their representative.

For the purposes of the above clause, a "Project" as defined in Council's Project Management Framework includes, but is not limited to, works involving construction, alteration, conversion, fitting-out, commissioning, renovation, repair, maintenance, refurbishment, and demolition, decommissioning or dismantling of a structure.

A structure can be anything that is constructed, whether fixed or moveable, temporary or permanent. Structures can include buildings, framework, pipelines, roads, pathways, sheds and fencing.

4. DISPUTES

4.1. General & External:

- 4.1.1. Where a citizen(s) of the local government area that is not a member of the Management Committee disagrees with a resolution of the Management Committee these persons may refer their grievances in writing to the Committee for reconsideration.
- 4.1.2. Where the Management Committee chooses not to alter its decision, the citizen(s) or citizens may present their grievance to Council in writing, for reconsideration.
- 4.1.3. Where such notice in writing is referred to Council, Council will request a report on the issue from the Management Committee. Upon receipt of the report the matter will be referred to Council for resolution.
- 4.1.4. Upon Council adopting a resolution, the details of Council's deliberations will be advised to the Management Committee and the citizen(s) who referred the matter to Council.
- 4.1.5. **A member may not seek to amend, change or overturn a decision of the Committee by making representation directly or indirectly to Council and / or Councillors or other officials and / or organisations.**

4.2. Disputes - Internal

- 4.2.1. All disputes between members of the Committee are to be attempted to be resolved within the Committee where possible.
- 4.2.2. Where a dispute occurs within a Committee the resolution of the majority of the Committee as a whole will determine the outcome. Where this is not possible the Chairperson/President will have the casting vote.
- 4.2.3. There will be no right of appeal when the Management Committee has determined its resolution of a dispute.
- 4.2.4. A member may not seek to amend, change or overturn a decision of the Committee by making representation directly or indirectly to Council and/or Councillors or other officials and/or organisations.

5. LEGAL ISSUES

5.1. Delegation from Council

- 5.1.1. From a legal perspective, it is important that Management Committees of Council and their members be aware that they are acting on Council's behalf. Legally, the committee is 'Council' and any action that the Committee undertakes is Council's responsibility.
- 5.1.2. Council delegates its authority to the Committee to act on Council's behalf.

5.2. Record Keeping

- 5.2.1. All documents and records relating to the operation of the Management Committees, e.g. minutes of meeting, financial reports, correspondence etc. should be kept in accordance with the *State Records Act 1998*. Committees should provide copies of all records to their Council Liaison Officer to be archived in Council's electronic document management system.
- 5.2.2. Management Committees need to be aware of the importance of minutes, because of their legal status and their liability to be subpoenaed in court cases.
- 5.2.3. Minutes are required to be kept for all formal meetings of the Committee. These include General meetings, Annual General meetings and Extraordinary General meetings.
- 5.2.4. Meeting minutes must record all motions and amendments put to the meeting, and the results. Minutes should include the mover and seconder of motions. There is no need to record what members say at a meeting, however, there may be occasions when it is appropriate to record the general content of discussions.
- 5.2.5. The Chairperson/President and the Secretary are responsible for the form of the minutes for proper confirmation and must check that there have been no unauthorised alterations to those minutes.
- 5.2.6. Where electronic minutes are used as the sole record of proceedings a motion accepting the minutes as a true record of proceedings of the meeting is required. This includes any amendments required and accepted by the Committee. The Chairperson/President is not required to sign the minutes.

- 5.2.7. Electronic minutes must be stored in Council's electronic document management system as soon after the meeting being held as is practicable in a read-only state prohibiting any changes or updates.
- 5.2.8. The motion to confirm the minutes can only be moved and seconded by persons who were in attendance at that meeting to which the minutes relate. Should there be insufficient members present from the previous meeting the Chairperson may exercise their right to move and/or second the motion to confirm previous minutes.

5.3. Pecuniary Interest

- 5.3.1. A pecuniary interest is one of financial benefit by a Committee person or other person with whom the person is associated (that is, spouse, de-facto partner or relative of a Committee person) from an interest that a Committee person has in a Council matter.
- 5.3.2. A pecuniary interest does not exist where the interest is so remote or insignificant that it could reasonably be regarded as unlikely to influence any decision.
- 5.3.3. The obligation to disclose a pecuniary interest is a strict duty, and the person's motives for participation are irrelevant if an interest is said to exist.
- 5.3.4. Chapter 14 of the *Local Government Act 1993* includes a framework for the handling of alleged breaches of the pecuniary interest provision of the Act. The Act is about openness, accountability and transparency in decision-making by councils and any Committees representing the Council.
- 5.3.5. It is the responsibility of members of Management Committees:
- To disclose to the meeting any pecuniary interest in a matter before the meeting;
 - Not to participate in the discussion of the matter before the Committee in which the member has a pecuniary interest; and
 - Not to vote on the matter before the Committee meeting in which the member has a pecuniary interest.
- 5.3.6. Pecuniary interest provisions are not breached if the person did not know or could not have reasonably been expected to know that the matter under consideration was a matter in which the person had a pecuniary interest.

5.4. Conflict of Interest

5.4.1. A conflict of interest can arise when a member of the Committee has other involvements or interests that make it difficult for them to always remain impartial when involved in discussions and decision makings. These can include:

- Business or professional activities;
- Employment or accountability to other people or organisations;
- Membership of other community organisations or service providers; or
- Ownership of property or other assets.

The conflict may lead to:

- Financial benefit e.g. sale of goods or privileged knowledge;
- Political benefit e.g. gaining or losing electoral support; or
- Personal benefit e.g. career advancement or increased standing in the community.

5.5. Declaration of Interests

5.5.1. It is the responsibility of Committee members:

- To disclose to the meeting any pecuniary interest in a matter before the meeting; and
- Not participate in the discussion of the matter before the Committee in which the member has a pecuniary interest and
- Not to vote on the matter before the Community Committee meeting in which the member has a pecuniary interest.

A pecuniary interest does not exist where the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision. The obligation to disclose is a strict duty, and the person's motives for participate are irrelevant if an interest is said to exist.

5.5.2. Pecuniary interest provisions are not breached if the person did not know or could not have reasonably been expected to know that the matter under consideration was a matter in which the person had a pecuniary interest.

5.5.3. Committee members are also required to lodge an annual written pecuniary interest declaration in accordance with the section 440AAA of the *Local Government Act 1993*. Committee members are strongly advised to declare any interests they may have in this written declaration to ensure transparency, accountability and protection for individual members.

5.6. Code of Conduct

5.6.1. Committee Members are required to adhere to Council's Code of Conduct. Compulsory training on the Code of Conduct will be provided to all Committee members.

5.7. Privacy and Personal Information Protection Act

5.7.1. Committee members are required to abide by the *Privacy and Personal Information Protection Act, 1998* (PPIPA). The Act provides for the protection of personal information and the privacy of individuals generally. Training will be provided to all Committee members.

6. MANAGEMENT OF FACILITY

6.1. The Management Committee in collaboration with Council will develop a Management and Operational manual containing the standard BEP procedures which are the agreed methodology of how the BEP will be managed and operated.

6.2. The standard BEP procedures will be agreed by the Committee by resolution and will be reviewed annually the Committee

6.3. Standard BEP procedures should reflect where possible Council policy and/or industry best practice.

7. MEETINGS

The Management Committee should meet on a regular basis to discuss relevant business, and make decisions affecting the facility/program operation. The time, scheduling and location of meetings will be decided by the Committee.

7.1. Agenda

- 7.1.1. An agenda should be sent out to all Management Committee members at least 5 days prior to any meeting giving notice of the proposed meeting and of any items for discussion and notices of motion.
- 7.1.2. The format of the agenda will be agreed on from time to time by the Committee but will include as a minimum
- Time, date and date and venue of the meeting;
 - Matters to be discussed / considered; and
 - Means for members to submit apologies.
- 7.1.3. Written reports for the President, Treasurer & Booking officer will be sent out with the agenda to allow the Committee appropriate time to review the report prior to the meeting.

7.2. Quorum

- 7.2.1. A quorum of any meeting (General, Annual General, Executive or Extraordinary General) will consist of more than half the total number of entitled voting members (i.e. greater than 50%). Should a quorum not be present:
- at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - within half an hour after the meeting time designated for the meeting, or
 - at any time during the meeting,
- the meeting will be adjourned to a date determined by the Executive Committee.
- 7.2.2. Members who are absent or have submitted an apology for their non attendance to a meeting will be counted when calculating the quorum.
- 7.2.3. Members who have been granted leave of absence or who have been suspended from the committee will not be counted when calculating the quorum.
- 7.2.4. Councillors who are appointed to a Management Committee in an ex-officio role will not be counted when calculating the quorum. A Councillor may advise the Committee that they wish to be included in the quorum and if so, they will be included in the quorum calculation for the remaining term of the Management Committee.
- 7.2.5. Where a meeting commences with a quorum any members who wish to depart the meeting prior to its formal adjournment must seek leave from the meeting by resolution. If leave is granted the time of the members departure will be noted in the minutes and the quorum will not be adjusted. If leave is not granted and the member departs the member will be removed from the calculation of the quorum.

7.3. Ordinary/General Meetings

- 7.3.1. There should be no less than six (6) Ordinary/General meetings held each year, however it is recommended that Ordinary/General Meetings of the Committees occur on a monthly basis to ensure that any outstanding matters are dealt with expeditiously.
- 7.3.2. A calendar of when general meetings are to be held in the ensuing 12 months should be drafted at the Annual General Meeting.
- 7.3.3. General meetings of the Management Committee are required to address correspondence, management and control matters, finance matters, risk management matters and general matters relating to the facility/program.
- 7.3.4. An agenda for a General Meeting should be sent out to all Management Committee members at least 5 days prior giving notice of the proposed meeting and of any items for discussion and notices of motion.
- 7.3.5. Minutes of a General Meeting will be kept of the proceedings and a copy forwarded to Council for storage in its electronic document management system.
- 7.3.6. General meetings will be conducted in accordance with Council's adopted Code of Meeting Practice.

7.4. Annual General Meeting

- 7.4.1. The Annual General Meeting will report on the activities of the Committee for the financial year, to conduct elections for Committee positions and to receive the annual financial report.
- 7.4.2. The Annual Financial Report will be presented to the Committee for adoption and for forwarding to Council for auditing purposes.
- 7.4.3. An agenda for the Annual General Meeting will be sent out no less than 21 days prior to the meeting.
- 7.4.4. Minutes of an Annual General Meeting will be kept and presented to a meeting of Council for consideration.
- 7.4.5. The Annual General Meeting will be conducted in accordance with Council's adopted Code of Meeting Practice.

7.5. Extraordinary General Meetings

- 7.5.1. An Extraordinary General Meeting of a Committee may be called to discuss urgent business and matters outside the scope of an ordinary meeting. A meeting must be requested in writing to the Executive Committee by two (2) members of the Committee.
- 7.5.2. An agenda for the Extraordinary General Meeting of matters to be considered by the Committee will be prepared and circulated to all members of the Committee with at least three (3) business days notice.
- 7.5.3. Only matters included in the agenda will be considered at an Extraordinary General Meeting.

- 7.5.4. Minutes of an Extraordinary General Meeting will be kept and a copy forwarded to Council outlining the reason for the meeting and for storage in Council's electronic document management system.
- 7.5.5. An Extraordinary General Meeting will be conducted in accordance with Council's adopted Code of Meeting Practice.

7.6. Minute Format

General Meeting minutes of the BEP Management Committee will be forwarded to Council for storage in its electronic document management system.

Items to be addressed in the minutes should include:

- Attendance – records of attendees and apologies
- Declaration of pecuniary interests
- Previous minutes and matters arising
- Executive and operational reports
- Correspondence and matters arising
- Agenda items with notice
- Project reports
- Action log/register log
- Member reports
- General business

8. FINANCIAL MANAGEMENT

8.1. Introduction

Council Community Management Committees and their members are appointed under 355 of the *Local Government Act 1993*. As such, they are subject to the same standards of financial accountability as Council and its employees. It is imperative that Committees manage their finances prudently and with transparency.

At all times, any funds and assets held by the Committee ultimately remain the property of Council. The Committee is responsible for the care and management of the funds and assets held on behalf of Council.

Where necessary Council will provide the committee with advice and support to comply with Council and the Committees financial management obligations.

8.2. Financial Records

8.2.1. Bank Accounts

- 8.2.1.1. All bank accounts operated by a Committee will be established by Council with a banking provider of Council's choice. Establishment of bank accounts by committees are not permitted.
- 8.2.1.2. Council will establish a transaction bank account on behalf of the Committee which will serve to operate for the Committee's operational transactions. Council may establish other accounts (interest bearing, term deposits etc) if requested in writing by a Committee.

8.2.2. Financial Record Keeping

- 8.2.2.1. Financial records must be kept in accordance with this Manual. Training will be provided by Council's Finance section following the election of a Treasurer as required.
- 8.2.2.2. Committees of Council operate under a financial year from 1 July to 30 June. Each Committee's accounts need to be completed and submitted to Council by 15 July each year, following their adoption at a Committee meeting. This will enable Council to consolidate the Committee's accounts into Council's general accounts as required under the *Local Government Act 1993*.

8.2.3. Accounting Software

- 8.2.3.1. Council may supply accounting software with a software provider of Council's choice on behalf of the Committee for the Committee to use to manage and record financial transactions in lieu of paper based systems and records.

8.2.4. Financial Documents

If a committee does not use Council's accounting software to record its financial transactions, each Committee should maintain the following records:

- Receipt Book - supplied by Council
- Bank Deposit Book – if applicable
- Petty Cash Book and Tin – if applicable
- Bond Register (electronic) – if applicable
- Key Deposit Register (electronic) – if applicable
- Booking diary (electronic) – if applicable

It is essential that these records are maintained and reconciled monthly.

8.3. Receiving Payments

- 8.3.1. Payments of hire fees, bonds or other services provided by Management Committees can only be made by cheque, EFT or bank deposit. Cash may not be used.
- 8.3.2. The following process should be followed:
- Ensure that the correct amount has been paid by either cheque, EFT or bank deposit.
 - Write out a receipt from the Receipt Book.
 - Give the original receipt to the payer (tear out of book)
 - Ensure that the duplicate receipt is kept in the Receipt Book.
 - Store any cheques in an appropriate location until they can be banked.
 - Ensure that any cheques on hand are banked weekly.

8.4. Making Payments

- 8.4.1. The Committee is empowered to make purchases up to the value of \$10,000 (ex GST) expending sums as necessary from amounts received from fees and charges to meet costs arising out of the delegation function. All purchases should comply with Council's Purchasing and Procurement Policies and requirements set out in this Manual. All purchases should be for

goods and services required for the exercise of the responsibilities of the Management Committee.

8.4.2. Purchases for goods and services above \$10,000 (ex GST) require written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing and Procurement Policies. For any purchases which are considered to be related or to be used in relation to the same Project, their combined value must not exceed \$10,000 (ex GST) without the prior written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing and Procurement Policies.

8.4.3. It is not appropriate or permissible to:

- Split invoices from the same or similar Projects to avoid the requirement for Council approval under Clause 8.4.2; or
- Intentionally mislead Council representatives in any way about the cost associated with a Project.

Any member engaging in behaviour described above may be the subject of disciplinary action under Clause 3.1.6 of this Manual (Suspension and Revocation of membership of a Management Committee).

8.4.4. Any payments over \$82.50 (GST-inclusive) must be supported by an official Tax Invoice from the supplier. This enables the Committee to claim back the GST portion of the payment when completing their monthly Business Activity Statement (BAS) and is a requirement of the Australian Taxation Office (ATO). Without a Tax Invoice, the GST portion is unable to be claimed.

8.4.5. All Committee expenditure will be processed by Council in accordance with Council's financial policies.

8.4.6. All procurement and payments should be made in accordance with Council's Purchasing and Procurement Policies with additional steps appropriate for a Committee as outlined below:

8.4.6.1. A committee member requests approval from the Management Committee for the procurement and/or supply of service or goods (e.g. engage a contractor, purchase timber supplies).

8.4.6.2. The Committee considers the request, checks that documents and quotes provided are suitable, adequate and compliant with Council policies and if deemed appropriate approves the procurement and/or supply.

8.4.6.3. The Committee member requests a purchase order be raised for the procurement of goods or services, then engages the vendor for the service or goods providing the supplier with a purchase order number who then issues a tax invoice.

8.4.6.4. Where the invoice matches (or is below) the amount approved by the Committee, the Committee member and an Executive Committee member confirms the goods/services have been received and the invoice is consistent with the quote accepted and approved by the Committee. The Committee member advises in writing Council's admin officer or Committee Liaison Officer that the goods/services have been received and payment can be processed.

8.4.6.5. Payment of the invoice is made in accordance with Council's financial policies.

- 8.4.6.6. Where the invoice is above the amount approved by the Committee, the Committee member must table the invoice at a Committee meeting for consideration.
- 8.4.6.7. The Committee reviews the invoice and associated endorsement and if deemed appropriate approves payment of the invoice by resolution. The Committee member in writing advises Council's admin officer or Committee Liaison Officers that the goods/services have been received and payment can be processed, providing Council with a copy of the Committee's resolution.
- 8.4.7. Where payment of an invoice is required prior to a meeting being convened an "electronic show of hands (eVote)" as described elsewhere in this Manual may be used. Ratification of the payment should be tabled at the next General Meeting of the Committee.
- 8.4.8. In extreme cases where payment of an invoice is required urgently the Executive Committee may consider an invoice for payment. Ratification of the payment and record of the vote should be tabled at the next General Meeting of the Committee.
- 8.4.9. If prior approval from the Executive Committee is received, a Committee member may expend up to \$500 ex GST for the purchase of goods and/or services for the facility and be reimbursed by the Committee on presentation of the appropriate invoices/dockets/receipts.
- 8.4.10. Capital Assets**
- The Committee will follow Council's policies and procedures in relation to capital asset management & reporting.
 - For all asset purchases (including project expenses) Council will identify those assets that require capitalisation through Council's purchase order systems, the Committee should provide all appropriate paperwork for capitalisation and reporting purposes within the financial year of purchase.

8.5. Grant Seeking & Administration

- 8.5.1. All Management Committees must seek approval from the General Manager or relevant sub-delegated Director before submitting an application for any grant.
- 8.5.2. If a grant application is successful, a report will need to go to an Ordinary Council Meeting for acceptance, prior to the funding agreement being signed.
- 8.5.3. Delegation to sign funding agreements largely depends on the funding body and will typically involve Council's General Manager or relevant sub-delegated Director or Manager.
- 8.5.4. In some cases, the funding body may require the seal of Council, which can only be made under resolution of Council.
- 8.5.5. Grants need to be administered by Council's Finance section as the acquittal process usually requires audit certification. There is also a need to report to Council any commitment of Council's funds, including Management Committee funds, towards grant funded projects.
- 8.5.6. Members of the Management Committee are accountable for expending and acquitting the grant in accordance with the service agreement.

8.6. Refund of Bond Money

- 8.6.1. Following the conclusion of hire, the Booking Officer or a delegate of the Committee will undertake an inspection of the facility.
- 8.6.2. If the hirer leaves the facility in a clean and undamaged condition, notification will be forwarded to the Council Committee Liaison Officer to process the refund of bond money, in accordance with payment procedures outlined in Section 8.4.
- 8.6.3. If the hirer leaves the facility in an unclean or damaged condition, the matter will be referred to the next Committee meeting to discuss the retention of the bond money in accordance with Section 8.7.

8.7. Retention of Bond Money

- 8.7.1. If the bond is forfeited, it is treated as if it was part of the supply. Hence GST is payable on the amount forfeited. A bond register must be maintained to record the movements of bonds received and refunded. Any forfeited bonds should be highlighted within the cash book and appropriate GST noted at the financial records.
- 8.7.2. If a hirer leaves the facility in an unclean or damaged condition, a portion of the bond may be forfeited and retained by the Committee. The amount forfeited is to be resolved by the Committee and must include an allowance for GST under the taxable supply rules applicable to upkeep the facility as a result of a function. The payment entry in the Cash Book would be written up to show the bond was refunded but a portion was taken in income.

8.8. Bank Reconciliations

- 8.8.1. At the end of each month, the Committee will obtain a Bank Statement for its Bank Account. This needs to be reconciled with the Cash Book.

8.9. Budgets

- 8.9.1. A budget will be prepared for the period 1 July to 30 June each year.
- 8.9.2. The Budget is to be prepared in conjunction with the Management Plan and must be completed by the end of February for the next reporting period. The budget is to be prepared in consultation with the relevant Committee Liaison Officer.
- 8.9.3. A copy of the budget is to be submitted to the relevant Director, Manager and Council's Finance section.
- 8.9.4. The budget should be reviewed quarterly with the revised financial position reported to the Committee.

8.10. Annual Financial Statements

8.10.1. Goods & Services Tax (GST) Compliance

8.10.1.1. GST Basics

- All of Council's Committees must use Camden Council's Australian Business Number (ABN) 31 117 341 764.

- Committees are responsible for administering the requirements of GST legislation i.e charging GST on taxable supplies and correctly identifying input tax credits claimable from the Australian Taxation Office (ATO). Accordingly each Committee must supply Council's Finance section with details of GST applicable to all financial transactions for inclusion in Council's monthly Business Activity Statements (BAS).
- All suppliers for purchases exceeding \$82.50 (GST-inclusive) must supply a valid Tax Invoice to the Committee prior to payment. If the supplier does not have an ABN and is registered for GST, the Committee must obtain a Statement by a Supplier declaration from the supplier. This must be obtained and completed before any payments can be made to that supplier. The completed form must then be kept on record for audit purposes.

8.10.1.2. Monthly Business Activity Statements (BAS)

Council is required to lodge its BAS within 21 days after the end of each month.

8.10.2. Committee Settlement of GST Obligations

- Each quarter Camden Council will issue each Committee with an invoice or a refund in accordance with GST applicable to the transactions for the past three months. Reconciliations will be sent with the invoice or payment.

8.11. Funds Held In Bank Accounts

- Funds held in bank accounts which are in excess of current operational needs should be invested with the assistance of Council in order to achieve a return on funds, rather than leaving balances in low interest-bearing accounts.

8.12. Debt Management

- Committees will follow Council's policy in relation to debt management.
- Council's Finance Branch will undertake debt recovery on the Committees behalf.

9. PLANS OF MANAGEMENT

9.1. Formal Plan of Management

- 9.1.1. Council will prepare and update a formal Plan of Management for the facility every 4 years aligning as close as possible with the Council terms.
- 9.1.2. All activities conducted within the facility must conform to the Plan of Management adopted by Council.

9.2. Development Plan for Facility

- 9.2.1. The Management Committee will prepare a Development Plan for the facility that covers future improvements for the facility for consecutive 2 year periods.
- 9.2.2. The Development Plan proposals will be prioritised by the Management Committee and referred to Council for endorsement.
- 9.2.3. Upon gaining endorsement from Council, the prioritised list will be considered in conjunction with Council's annual budgets.

9.3. Minor Improvements for Facility

- 9.3.1. The Management Committee will determine each year a Minor Improvement schedule for the facility and prioritise the items in the schedule.
- 9.3.2. This Program will be referred to Council's Asset Management and Building Maintenance teams.
- 9.3.3. The Management Committee will carry out approved improvement works to the limit of its improvement budget in accordance with conditions within the Manual covering purchasing and contracting.

10. RISK MANAGEMENT AND INSURANCE

10.1. Risk Management

Risk management is a method of identifying and prioritisation of risks, followed by preventative and precautionary measures to avoid injury, loss and damage, to either persons or property.

As a Committee of Council, the Management Committee has a duty of care to ensure the health, safety and welfare of persons using the facility. This involves regular maintenance, to keep the facility and grounds safe, clean and tidy, as well as a system of inspection to detect faults and hazards at an early stage.

10.1.1. General

Council and Committees of Council have a wide range of potential liability.

Liabilities can be based on statute and common law duties of care. To ensure compliance there must be appropriate policies, procedures and practices in place.

The Committee are to use documentation provided by Council to evidence the due diligence process and ensure all responsible steps are being taken to identify risks to the Committee and users of the facility.

10.1.2. Hazards

A hazard is a situation which could potentially cause injury to a person or damage to property. If a hazard requires urgent attention a warning sign should be placed near the hazard to alert users of the facility to the danger. The Management Committee must contact Council to advise.

Committees are to apply some rules for hirers of facilities such as restacking of tables and chairs, cleaning spills from floors, rubbish removal eg "chairs must be stacked in sets of no higher than 8' and placed against the wall".

A routine inspection process undertaken by the Committee in consultation with Council's Work Health and Safety Committee will identify possible dangers or faults, fire or accident risks to users of the facility, and are to be carried out periodically using the Workplace Inspection form. Copies must be forwarded to Council for action if required and inclusion in its electronic document management system.

10.1.3. Fire Protection

All Council facilities should be supplied with fire and safety equipment and information on its correct use. If this is not available Council must be notified immediately. Equipment will be inspected twice annually by a professionally qualified person. This is organised by Council's Fire Protection Officer. If the equipment is used irresponsibly by a hirer this should be deducted from the hirer's bond.

10.1.4. Emergency Exits (Buildings)

All exits must be identified by an illuminated exit sign and inspected by Council's Fire Protection Officer. Emergency exit routes must be kept clear at all times. Exit doors should not be barred or locked at any time while the facilities are in use. An Emergency Management Plan (EMP) should be developed for any group who regularly uses a building. Council has a template that will assist Committees with this task.

10.1.5. Building Inspections

Regular inspections are essential to identify potential risks, and to assist in the defence of claims brought against Council. Inspections must be thoroughly documented. The Committee will be responsible for inspection of the facilities under their control.

Inspections may be either formal or informal.

a. Formal Inspections

Inspection of the facilities under the Committee's control must occur and be documented using checklists provided by Council at least once every 6 months. Copies of these inspections must be forwarded to Council for inclusion in its electronic document management system.

b. Informal Inspections

Informal inspections are incidental in the course of Committee business. Any defect or problem discovered must be dealt with.

c. Safety Inspections by Hirers

It is the responsibility of the user groups/hirers to ensure that any field or facility is safe for the use immediately before and during its use. This will include but not be limited to ensuring there are no holes likely to cause injury and that any broken glass and other hazardous matter is removed. Hirers are to be notified of this obligation as part of the hire agreement.

10.2. Insurance

10.2.1. General

Council is required to take out insurance policies to cover Council's liability as a consequence of Council's business activities. These policies include:

- Public Liability Insurance to cover Council for its liability to third parties for personal injury or property damaged caused by Council's business activities;
- Professional Indemnity Insurance to cover Council for professional negligence claims (e.g. caused by incorrect specialist advice);
- Personal Accident Insurance provides specified benefits for registered volunteers following accidental injury, disability or death while carrying out their duties on behalf of Council;
- Motor Vehicle Comprehensive Insurance to cover Council vehicles driven by volunteers or staff for damage to the vehicle or to third party property; and
- Casual Hirers Insurance covers against public liability claims arising from the casual hiring of a member Council facility.

10.2.2. Notification

Management Committees and hirer/user groups are instructed that any matter or incident which may give rise to a claim against Council must be reported to Council as soon as practicable. This will ensure that investigations and remedial actions can be undertaken to protect Council's interests.

Council has a responsibility to notify its insurer as soon as a potential claim is known. Management Committees may receive advice regarding claims via writing or telephone call or by observation. Once the Committee becomes aware of potential claim they are to notify Council immediately. If Council does not notify of claims which they could reasonably have known about indemnity may be denied by the insurer.

10.2.3. Child Protection

Children and Young Persons (Care and Protection) Act 1998 - under this legislation Community Management Committee members accompanying children on trips or participating in activities conducted by the Committee involving contact with children, must complete and pass a Working with Children Check.

Working with Children's Checks are provided by the NSW Children's Guardian. There is no cost for a Volunteer Check. For more information or to make an application please visit: www.kidsguardian.nsw.gov.au

Procedural Manual for Community Management Committee 2019

Camden Town Farm

Version draft 04

1. INTRODUCTION

The *Local Government Act 1993* allows Council to delegate authority to committees to manage some of Council's facilities or functions. Council has resolved to delegate responsibility to four Community Management Committees. These Committees are:

- **Camden Bicentennial Equestrian Park Committee**
- **Camden Town Farm Committee**
- **Camden International Friendship Association Committee**
- **Camden Seniors Programs Committee**

Community Management Committees play an important role in the local community, and the volunteers who become members provide a valuable contribution to the local community.

Camden Council recognises the contributions made by volunteers appointed to Community Management Committees and provides advice and direction to assist with their effective operation through Procedural Manuals.

This Manual outlines the responsibilities; functions and operations of the Camden Town Farm Community Management Committee; and clarifies Council's role in this partnership.

Upon Council's formal approval of a Camden Town Farm Community Management Committee, its members are required to adopt and adhere to the conditions set out in this Manual.

Councillors may on occasion attend the regular meetings of the Committee to enable them to develop an awareness and/or understanding of the operation of the Committee.

Council Contact

Council's contact information is outlined below:

Contact with Council Officers can be made by contacting Camden Council, 70 Central Avenue, Oran Park - Phone (02) 4654 7777.

Business Hours (8.30am – 5.00pm) Monday – Friday

Contact can also be made via Council's After Hours Emergency Number (02) 4654 7777 which is a 24 hour service. This service should only be used for emergency situations. All other contact should be made during business hours.

Council will also appoint a Council Liaison Officer to act as the key point of contact within the Council for the Committee. This information will be provided directly to the Committee.

2. DEFINITIONS

In this Manual:

- a. "Annual use" shall mean any user granted use of any facility on a year-to-year basis.
- b. "Casual Hirer" shall mean those groups or individuals that have been granted use of the sporting or building facilities for a one off activity.
- c. "Committee", or "Management Committee" or "Community Management Committee" shall mean that body of persons appointed in accordance with Section 3 of this Manual.
- d. "Community Representative" shall mean those individuals that are not specifically representative of any User Group and are a representative of the Camden LGA.
- e. "Council" shall mean the Council of Camden.
- f. "Council Liaison Officer" refers to an officer of Council assigned to be the key liaison point between a Management Committee & Council. The officer will not have voting rights on the Committee.
- g. "CTF" is an abbreviation for Camden Town Farm
- h. "Delegate" refers to "Delegate & Alternate Delegate" as representatives nominated by an organisation to represent their group on the committee.
- i. "Manual" means this Community Management Committee Manual and its appendices.
- j. "Member" shall mean a person and/or organisation appointed to a Management Committee by Council.
- k. "Minor maintenance" shall mean all maintenance works within land, halls, and other buildings under the control of the Management Committee excluding those specified as being the responsibility of Council.
- l. "Project" as defined in Council's Project Management Framework, includes, but is not limited to, works involving construction, alteration, conversion, fitting-out, commissioning, renovation, repair, maintenance, refurbishment, and demolition, decommissioning or dismantling of a structure.
- m. "Relative" means the spouse, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or the person's spouse.
- n. "Routine Operational Business" refers to administrative matters of the Committee and minor maintenance of the facility. No capital purchases are permitted without the prior approval of Council.
- o. "Structure" refers to anything that is constructed, whether fixed or moveable, temporary or permanent. Structures can include buildings, framework, pipelines, roads, pathways, sheds and fencing.

3. ROLES AND RESPONSIBILITIES OF MANAGEMENT COMMITTEES

3.1. Appointment & Election of Management Committees

3.1.1. Formation of the Management Committee

- 3.1.1.1. The appointment of Management Committees is at the discretion of the Council. Management Committees are appointed and reappointed in accordance with the provisions of the Local Government Act 1993 every four years.
- 3.1.1.2. Council aims to appoint Committees that are representative of the local community or interest group of the facility, which the Committee manages.
- 3.1.1.3. Council will call a public meeting to enable any interested person to find out about the committees available and the responsibilities of committees.
- 3.1.1.4. Council may call the public meeting by advertising in local newspapers and/or by advertisement on Councils' website.
- 3.1.1.5. To hold office and be responsible for the management of a Council facility or function, all committee members must be appointed by Council before they are able to vote or take part in the meetings of the Committee.
- 3.1.1.6. Committees are formally appointed by the Councillors in office, therefore as soon as practicable after the General Election of Councillors, all Community Committee Members will cease to hold office and new Management Committees appointed.
- 3.1.1.7. Existing Committees will maintain a caretaker role until the new committees are formally appointed by Council. The caretaker role permits the outgoing Management Committee to continue with the routine operational business of management and control of their facility and/or program. If clarification is required, the Committee should consult with their Council Liaison Officer.
- 3.1.1.8. All nominations for Community Committees are formally submitted in writing to Council for consideration of appointment.
- 3.1.1.9. Following the appointment of committees by Council, Council will issue a Deed of Delegation to each committee. The Deed must be signed by Committee members within one month of the appointment to acknowledge their role and responsibilities. The Committee continue to operate in caretaker capacity until the Deed of Delegation is signed by all members.
- 3.1.1.10. Where members are appointed to the Committee after the original Deed of Delegation is signed an appendix Deed of Delegation will be issued and signed by the new members to acknowledge their role and responsibilities.
- 3.1.1.11. Council will provide a structured induction programme for Committee members to ensure they understand the Committee's policies, processes and practices and become effective Committee members as soon as practicable. Induction may comprise a combination of face to face sessions, online and printed resources and mentoring/buddy system with other Committee members. Committee members must attend all induction training to remain a Committee member. The Committee Liaison Officer will also be available to provide information to members as required.

3.1.2. Management Committee Membership

3.1.2.1. CTF Management Committee Membership Composition

- CTF Committee membership is on a quadrennial basis for the term of Camden Council.
- The CTF Committee will comprise those people and organisations appointed to it by Camden Council. CTF Committee membership will not number less than 7 persons and not more than 12 persons.
- Camden Council may appoint Councillors to the committee however due to the operational nature of the Committee Councillors will act in an *ex-officio* capacity only unless upon appointment they elect to be considered part of the Quorum (see comment in Quorum).
- Management Committee membership should reflect the community of Camden and the organisations that use the facility and is open to community members and representatives of groups from within the local area between the ages of 18 and 90 years.
- The Committee will comprise of community members and representatives/delegates from interested community groups community (e.g. Community Gardens, Historical Society, Department of Education).
- Community groups and bodies may nominate for membership of the CTF committee. These groups will advise the Committee in writing the names of a delegate and alternate delegate to represent their group on the Committee. If and when the group representatives change the relevant group will advise the CTF committee in writing of the updated representatives.
- Staff of Camden Council may not be members of the CTF Committee except with the approval of the General Manager. Approval will only be given where it can be demonstrated that membership of the Committee will not conflict with the employee's duties and responsibilities and does not pose a conflict of interest, or a perceived conflict of interest.
- Camden Council will appoint an appropriate staff member to the position of Council Liaison Officer for the Committee with the agreement of the General Manager.

3.1.2.2. Leave of Absence

- A Committee member who is temporarily unable to fulfil their obligations on the Committee may request a leave of absence from the Committee.
- Typical reasons for needing to take a period of leave include but are not limited to personal health, family health, work or family commitments.
- A leave of absence may be granted by the Committee for a period of up to 6 months.
- A leave of absence can only be approved by a vote of 75% of members entitled to vote present at a properly convened meeting of the Committee.
- During a leave of absence, a member may not participate in votes of the Committee and the member will not be counted when calculating the quorum.

- A leave of absence may be requested by the member of the Committee or on behalf of a member by a relative of the member or by another member of the Management Committee.

3.1.2.3. CTF Committee Voting

- A motion is required to be moved and seconded prior to being put to a vote of the Committee.
- All Committee members (individuals and groups) shall carry 1 vote at Committee meetings and other times where voting is required. The chairperson/presiding officer also carries a casting vote to resolve any deadlocks for votes undertaken in meetings.
- When a Member declares an interest in an item being discussed and voted on by the Committee, the Committee will act in accordance with Section 5.5.
- Voting at CTF Committee meetings is by default undertaken by a show of hands.
- A motion may be passed to conduct votes by secret ballot using written votes. If a secret ballot is to be undertaken 2 scrutineers will be selected from those in attendance (not necessarily voting members) at the meeting to conduct and tally the votes.
- A member may request to have their voting intention recorded in the meeting minutes immediately after the result of a vote is announced by the chairperson.
- Proxy votes or absentee votes are not permitted at any General Meeting, Annual General Meeting or Extraordinary General meeting of the Committee.
- Members on approved leave of absence or suspended are not included in votes of the Committee during their period of absence.

3.1.2.4. Electronic Show of Hands (eVote)

- On occasion it may be necessary to seek agreement among the Committee between Committee meetings for matters relating to emergency works or administrative matters affecting the immediate use of the facility. On these occasions an Electronic Show of Hands (eVote) may be used.
- The Executive Committee and/or the CTF Committee may request an eVote to be conducted either by the Secretary or Council Liaison Officer.
- An eVote requires that all Committee members are requested to respond electronically in writing (email, SMS etc) to a proposition within a defined period of time.
- Normal rules for a quorum and voting apply to eVotes where a response of more than 50% of committee members is required (Quorum) and a majority of those responses received in the affirmative are required for the proposition to be approved.
- Records of eVotes should be tabled at the next General Meeting and included in the official record of the meeting using a proforma template provided by Council.
- All decisions made by eVote are binding on the CTF Committee and are to be tabled at the next General Meeting for ratification by the CTF Committee.
- Members on approved leave of absence or suspended are not included in eVotes of the Committee during their period of absence.

- Secret ballots are not permitted for an eVote and all eVotes are public.

3.1.3. CTF Management Committee Membership Recruitment

- 3.1.3.1. No particular qualifications are necessary to be considered for membership of the Committee, however the general duties and expectations of being a member of the Management Committee are as follows:

- commitment to delivering the adopted vision for the Camden Town Farm;

Vision: *"The farm will be developed and maintained primarily for agricultural, tourism and educational purposes. It will be operated and managed in a sustainable manner that retains its unique character and encourages and facilitates community access, participation and visitation".*

- commitment to the agricultural, tourism, educational and community activities of the Committee and the facility;
 - ability to give adequate time and energy to the duties of being a Committee member, including the ability to attend monthly meetings and other meetings as required from time to time;
 - willingness to be actively involved in and contribute to Committee activities;
 - willingness to work collaboratively, cooperatively and respectfully with other community volunteers and Council staff;
 - willingness to uphold the values and objectives of the Committee;
 - ability to act with integrity and avoid or declare conflicts of interest;
 - willingness to contribute to the strategic direction, including agreeing and monitoring the Plan of Management; and
 - willingness to ensure that risks to the organisation, staff, volunteers and service users are at an acceptable level and are effectively managed.
- 3.1.3.2. Management Committee Members must be aged 18 years or older at the time of nomination.
- 3.1.3.3. Council will advertise and call for membership nominations at the time of, or soon after the quadrennial local government elections.
- 3.1.3.4. For casual vacancies Council may advertise and call for membership nominations at the time of the vacancy provided there is more than 12 months until the next quadrennial local government elections.
- 3.1.3.5. Council will seek membership nominations using an application form designed to address the job description and an outline of relevant skills and experience beneficial to the operation of the facility. The application may also require character references and other screening appropriate to the role.
- 3.1.3.6. Membership nominees and their written nominations will be screened and assessed by a selection panel comprised of Council staff. Other suitably experienced individual may be invited to participate in the selection panel.

- 3.1.3.7. Membership nominees may be interviewed by the selection panel to further assess their suitability to serve on the Management Committee.
- 3.1.3.8. Nominees who have been members on previous committees will also be assessed on their previous performance with regard to their demonstrated contribution, attendance, behaviour, and their ability to collaborate as part of the Committee.

3.1.4. Management Committee Office Bearers

3.1.4.1. Election of Office Bearers

- The Committee will elect from its membership an Executive Committee comprising the Executive Office Bearers to fulfil the activities & responsibilities of the Executive roles.
- The Committee may elect from its membership other non-executive positions and/or sub-committees to coordinate works and programs relating to the operation of the facility (e.g. safety, maintenance, farming operations, primary industries education, visitation and community access, promotions, p, marketing, community visitation, development and grants, projects etc.)
- Elections for office bearers are undertaken at the Annual General Meeting and/or as required to fill casual vacancies.

3.1.4.2. CTF Executive Committee

- The CTF Executive Committee will comprise of the Executive Office Bearers, namely the positions of:
 - President
 - Secretary
 - Treasurer (or Council)
 - Vice President
 - Booking Officer
- The Executive Committee is charged with both setting the direction for the General Committee and for considering, deciding and approving actions in the context of “control and management” with pressing operational matters of the CTF that require expedited attention between general meetings of the CTF Committee.
- All decisions made by the Executive Committee are binding on the CTF Committee and are to be tabled at the next General Meeting for ratification by the CTF Committee. The CTF Committee may only overturn a decision of the Executive Committee by resolution.
- The Executive Committee should operate in an agile manner. Decisions of the Executive Committee can be achieved by formal meetings, phone calls and informal meetings. Minutes of Executive meetings must be kept and tabled at the next General Meeting of the Committee for ratification. Matters containing confidential items may be reported to the Committee as resolution only.
- A member may not hold an Executive Position on more than one Council Community Management Committee at one time.

- Where there is more than one person from a family, only one member of the family can be an Executive Officer bearer on the same Committee at the same time.
- Only one (1) of those related office bearers is to approve individual payments (sign cheques/approve EFT payments).
- The Executive Committee may request an eVote (as described elsewhere in this document).

3.1.4.3. Executive Officer Bearer Position Descriptions

President/Chairperson

The President shall be the Executive head of the Management Committee. The President will:

- Ensure all necessary tasks for day to day running of the activities of the CTF Committee are carried out;
- Chair Committee and General Meetings ensuring that correct meeting procedures are followed, and control of the meeting is maintained;
- Serve as a spokesperson and representative for the CTF Committee when required;
- Prepare and distribute the agenda (in consultation with the Secretary and Council Liaison Officer), setting out the items of business to be considered;
- Ensure Committee meetings are properly convened in accordance with this manual i.e. proper notice of a meeting is given and a quorum is present;
- Ensures correct meeting procedures are followed and control of the meeting is maintained;
- Act impartially and use discretionary powers in the best interests of members and in accordance with the agreed standing orders and ensure all statutory regulations and organisational rules are observed; and
- Provide assistance to all members of the Management Committee to help ensure that they fulfil their respective roles.

Secretary

The Secretary is the administrative manager of the Management Committee and is responsible for coordination of all administrative tasks. The Secretary will:

Before a meeting

- Draw up the agenda in consultation with the Chairperson;
- Make copies of the agenda if required.

During the meeting

- Maintain an attendance register;
- Take minutes;
- Read minutes of previous meeting if necessary;

- Provide a list of correspondence in order and summarise any important points;
- Record any motions and/or decisions of the meeting including, mover and seconder.

After the meeting

- Forward minutes of meeting to CTF Committee and to Council;
- Keep a register of inward and outward correspondence and file copies of all letters written;
- Forward copies of all correspondence to Council for inclusion in its electronic document management system.

In between meetings

- Inform all other committee members of any correspondence requiring urgent attention.

Treasurer (or Council)

Council will appoint a staff member to provide bookkeeping support to the Committee. Further details on the functions this role will undertake is provided in 3.1.6.

The Treasurer is the financial coordinator of the Management Committee and holds responsibility for the following financial matters:

- Ensure that all financial records of the Committee are kept in a proper manner;
- Keep financial records for all incoming and outgoing transactions;
- Authorise purchase orders and receipt of goods through Council's book keeper or committee liaison officer, following a committee resolution to procure goods or services;
- Report the status of all purchase orders raised for goods or services to the committee as part of the monthly Treasurers Report, information to be provided by Council's Admin Officer;
- Upon resolution and nomination by the Committee, the Treasurer and one other nominated committee member be responsible for a purchase card for purchases less than \$500 (ex GST);
- Report all payments made using a purchase card to the committee as part of the monthly Treasurers Report, information to be provided by Council's Admin Officer;
- Bank all monies received by the Committee in an approved bank account;
- Present a Treasurers report to each Committee meeting with the financials provided by Council;
- Prepare and present proposed annual budget to the Management Committee; and
- Provide any financial records required to complete the month end financial reports to Council within 5 working days.

Vice President

The Vice President is the Deputy Executive head of the Management Committee. The Vice President will:

- Act as President in the event of the President being unable to fulfil his or her duties;
- Support the President and Executive Committee in fulfilling the requirements of their roles;

- Ensure that the Committee activities are in accordance with the rules, regulations and guidelines required for the Management Committee;
- Ensure the committees procedures and documents are in order;
- Ensure action items and resolutions are carried out;
- Oversee Work Health and Safety matters and report any matters to the Committee; and
- Fulfil such other duties as the committee may request.

Booking Officer

The Booking Officer is the public interface between the Management Committee and the community, and coordinates co-ordinates all uses of the CTF facility. The Booking Officer will:

- Provide a point of contact for people wishing to hire the facility by phone, email or in person;
- Respond to requests for information on the hire of the facility in a timely fashion;
- Meet with potential hirers as required;
- Take bookings and record booking details. Council may supply booking software with a software provider of Council's choice for the Committee to use to manage bookings;
- If a booking software is not provided by Council, an electronic diary of bookings must be maintained;
- Liaise with the Committee over the acceptance of bookings where required (major events);
- Ensure users/hirers complete a hire agreement and make them aware of the associated terms and conditions of hire, and that public liability insurance is in place for all hirers;
- Issue invoices in accordance with Council's approved fees and charges;
- Issue bond refunds/credit notes in accordance with CTF Pricing (fees and charges);
- Liaise with CTF Treasurer regarding payments;
- Coordinate post event inspections and recommend refund or retention of bonds after events;
- Coordinate issuing of keys to hirers as required and maintain a register of keys issued and returned;
- Report to the Committee the status of all bookings at CTF meetings;
- Advise the Committee of opportunities for reforms and improvements to booking practices; and
- Advise potential hirers and hirers of Council's External Events process for any events on the facility.

3.1.5. Council Committee Liaison Officer

- 3.1.5.1. Council, through the General Manager, may appoint a staff member to the role of Committee Liaison Officer. The Officer is authorised to participate in committee discussions, activities and deliberations but without any voting rights at any time.
- 3.1.5.2. The Committee Liaison Officer reports to the relevant Council Director/Manager, not the Committee.
- 3.1.5.3. Council Directors/Managers may direct the Committee Liaison Officer to communicate certain advice relating to Council policies, legislation, operational matters and adherence to the controls of this manual to the Committee.
- 3.1.5.4. The Committee Liaison Officer may provide services such as professional advice and administrative duties as agreed between the relevant Director/Manager and the Committee.
- 3.1.5.5. The Officer may be temporarily appointed by the Committee to any of the Office Bearer roles except the role of President. The Officer may be elected by the Committee to chair meetings.
- 3.1.5.6. Where appropriate, the Committee Liaison Officer will provide advice to the Committee with regards to Council policies, legislation, operational matters and adherence to the controls of this manual. The Committee Liaison Officer may also seek guidance and/or instruction from Council to assist in the provision of advice to the Committee with regards to Council policies, legislation, operational matters and adherence to the controls of this manual.
- 3.1.5.7. The Committee Liaison Officer will monitor the Committee's compliance with the manual and report any instances of non-compliance as well as the performance, activities and operation of the Committee to their Director/Manager as required.
- 3.1.5.8. The Committee Liaison Officer is not to request or receive any payment from the Committee for provision of services.
- 3.1.5.9. The Committee Liaison Officer will coordinate the logging of any requests for service or maintenance required from Council teams into Council's CRM system on behalf of the Committee.
- 3.1.5.10. The Committee Liaison Officer can raise purchase orders and receipt goods following a resolution of the Committee.

3.1.6. Council Admin (Bookkeeping)

- 3.1.6.1 Council will appoint a staff member to provide bookkeeping support to the Committee. The staff member will undertake the following tasks:
- Ensure that all financial records of the Committee are kept in a proper manner;
 - Prepare a financial report on behalf of the Management Committee. The report will include a bank reconciliation, income statement, balance sheet and cashflow statement as a minimum. The report will also discuss the financial position of the Committee funds in bank account, debtors outstanding, actuals to budget by

amount and percentage, and approval for the payment of invoices, purchase orders and payments made using the Committees purchase card/s. Requests for expenditure over \$10,000 (ex GST) should also be reported at this time;

- Raise purchase orders and receipt goods following a resolution of the Committee;
- Provide a financial report to the Treasurer within 10 working days at the end of the month; and
- Prepare financial records of the Management Committee for audit at the end of financial year;

3.1.6.2 The Council Admin (Bookkeeping) reports to the relevant Council Director/Manager, not the Committee.

3.1.6.3 The Council Admin (Bookkeeping) may provide services such as professional advice and administrative duties as agreed between the relevant Director/Manager and the Committee.

3.1.6.4 **The Council Admin (Bookkeeping) is not to request or receive any payment from the Committee for provision of services.**

3.1.7. Dissolution of Management Committee

3.1.7.1. Council may dissolve a Management Committee at any time. Council may wish to dissolve a Management Committee to carry out the control of the facility itself.

3.1.7.2. Council may also dissolve a Management Committee if that Committee is not complying with the roles and responsibilities of the Committee outlined in this Manual.

3.1.7.3. The Management Committee shall be dissolved in the event of it becoming unviable where membership drops to less than seven (7) members.

3.1.7.4. The Committee can by resolution recommend to Council that the Committee be dissolved by a vote of 75% of members entitled to vote present at an Extraordinary Meeting of the Committee properly convened to consider this option. Council has established the following policy to address this issue:

- if a Committee chooses to remain active it is given 6 months to re- establish a viable membership as above (i.e. minimum of 7 members); or
- if a Committee, facility or function becomes inoperable or inactive, the Committee will be dissolved, and all responsibilities will be taken over by Council.

3.1.7.5. Upon a resolution to dissolve the Committee being passed and confirmed by Council, all assets and funds of the Management Committee shall, after payment of all expenses and liabilities, be handed over to Council.

3.1.8. Suspension and Revocation of membership of a Management Committee

3.1.8.1. Revocation of Membership

- A member (individual or organisation) shall have their membership on the Management Committee revoked and cease to be a member of a Management Committee when Council passes a resolution to remove the member from the Committee.

- If an individual or organisation has their membership of the CTF Management Committee revoke that member may not be reappointed to the CTF Management Committee during the same term of Council.

3.1.8.2. Suspension of Membership

- An individual or organisation may be suspended from the Management Committee. During a period of suspension, the member may not participate in any activities of the Committee and as far as is practicable be excluded from all intra-Committee communication.
- Suspension of a member occurs to either allow time for Council to process revocation of a membership, or as a punitive action against improper behaviour.

3.1.8.3. Automatic Suspension of membership

A member of the Management Committee will be automatically, immediately and indefinitely suspended if:

- Council passes a resolution to suspend a member;
- The member resigns from the Committee by notification in writing to the Committee and/or Council;
- The member is deceased;
- The member is bankrupt;
- The member holds any office of profit under the Committee;
- The member fails to disclose any pecuniary interest in any matter with which the Committee is concerned and takes part in the consideration, discussion or votes on any question relating to the matter;
- The member while holding that office is convicted of an offence under Part 4 of the Crimes Act 1900 which includes offences relating to property; or
- The member intentionally disobeys the manual, Council policies procedures and/or a Council direction.

Where a member is automatically suspended the Management Committee will provide advice to Council of the reasons for the suspension without prejudice.

A letter will be provided to the member by Council advising their membership has been suspended.

3.1.8.4. Suspension by resolution of the Management Committee

A member of the Management Committee may be suspended for a period up to 3 months by the passing of a vote by 75% of members entitled to vote present at a properly convened General or Extraordinary General meeting for the following reasons:

- the member is absent for 3 or more consecutive general meetings without a leave of absence granted from the Committee;
- the member is absent for more than 50% of general meetings in a 12 month period without a leave of absence granted from the Committee;
- the member seeks to overturn a decision of the committee by making representations to Councillors or other third parties. This does not include contacting Council or making representations through formal mechanisms such as submissions to exhibited materials where council is seeking community feedback;

- the member uses or distributes information attained whilst undertaking their duties on the committee to lobby against a decision of the committee or to lobby Councillors or other third parties;
- the member undertakes actions that defy and/or are contrary to a decision of the Management Committee;
- the member brings the reputation of the Management Committee and/or Council into disrepute;
- the member acts in a manner that is not in accordance with the role of an officer of Council or Council Committee; or
- the member directly or indirectly threatens or menaces other Committee members.

Where a member is suspended by resolution the Management Committee will provide advice to Council of the reasons for the suspension and may forward a recommendation for Council to consider removing the member from the Management Committee permanently without prejudice

3.2. Duties & Responsibilities of Management Committees and Council

The duties and responsibilities of Management Committees and Council varies between committees.

3.2.1. Deed of Delegation

Council sets out the delegation of the committee in a Deed of Delegation. This Deed sets out the specific function delegated by Council is accompanied by a Schedule of Delegation and a copy of this Manual.

3.2.2. Responsibilities of Council

3.2.2.1. Council's Overriding Authority

Management of the facility is delegated to the Management Committee by Council. Whilst the Committee has control over the facility, Council may exercise overriding authority and may revoke the powers of the Committee or otherwise direct the Committee as Council sees fit.

3.2.2.2. Funding Major Improvements

Council shall be responsible for the funding and erection of all major improvement works in the facility, in accordance with the adopted Plan of Management and the availability of funds.

3.2.2.3. Insurance of Assets

The Council shall fully insure all buildings and contents.

3.2.2.4. Insurance of Committee Members

The Council shall insure the Committee in respect of Public Liability Insurance, Professional Indemnity Insurance, Personal Accident insurance and Motor Vehicle Insurance (for Council registered vehicles only).

3.2.2.5. Notification of Fees and Charges

The Council shall notify the Management Committee of any proposed variation of hire or membership fees proposed for the ensuing year by February in each year.

3.2.2.6. Improvement Recommendations

The Council shall consider all improvements suggested by the Committee as part of its annual budget and works allocation processes.

3.2.2.7. Training of Committees

Council will provide compulsory training to advise members and the Executive of the Committee of the requirements of their positions. Training will be arranged by Council. Additional training may be requested by the Committee.

3.2.2.8. Customer Service Charter

Council will respond to requests of the Committee in accordance with its Customer Service Charter.

3.2.2.9. Legal Expenses

Council may consider the payment of legal expenses in relation to matters involving the Committee and members when acting in their capacity as members of the Committee.

3.2.3. Responsibilities of Management Committees**3.2.3.1. Responsibilities**

The Community Management Committee will be responsible for the care, control and management of either a facility (including letting, cleaning, minor maintenance works, minor repairs, operations and equipment purchases); or a program (including organising, operating and implementing).

3.2.3.2. Care, control and management**Care includes:**

- Duty of care to ensure the health, safety and welfare of persons using the facility or participating in a program of the Committee; including contractors or volunteers;
- Conducting minor maintenance to maintain the facility or program and protecting the physical assets from damage, misuse and deterioration;
- Ensuring the security of the facility or program and adequate security systems are in place;
- Advising Council of any potential insurance risk that may arise in regard to buildings and/or users;
- Attaining sufficient funds to maintain the facility or program as a going concern;
- Ensuring sufficient and equitable access of the facility or program by the community; and
- Ensure that all users of the facility or program conform to the insurance requirements as set out in this Manual.

Control includes:

- Holding regular meetings with recorded minutes;
- Monitoring and maintaining financial records;
- Submitting an annual report and all records to Council for an annual audit;
- Submitting monthly financial reports in accordance with GST requirements;
- Submitting a recommendation of fees and charges for the coming financial year by mid-October for Council's determination;
- Administering and overseeing the use of the centre by other groups;
- Clearly defining the role of office bearers and committee members;
- Submitting an estimate of income and expenditure for the period 1 July to 30 June. The budget proposal will be submitted in mid February each year, unless requested earlier by Council in special circumstances.

- Submitting a current list of all contents belonging to the Committee (not User Groups) for inclusion in Council's Insurance Policy, by 31 January each year;
- Maintaining a post office box or public postal address to which all physical correspondence will be forwarded;
- Maintaining a public email address to which all email correspondence will be forwarded;
- Submitting a current list of all Committee members including the address and phone number and emergency contact details to Council immediately following nominations of the Committee, and advise Council when there are changes; and
- Submitting officer bearers names and an audited financial report to Council following the Annual General Meeting.

Management includes:

- Ensuring that all monies received will be used for the benefit of the facility or activity in an equitable, honest and consistent manner;
- Ensuring that the organisation is not used for the financial gain of individual members;
- Ensuring that all written material provided to potential hirers or used to promote the facility or program acknowledges Camden Council, including display of the Council's logo;
- Ensuring that the standard hire forms, and terms and conditions are used;
- Ensuring Council's Work Health and Safety policies and procedures are followed at all times;
- Being aware of and involved in, appropriate community activities, which are compatible with the goals of the facility;
- Developing and updating Plans of Management;
- Recommending policies and procedures which contribute to the effective management of the facility/activity; and
- Being accountable to the community and the Council for the Committees actions and initiatives in respect of the facility/activity.

3.2.3.3. Limitations of powers

The Community Management Committee may not carry out any works on or to the facility including alterations, reconstruction, construction without the prior written consent of Council with the exception of minor maintenance work.

The Committee may not make decisions concerning the following:

- Fixing of charges or fees. The Committee may submit recommendations for approval to Council in relation to the fixing of charges and fees for the use of the facility under its control;
- Borrowing any monies without the express written consent of Council on each such occasion;
- The sale, lease or surrender of any land or other property vested in its care under the provision of the *Local Government Act 1993* (as amended);
- The acceptance of tenders which are required to be called by Council;
- The purchase of goods and services of a value exceeding \$10,000 (ex GST) without the prior written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing and Procurement Policies. For any purchases which are considered to be related or to be used in relation to the same Project, their combined value must not exceed \$10,000 (ex GST) without the prior written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing and Procurement Policies;
- Formation of submissions to government without the prior written consent of Council;

- The payment or making of any profit, gain or gift, to or by its members as well as allowance or travelling expenses incurred whilst attending committee meeting;
- As a voluntary Committee, members do not receive payment for their services. The Committee may by resolution reimburse the Committee members for reasonable expenses incurred in the completion of official Committee activities. No other payment is to be made to Committee members without the prior written approval of Council;
- Unreasonably withholding consent for the letting of the facility to any organisations or individuals who have demonstrated agreement to comply with and adhere to the rules adopted for the use of the facility, providing an acceptable letting period is available;
- The Committee is not permitted to vote monies for expenditure on the works, services or operations of Council;
- The Committee is not permitted to enter into any legal action;
- The Committee is not permitted to loan or donate funds for any purpose;
- The Committee is not permitted to vary the overall design plan for the facility without Council's prior written approval; and
- The Committee is not permitted to set or charge fees for Membership of the Management Committee.
- Council approval must be obtained prior to the commencement of any task, activity or project to be undertaken by a volunteer who has been deemed competent to carry out the task. Approval for certain tasks or activities contained within a Volunteer's Position Description can be provided by Council on an ongoing basis. For any work or activity relating to a program of works or relating to an unplanned event, the relevant Council Officer must be contacted for approval prior to that work or activity being commenced.

The exercise by the Committee of its powers and functions will be subject to such limitations and conditions as may from time to time be imposed by law, specified by resolution of the Council or in writing by the General Manager to the Committee. The Committee will observe any rules and regulations made by Council, in relation to the facility/ function under its management and control.

If at any time the Committee is deemed to be functioning outside the limits of its powers as described herein, all powers may be revoked by written notice to the Committee signed by the General Manager or their representative.

For the purposes of the above clause, a "Project" as defined in Council's Project Management Framework, includes but is not limited to works involving construction, alteration, conversion, fitting-out, commissioning, renovation, repair, maintenance, refurbishment, and demolition, decommissioning or dismantling of a structure.

A structure can be anything that is constructed, whether fixed or moveable, temporary or permanent. Structures can include buildings, framework, pipelines, roads, pathways, sheds and fencing.

4. DISPUTES

4.1. General & External:

- 4.1.1. Where a citizen(s) of the local government area that is not a member of the Management Committee, disagrees with a resolution of the Management Committee these persons may refer their grievances in writing to the Committee for reconsideration.
- 4.1.2. Where the Management Committee chooses not to alter its decision, the citizen(s) or citizens may present their grievance to Council in writing, for reconsideration.
- 4.1.3. Where such notice in writing is referred to Council, Council will request a report on the issue from the Management Committee. Upon receipt of the report the matter will be referred to Council for resolution.
- 4.1.4. Upon Council adopting a resolution, the details of Council's deliberations will be advised to the Management Committee and the citizen(s) who referred the matter to Council.
- 4.1.5. A member may not seek to amend, change or overturn a decision of the Committee by making representation directly or indirectly to Council and/or Councillors or other officials and/or organisations.

4.2. Disputes - Internal

- 4.2.1. All disputes between members of the Committee are to be attempted to be resolved within the Committee where possible.
- 4.2.2. Where a dispute occurs within a Committee the resolution of the majority of the Committee as a whole will determine the outcome, where this is not possible the Chairperson/President will have the casting vote.
- 4.2.3. There will be no right of appeal when the Management Committee has determined its resolution of a dispute.
- 4.2.4. A member may not seek to amend, change or overturn a decision of the Committee by making representation directly or indirectly to Council and/or Councillors or other officials and/or organisations.

5. LEGAL ISSUES

5.1. Delegation from Council

- 5.1.1. From a legal perspective, it is important that Management Committees of Council and their members be aware that they are acting on Council's behalf. Legally, the committee is 'Council' and any action that the Committee undertakes is Council's responsibility.
- 5.1.2. Council delegates its authority to the Committee to act on Council's behalf.

5.2. Record Keeping

- 5.2.1. All documents and records relating to the operation of the Management Committees, e.g. minutes of meeting, financial reports, correspondence etc. should be kept in accordance with the *State Records Act 1998*. Committees should provide copies of all records to their Council Liaison Officer to be archived in Councils electronic document management system.
- 5.2.2. Community Committees need to be aware of the importance of minutes, because of their legal status and their liability to subpoenaed in court cases.
- 5.2.3. Minutes are required to be kept for all formal meetings of the Committee. These include General meetings, Annual General meetings and Extraordinary General meetings.
- 5.2.4. Meeting minutes must record all motions and amendments put to the meeting, and the results. Minutes should include the mover and seconder of motions. There is no need to record what members say at a meeting, however, there may be occasions when it is appropriate to record the general content of discussions.
- 5.2.5. The Chairperson/President and the Secretary are responsible for the form of the minutes for proper confirmation and must check that there have been no unauthorised alterations to those minutes.
- 5.2.6. Where electronic minutes are used as the sole record of proceedings a motion properly moved and carried accepting the minutes as a true record of proceedings of the meeting is required. This includes any amendments required and accepted by the Committee. The Chairperson/President is not required to sign the minutes.
- 5.2.7. Electronic minutes must be stored in Council's electronic document management system as soon after the meeting being held as is practicable in a read-only state prohibiting any changes or updates.
- 5.2.8. The motion to confirm the minutes can only be moved and seconded by persons who were in attendance at that meeting to which the minutes relate. Should there be insufficient members present from the previous meeting the Chairperson may exercise their right to move and/or second the motion to confirm previous minutes.

5.3. Pecuniary Interest

- 5.3.1. A pecuniary interest is one of financial benefit by a Committee person or other person with whom the person is associated (that is, spouse, de-facto partner or relative of a Committee person) from an interest that a Committee person has in a Council matter.
- 5.3.2. A pecuniary interest does not exist where the interest is so remote or insignificant that it could reasonably be regarded as unlikely to influence any decision.
- 5.3.3. The obligation to disclose a pecuniary interest is a strict duty, and the person's motives for participation are irrelevant if an interest is said to exist.

- 5.3.4. Chapter 14 of the *Local Government Act 1993* includes a framework for the handling of alleged breaches of the pecuniary interest provision of the Act. The Act is about openness, accountability and transparency in decision-making by councils and any Committees representing the Council.
- 5.3.5. It is the responsibility of members of Management Committees:
- To disclose to the meeting any pecuniary interest in a matter before the meeting;
 - Not to participate in the discussion of the matter before the Committee in which the member has a pecuniary interest; and
 - Not to vote on the matter before the Community Committee meeting in which the member has a pecuniary interest.
- 5.3.6. Pecuniary interest provisions are not breached if the person did not know or could not have reasonably been expected to know that the matter under consideration was a matter in which the person had a pecuniary interest.

5.4. Conflict of Interest

- 5.4.1. A conflict of interest can arise when a member of the Committee has other involvements or interests that make it difficult for them to always remain impartial when involved in discussions and decision makings. These can include:
- Business or professional activities;
 - Employment or accountability to other people or organisations;
 - Membership of other community organisations or service providers; or
 - Ownership of property or other assets.

The conflict may lead to:

- Financial benefit e.g. sale of goods or privileged knowledge;
- Political benefit e.g. gaining or losing electoral support; or
- Personal benefit e.g. career advancement or increased standing in the community.

5.5. Declaration of Interests

5.5.1. It is the responsibility of Committee members:

- To disclose to the meeting any conflict of interest in a matter before the meeting; and
- Not participate in the discussion of the matter before the Committee in which the member has a conflict of interest; and
- Not to vote on the matter before the Community Committee meeting in which the member has a conflict of interest.

A conflict of interest does not exist where the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision. The obligation to disclose is a strict duty, and the person's motives for participate are irrelevant if an interest is said to exist.

Conflict interest provisions are not breached if the person did not know or could not have reasonably been expected to know that the matter under consideration was a matter in which the person had a pecuniary interest.

5.5.2. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

5.5.3. Committee members are also required to lodge an annual written pecuniary interest declaration in accordance with the section 440AAA of the *Local Government Act 1993*. Committee members are strongly advised to declare any interests they may have in this written declaration to ensure transparency, accountability and protection for individual members.

5.6. Code of Conduct

5.6.1. Committee Members are required to adhere to Council's Code of Conduct. Compulsory training on the Code of Conduct will be provided to all Committee members.

5.7. Privacy and Personal Information Protection Act

5.7.1. Committee members are required to abide by the *Privacy and Personal Information Protection Act, 1998* (PPIPA). The Act provides for the protection of personal information and the privacy of individuals generally.

6. MANAGEMENT OF FACILITY

6.1. The Management Committee in collaboration with Council will develop a Management and Operational manual containing the standard farm procedures which are the agreed methodology of how the CTF facility will be managed and operated.

6.2. The standard farm procedures will be agreed by the Committee by resolution and will be reviewed annually the Committee.

6.3. Standard farm procedures should reflect where possible Council policy and/or industry best practice.

7. MEETINGS

The Management Committee should meet on a regular basis to discuss relevant business, and make decisions affecting the facility/program operation. The time, scheduling and location of meetings will be decided by the Committee.

7.1. Agenda

- 7.1.1. An agenda should be sent out to all Management Committee members at least 5 days prior to any meeting giving notice of the proposed meeting and of any items for discussion and notices of motion.
- 7.1.2. The format of the agenda will be agreed on from time to time by the Committee but will include as a minimum:
 - Time, date and venue of the meeting;
 - Matters to be discussed/considered; and
 - Means for members to submit apologies.
- 7.1.3. Written reports for the President & Booking officer will be sent out with the agenda to allow the Committee appropriate time to review the report prior to the meeting.
- 7.1.4. Council's Finance team will liaise with the Treasurer to provide the committee a monthly financial report to be sent out with the agenda. The report will include a bank reconciliation, income statement, balance sheet and cashflow statement. The financial report will also discuss the financial position of the Committee (funds in bank account, debtors outstanding, actuals to budget by amount and percentage, and approval for the payment of invoices including confirmation has been received from Council if any expenditure (including full project costs) is over \$10,000 (ex GST).

7.2. Quorum

- 7.2.1. A quorum of any meeting (General, Annual General, Executive or Extraordinary General) will consist of more than half the total number of entitled voting members (i.e. greater than 50%). Should a quorum not be present:
 - at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - within half an hour after the meeting time designated for the meeting, or
 - at any time during the meeting,the meeting will be adjourned to a date determined by the Executive Committee.
- 7.2.2. Members who are absent or have submitted an apology for their non attendance to a meeting will be counted when calculating the quorum.
- 7.2.3. Members who have been granted leave of absence or who have been suspended from the committee will not be counted when calculating the quorum.
- 7.2.4. Councillors who are appointed to a Management Committee in an ex-officio role will not be counted when calculating the quorum. A Councillor may advise the Committee that they wish to be included in the quorum and if so they will be included in the quorum calculation for the remaining term of the Management Committee.

- 7.2.5. Where a meeting commences with a quorum any members who wish to depart the meeting prior to its formal adjournment must seek leave from the meeting by resolution. If leave is granted the time of the members departure will be noted in the minutes and the quorum will not be adjusted. If leave is not granted and the member departs the member will be removed from the calculation of the quorum.

7.3. Ordinary/General Meetings

- 7.3.1. There should be no less than six (6) Ordinary/General meetings held each year, however it is recommended that Ordinary/General Meetings of the Committees occur on a monthly basis to ensure that any outstanding matters are dealt with expeditiously.
- 7.3.2. A calendar of when general meetings are to be held in the ensuing 12 months should be drafted at the Annual General Meeting.
- 7.3.3. General meetings of the Management Committee are required to address correspondence, management and control matters, finance matters, risk management matters and general matters relating to the facility/program.
- 7.3.4. An agenda for a General Meeting should be sent out to all Management Committee members least 5 days prior giving notice of the proposed meeting and of any items for discussion and notices of motion.
- 7.3.5. Minutes of a General Meeting will be kept of the proceedings and a copy forwarded to Council for storage in its electronic data management system.
- 7.3.6. General meetings will be conducted in accordance with Council's adopted Code of Meeting Practice.

7.4. Annual General Meeting (AGM)

- 7.4.1. The Annual General Meeting will report on the activities of the Committee for the year, to conduct elections for Committee positions and to receive the annual financial report.
- 7.4.2. The Annual Financial Report will be presented to the Committee for adoption and for forwarding to Council for auditing purposes.
- 7.4.3. An agenda for the Annual General Meeting will be sent out no less than 21 days prior to the meeting.
- 7.4.4. Minutes of an Annual General Meeting will be kept and a copy forwarded to Council for storage in its electronic document management system.
- 7.4.5. The Annual General Meeting will be conducted in accordance with Council's adopted Code of Meeting Practice.

7.5. Extraordinary General Meetings (EGM)

- 7.5.1. An Extraordinary General Meeting of a Committee may be called to discuss urgent business and matters outside the scope of an ordinary meeting. A meeting must be requested in writing to the Executive Committee by two (2) members of the Committee.
- 7.5.2. An agenda for the Extraordinary General Meeting of matters to be considered by the Committee will be prepared and circulated to all members of the Committee with at least three (3) business days notice.

- 7.5.3. Only matters included in the agenda will be considered at an Extraordinary General Meeting.
- 7.5.4. Minutes of an Extraordinary General Meeting will be kept of the proceedings and a copy forwarded to Council outlining the reason for the meeting and for storage in its electronic document management system.
- 7.5.5. An Extraordinary General Meeting will be conducted in accordance with Council's adopted Code of Meeting Practice.

7.6. Minute Format

General Meeting minutes of the CTF Management Committee will be forwarded to Council for storage in its electronic document management system.

Items to be addressed in the minutes should include:

- Attendance – records of attendees and apologies
- Declaration of pecuniary interests
- Previous minutes and matters arising
- Executive and operational reports
- Correspondence and matters arising
- Agenda items with notice
- Project reports
- Action log/Register
- Member reports
- General business

8. FINANCIAL MANAGEMENT

8.1. Introduction

Council Community Management Committees and their members are appointed under 355 of the *Local Government Act 1993*. As such, they are subject to the same standards of financial accountability as Council and its employees. It is imperative that Committees manage their finances prudently and with transparency.

At all times, any funds and assets held by the Committee ultimately remain the property of Council. The Committee is responsible for the care and management of the funds and assets held on behalf of Council.

Where necessary Council will provide the committee with advice and support to comply with Council and the Committees financial management obligations.

8.2. Financial Records

8.2.1. Bank Accounts

- 8.2.1.1. All bank accounts operated by a Committee will be established by Council with a banking provider of Council's choice. Establishment of bank accounts by committees are not permitted.
- 8.2.1.2. Council will establish a transaction bank account on behalf of the Committee which will serve to operate for the Committee's operational transactions. Council may establish

other accounts (interest bearing, term deposits etc) if requested in writing by a Committee.

8.2.2. Financial Record Keeping

8.2.2.1. Financial records will be kept in accordance with Council's financial policies. Training will be provided by Council's Finance section following the election of a Treasurer as required.

8.2.2.2. Committees of Council operate under a financial year from 1 July to 30 June. Council will consolidate the Committee's accounts into Council's general accounts as required under the *Local Government Act 1993*.

8.2.3. Financial Documents

If a Committee does not use Council's accounting software to record its financial transactions, each Committee should maintain the following records:

- Receipt Book - supplied by Council
- Bank Deposit Book – if applicable
- Petty Cash Book and Tin – if applicable
- Bond Register (electronic) – if applicable
- Key Deposit Register (electronic) – if applicable
- Booking diary (electronic) – if applicable

It is essential that these records are maintained and reconciled monthly.

8.3. Receiving Payments

8.3.1. Payments of hire fees, bonds or other services provided by Management Committees can only be made by Cheque, EFT or bank deposit. Cash may not be used.

8.3.2. The following process should be followed:

- Ensure that the correct amount has been paid by either cheque, EFT or bank deposit.
- Write out a receipt from the Receipt Book.
- Give the original receipt to the payer (tear out of book).
- Ensure that the duplicate receipt is kept in the Receipt Book.
- Provide any cheques within 1 week to Council's Committee Liaison Officer to process.

8.4. Making Payments

8.4.1. The Committee is empowered to make purchases up to the value of \$10,000 (ex GST) expending sums as necessary from amounts received from fees and charges to meet costs arising out of the delegation function. All purchased should comply with Council's Purchasing and Procurement Policies and requirements set out in this Manual. All purchases should be for goods and services required for the exercise of the responsibilities of the Management Committees.

8.4.2. Purchases for goods and services above \$10,000 (ex GST) require written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing

and Procurement Policies. For any purchases which are considered to be related or to be used in relation to the same Project, their combined value must not exceed \$10,000 (ex GST) without the prior written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing and Procurement Policies.

8.4.3. It is not appropriate or permissible to:

- Split invoices from the same or similar Projects to avoid the requirement for Council approval under Clause 8.4.2; or
- Intentionally mislead Council representatives in any way about the cost associated with a Project.

Any member engaging in behaviour described above may be subject of disciplinary action under clause 3.1.7 of this Manual (Suspension and Revocation of membership of a Management Committee).

- 8.4.4. Any payments over \$82.50 (GST-inclusive) must be supported by an official Tax Invoice from the supplier. This enables the Committee to claim back the GST portion of the payment when the monthly Business Activity Statement (BAS) is completed and is a requirement of the Australian Taxation Office (ATO). Without a Tax Invoice, the GST portion is unable to be claimed.
- 8.4.5. All Committee expenditure will be processed by Council in accordance with Council's financial policies.
- 8.4.6. All procurement and payments should be made in accordance with Council's Purchasing and Procurement Policies with additional steps appropriate for a Committee as outlined below:
- 8.4.6.1. A committee member requests approval from the Management Committee for the procurement and/or supply of service or goods (e.g. engage a contractor, purchase timber supplies).
- 8.4.6.2. The Committee considers the request, checks that documents and quotes provided are suitable, adequate, and compliant with Council policies and if deemed appropriate approves the procurement and/or supply.
- 8.4.6.3. The Committee member requests a purchase order be raised for the procurement of goods or services, then engages the vendor for the service or goods providing the supplier with a purchase order number who then issues a tax invoice.
- 8.4.6.4. Where the invoice matches (or is below) the amount approved by the Committee, the Committee member and an Executive Committee member confirms the goods/services have been received and the invoice is consistent with the quote accepted and approved by the Committee. The Committee member advises in writing Council's admin officer or Committee Liaison Officer that the goods/services have been received and payment can be processed.
- 8.4.6.5. Payment of the invoice is made in accordance with Council's financial policies.
- 8.4.6.6. Where the invoice is above the amount approved by the Committee, the Committee member must table the invoice at a Committee meeting for consideration.
- 8.4.6.7. The Committee reviews the invoice and associated endorsement and if deemed appropriate approves payment of the invoice by resolution. The Committee member in

writing advises the Council's admin officer or Committee Liaison Officer that the goods/services have been received and payment can be processed, providing Council with a copy of the Committees resolution.

- 8.4.7. Where payment of an invoice is required prior to a meeting being convened an "electronic show of hands (eVote)" as described elsewhere in this Manual may be used. Ratification of the payment should be tabled at the next General Meeting of the Committee.
- 8.4.8. In extreme cases where payment of an invoice is required urgently the Executive Committee may consider an invoice for payment. Ratification of the payment and record of the vote should be tabled at the next General Meeting of the Committee.
- 8.4.9. If prior approval from the Executive Committee is received, a Committee member may expend up to \$500 ex GST for the purchase of goods and/or services for the facility and be reimbursed by the Committee on presentation of the appropriate invoices/dockets/receipts.

8.4.10. Capital Assets

- Committees will follow Council's policy and procedures in relation to Capital Asset management & reporting.
- For all asset purchases (including project expenses) Council will identify those assets that require capitalisation through Council's purchase order system, the Committee should provide all appropriate paperwork for capitalisation and reporting purposes within the financial year of purchase.

8.5. Grant Seeking & Administration

- 8.5.1. All Management Committees must seek approval from the General Manager or relevant sub-delegated Director before submitting an application for any grant.
- 8.5.2. If a grant application is successful, a report will need to go to an Ordinary Council Meeting for acceptance, prior to the funding agreement being signed.
- 8.5.3. Delegation to sign funding agreements largely depends on the funding body and will typically involve Council's General Manager or relevant sub-delegated Director or Manager.
- 8.5.4. In some cases, the funding body may require the seal of Council, which can only be made under resolution of Council.
- 8.5.5. Grants need to be administered by Council's Finance section as the acquittal process usually requires audit certification. There is also a need to report to Council any commitment of Council's own source of funding, including Management Committee funds, towards grant funded projects.
- 8.5.6. Members of the Management Committee are accountable for expending and acquitting the grant in accordance with the service agreement.

8.6. Refund of Bond Money

- 8.6.1. Following the conclusion of hire, the Booking Officer or a delegate of the Committee will undertake an inspection of the facility.

- 8.6.2. If the hirer leaves the facility in a clean and undamaged condition, notification will be forwarded to the Council Committee Liaison Officer to process the refund of bond money, in accordance with payment procedures outlined in Section 8.4.
- 8.6.3. If the hirer leaves the facility in an unclean or damaged condition, the matter will be referred to the next Committee meeting to discuss the retention of the bond money in accordance with Section 8.7.

8.7. Retention of Bond Money

- 8.7.1. If the bond is forfeited, it is treated as if it was part of the supply. Hence GST is payable on the amount forfeited. A bond register must be maintained to record the movements of bonds received and refunded. Any forfeited bonds should be highlighted within the cash book and appropriate GST noted at the financial records.
- 8.7.2. If a hirer leaves the facility in an unclean or damaged condition, a portion of the bond may be forfeited and retained by the Committee. The amount forfeited is to be resolved by the Committee and must include an allowance for GST under the taxable supply rules applicable to upkeep the facility as a result of a function. The payment entry in the Cash Book would be written up to show the bond was refunded but a portion was taken in income.

8.8. Bank Reconciliations

- 8.8.1. At the end of each month, the Council will obtain a Bank Statement for the Committees bank account to be reconciled with the Cash Book.

8.9. Budgets

- 8.9.1. A budget will be prepared for the period 1 July to 30 June each year.
- 8.9.2. The Budget is to be prepared in conjunction with the Management Plan and must be completed by the end of February for the next reporting period. The budget is to be prepared in consultation with the relevant Committee Liaison Officer.
- 8.9.3. A copy of the budget is to be submitted to the relevant Director, Manager and Council's Finance section.
- 8.9.4. The budget should be reviewed quarterly with the revised financial position reported to the Committee.

8.10. Annual Financial Statements

8.10.1. Goods & Services Tax (GST) Compliance

8.10.1.1. GST Basics

- All of Council's Committees must use Camden Council's Australian Business Number (ABN) 31 117 341 764.
- Committees are responsible for administering the requirements of GST Legislation i.e charging GST on taxable supplies and correctly identifying input tax credits claimable from the Australian Taxation Office (ATO). Accordingly, each Committee must supply Council's Finance section with details of GST applicable to all financial transactions for inclusion in Council's monthly Business Activity Statements (BAS).

- All suppliers for purchases exceeding \$82.50 (GST-inclusive) must supply a valid Tax Invoice to the Committee prior to payment. If the supplier does not have an ABN and is registered for GST, the Committee must obtain a Statement by a Supplier declaration from the supplier. This must be obtained and completed before any payments can be made to that supplier. The completed form must then be kept on record for audit purposes.

8.10.1.2. Monthly Business Activity Statements (BAS)

Council is required to lodge its BAS within 21 days after the end of each month.

8.10.2. Committee Settlement of GST Obligations

- Each quarter Camden Council will issue each Committee with an invoice or a refund in accordance with GST applicable to the transactions for the past three months. Reconciliations will be sent with the invoice or payment.

8.11. Funds Held In Bank Accounts

- Funds held in bank accounts which are in excess of current operational needs should be invested with the assistance of Council in order to achieve a return on funds, rather than leaving balances in low interest-bearing accounts.

8.12. Debt Management

- Committees will follow Council's policy in relation to debt management.
- Council's Finance branch will undertake debt recovery on the Committees behalf.

9. PLANS OF MANAGEMENT

9.1. Formal Plan of Management

- 9.1.1. Council will prepare and update a formal Plan of Management for the facility every 4 years aligning as close as possible with the Council terms.
- 9.1.2. All activities conducted within the facility must conform to the Plan of Management issued by Council.

9.2. Development Plan for Facility

- 9.2.1. The Management Committee will prepare a Development Plan for the facility that covers future improvements for the facility for consecutive 2 year periods.
- 9.2.2. The Development Plan proposals will be prioritised by the Management Committee and referred to Council for endorsement.
- 9.2.3. Upon gaining endorsement from Council, the prioritised list will be considered in conjunction with Council's Annual Budgets.

9.3. Minor Improvements for Facility

- 9.3.1. The Management Committee will determine each year a Minor Improvement schedule for the facility and prioritise the items in the schedule.
- 9.3.2. This Program will be referred to Council's Asset Management and Building Maintenance teams.

- 9.3.3. The Management Committee will carry out approved improvement works to the limit of its Improvement Budget in accordance with conditions within the Manual covering purchasing and contracting.

10. RISK MANAGEMENT AND INSURANCE

10.1. Risk Management

Risk management is a method of identifying and prioritisation of risks, followed by preventative and precautionary measures to avoid injury, loss and damage, to either persons or property.

As a Committee of Council, the Management Committee has a duty of care to ensure the health, safety and welfare of persons using the facility. This involves regular maintenance, to keep the facility and grounds safe, clean and tidy, as well as a system of inspection to detect faults and hazards at an early stage.

10.1.1. General

Council and Committees of Council have a wide range of potential liability.

Liabilities can be based on statute and common law duties of care. To ensure compliance there must be appropriate policies, procedures and practices in place.

The Committee are to use documentation provided by Council to evidence the due diligence process and ensure all responsible steps are being taken to identify the risk to the Committee and users of the facility.

10.1.2. Hazards

A hazard is a situation which could potentially cause injury to a person or damage to property. If a hazard requires urgent attention a warning sign should be placed near the hazard to alert users of the facility to the danger. The Management Committee must contact Council to advise.

Committees are to apply some rules for hirers of facilities such as restacking of tables and chairs, cleaning spills from floors, rubbish removal eg "chairs must be stacked in sets of no higher than 8 and placed against the wall".

A routine inspection process undertaken by the Committee will identify possible dangers or faults, fire or accident risks to users of the facility, and can be carried out periodically using the Workplace Inspection form. Copies must be forwarded to Council for action if required and inclusion in its electronic document management system.

10.1.3. Fire Protection

All Council facilities should be supplied with fire and safety equipment and information on its correct use. If this is not available Council must be notified immediately. Equipment will be inspected twice annually by a professionally qualified person. This is organised by Council's Fire Protection Officer. If the equipment is used irresponsibly by a hirer this should be deducted from the hirer's bond.

10.1.4. Emergency Exits (Buildings)

All exits must be identified by an illuminated exit sign and inspected by Council's Fire Protection Officer. Emergency exit routes must be kept clear at all times. Exit doors should not be barred or locked at any time while the facilities are in use. An Emergency Management Plan (EMP) should be developed for any group who regularly uses a building. Council has a template that will assist Committees with this task.

10.1.5. Building Inspections

Regular inspections are essential to identify potential risks, and to assist in the defence of claims brought against Council. Inspections must be thoroughly documented. The Committee will be responsible for inspection of the facilities under their control.

Inspections may be either formal or informal.

a. Formal Inspections

Inspection of the facilities under the Committee's control must occur and be documented using checklists provided by Council at least once every 6 months. Copies of these inspections must be forwarded to Council for inclusion in its electronic document management system.

b. Informal Inspections

Informal inspections are incidental in the course of Committee business. Any defect or problem discovered must be dealt with.

c. Safety Inspections by Hirers

It is the responsibility of the user groups/hirers to ensure that any field or facility is safe for the use immediately before and during its use. This will include but not be limited to ensuring there are no holes likely to cause injury, and that any broken glass or other hazardous matter is removed. Hirers are to be notified of this obligation as part of the hire agreement.

10.2. Insurance

10.2.1. General

Council is required to take out insurance policies to cover Council's liability as a consequence of Council's business activities. These policies include:

- Public Liability Insurance to cover Council for its liability to third parties for personal injury or property damaged caused by Council's business activities;
- Professional Indemnity Insurance to cover Council for professional negligence claims (e.g. caused by incorrect specialist advice);
- Personal Accident Insurance provides specified benefits for registered volunteers following accidental injury, disability or death while carrying out their duties on behalf of Council;
- Motor Vehicle Comprehensive Insurance to cover Council vehicles driven by volunteers or staff for damage to the vehicle or to third party property; and
- Casual Hirers covers against public liability claims arising from the casual hiring of a member Council facility.

10.2.2. Notification

Management Committees and hirer/user groups are instructed that any matter or incident which may give rise to a claim against Council must be reported to Council as soon as practicable. This will ensure that investigations and remedial actions can be undertaken to protect Council's interests.

Council has a responsibility to notify its insurer as soon as a potential claim is known. Management Committees may receive advice regarding claims via writing or telephone call or by observation. Once the Committee becomes aware of potential claim they are to notify Council immediately. If Council

does not notify of claims which they could reasonably have known about indemnity may be denied by the insurer.

10.2.3. Volunteer Labour

For projects involving volunteer labour Council's policy relating to use of volunteers is to be referenced and all process and procedures contained therein must be followed.

10.2.4. Child Protection

Children and Young Persons (Care and Protection) Act 1998 - under this legislation Community Management Committee members accompanying children on trips or participating in activities conducted by the Committee involving contact with children, must complete and pass a Working with Children Check.

Working with Children's Checks are provided by the NSW Children's Guardian. There is no cost for a Volunteer Check. For more information or to make an application please visit: www.kidsguardian.nsw.gov.au

DRAFT

Procedural Manual for Community Management Committees 2019
Camden International Friendship Association
Version draft 02

1. INTRODUCTION

The *Local Government Act 1993* allows Council to delegate authority to committees to manage some of Council's facilities or functions. Council has resolved to delegate responsibility to four Community Management Committees. These Committees are:

- **Camden Bicentennial Equestrian Park Committee**
- **Camden Town Farm Committee**
- **Camden International Friendship Association Committee**
- **Camden Seniors Programs Committee**

Community Management Committees play an important role in the local community, and the volunteers who become members provide a valuable contribution to the local community.

Camden Council recognises the contributions made by volunteers appointed to Community Management Committees and provides advice and direction to assist with their effective operation through Procedural Manuals.

This Manual outlines the responsibilities; functions and operations of the Camden Bicentennial Equestrian Park Community Management Committee; and clarifies Council's role in this partnership.

Upon Council's formal approval of a Camden International Friendship Association Community Management Committee, its members are required to adopt and adhere to the conditions set out in this Manual.

Councillors may on occasion attend the regular meetings of the Committee to enable them to develop an awareness and/or understanding of the operation of the Committee.

Council Contacts

Council's contact information is outlined below:

Contact with Council Officers can be made by contacting Camden Council, 70 Central Avenue, Oran Park - Phone (02) 4654 7777.

Business Hours (8.30am – 5.00pm) Monday – Friday

Contact can also be made via Council's After Hours Emergency Number (02) 4654 7777 which is a 24 hour service. This service should only be used for emergency situations. All other contact should be made during business hours.

Council will also appoint a Council Liaison Officer to act as the key point of contact within the Council for the Committee. This information will be provided directly to the Committee.

2. DEFINITIONS

In this Manual:

- a. "CIFA" is an abbreviation for Camden International Friendship Association
- b. "Committee", or "Management Committee" or "Community Management Committee" shall mean that body of persons appointed in accordance with Section 3 of this Manual.
- c. "Community Representative" shall mean those individuals that are not specifically representative of any User Group and are a representative of the Camden LGA.
- d. "Council" shall mean the Council of Camden.
- e. "Council Liaison Officer" refers to an officer of Council assigned to be the key liaison point between a Management Committee & Council. The officer will not have voting rights on the Committee.
- f. "Delegate" refers to "Delegate & Alternate Delegate" as representatives nominated by an organisation to represent their group on the committee.
- g. "Manual" means this Community Management Committee Manual and its appendices.
- h. "Member" shall mean a person and/or organisation appointed to a Management Committee by Council.
- i. "Relative" means the spouse, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or the person's spouse.

3. ROLES AND RESPONSIBILITIES OF MANAGEMENT COMMITTEES

3.1. Appointment & Election of Management Committees

3.1.1. Formation of the Management Committee

- The appointment of Management Committees is at the discretion of the Council. Management Committees are appointed and reappointed in accordance with the provisions of the Local Government Act 1993 every four years.
- Council aims to appoint Committees that are representative of the local community or interest group of the Committee.
- Council will call a public meeting to enable any interested person to find out about the committees available and the responsibilities of committees.
- Council may call the public meeting by advertising in local newspapers and/or by advertisement on Councils' website.
- To hold office and be responsible for the management of a Council facility or function, all committee members must be appointed by Council before they are able to vote or take part in the meetings of the Committee.
- Committees are formally appointed by the Councillors in office, therefore as soon as practicable after the General Election of Councillors, all Community Committee Members will cease to hold office and new Management Committees appointed.
- Existing Committees will maintain a caretaker role until the new committees are formally appointed by Council. The caretaker role permits the outgoing Management Committee to continue with the routine operational business of management & control of their facility and/or program. If clarification is required, the Committee should consult with their Council Liaison Officer.
- All nominations for Community Committees are formally submitted in writing to Council for consideration of appointment.
- Following the appointment of committees by Council, Council will issue a Deed of Delegation to each committee. This Deed must be signed by Committee members within one month of the appointment to acknowledge their role and responsibilities. The Committee continue to operate in a caretaker capacity until the Deed of Delegation is signed by all members.
- Where members are appointed to the Committee after the original Deed of Delegation is signed an appendix Deed of Delegation will be issued and signed by the new members to acknowledge their role and responsibilities.
- Council will provide a structured induction programme for Committee members to ensure they understand the Committee's policies, processes and practices and become effective Committee members as soon as practicable. Induction may comprise a combination of face to face sessions, online and printed resources and mentoring/buddy system with other Committee members. The Committee Liaison Officer will also be available to provide information to members as required.

3.1.2. Management Committee Membership

3.1.2.1. CIFA Management Committee Membership Composition

- CIFA Committee membership is on a quadrennial basis for the term of Camden Council.
- The CIFA Committee will comprise those people and organisations appointed to it by Camden Council. CIFA Committee membership will not number less than 7 persons and not more than 15 persons.
- Camden Council may appoint Councillors to the committee however due to the operational nature of the Committee Councillors will act in an ex-officio capacity only unless upon appointment they elect to be considered part of the Quorum (see comment in Quorum).
- Management Committee membership should reflect the community of Camden and is open to community members and representatives of groups from within the local area.
- Staff of Camden Council may not be members of the CIFA Committee except with the approval of the General Manager. Approval will only be given where it can be demonstrated that membership of the Committee will not conflict with the employee's duties and responsibilities and does not pose a conflict of interest, or a perceived conflict of interest.
- Camden Council will appoint an appropriate staff member to the position of Council Liaison Officer for the Committee with the agreement of the General Manager.

3.1.2.3 Leave of Absence

- A Committee member who is temporarily unable to fulfil their obligations on the Committee may request a leave of absence from the Committee.
- Typical reasons for needing to take a period of leave include but are not limited to personal health, family health, work or family commitments.
- A leave of absence may be granted by the Committee for a period of up to 6 months.
- A leave of absence can only be approved by a vote of 75% of members entitled to vote present at a properly convened meeting of the Committee.
- During a leave of absence, a member may not participate in votes of the Committee and the member will not be counted when calculating the quorum.
- A leave of absence may be requested by the member of the Committee or on behalf of a member by a relative of the member or by another member of the Management Committee.

3.1.2.4 CIFA Committee Voting

- A motion is required to be moved and seconded prior to being put to a vote of the committee.
- All Committee members (individuals and groups) shall carry 1 vote at Committee meetings and other times where voting is required. The chairperson/presiding officer also carries a casting vote to resolve any deadlocks for votes undertaken in meetings.
- When a member declares an interest in an item being discussed and voted on by the Committee, the Committee will act in accordance with section 5.5

- Voting at CIFA Committee meetings is by default undertaken by a show of hands.
- A motion may be passed to conduct votes by secret ballot using written votes. If a secret ballot is to be undertaken 2 scrutineers will be selected from those in attendance ((not necessarily voting members) at the meeting to conduct and tally the votes.
- A member may request to have their voting intention recorded in the meeting minutes immediately after the result of a vote is announced by the chairperson.
- Proxy votes or absentee votes are not permitted at any General Meeting, Annual General Meeting or Extraordinary General Meeting of the Committee.
- Members on approved leave of absence or suspended are not included in votes of the Committee during their period of absence.

3.1.2.5 Electronic Show of Hands (eVote)

- On occasion it may be necessary to seek agreement among the Committee between Committee meetings. Examples of this include but are not limited to important operational matters, approval to engage a contractor, approval to make a payment or approval to undertake repairs. On these occasions an Electronic Show of Hands (eVote) may be used.
- The Executive Committee and/or the CIFA Committee may request an eVote to be conducted either by the Secretary or Council Liaison Officer.
- An eVote requires that all Committee members are requested to respond electronically in writing (email, SMS etc) to a proposition within a defined period of time.
- Normal rules for a quorum and voting apply to eVotes where a response of more than 50% of committee members is required (Quorum) and a majority of those responses received in the affirmative are required for the proposition to be approved.
- Records of eVotes should be tabled at the next General Meeting and included in the official record of the meeting using a proforma template provided by Council.
- All decisions made by eVote are binding on the CIFA Committee and are to be tabled at the next General Meeting for ratification by the BEP Committee.
- Members on approved leave of absence or suspended are not included in eVotes of the Committee during their period of absence.
- Secret ballots are not permitted for an eVote and all eVotes are public.

3.1.3. CIFA Management Committee Membership Recruitment

- 3.1.3.1. No particular qualifications are necessary to be considered for membership of the Committee, however the general duties and expectations of being a member of the Management Committee are as follows:
- commitment to the community activities of the Committee;

- willingness and ability to give adequate time and energy to the duties of being a Committee member, including the ability to attend monthly meetings and other meetings as required from time to time;
 - **willingness to be actively involved in and contribute to Committee activities;**
 - willingness to work collaboratively, cooperatively and respectfully with other community volunteers and Council staff;
 - willingness to uphold the values and objectives of the Committee;
 - ability to act with integrity and avoid or declare conflicts of interest;
 - willingness to contribute to the strategic direction, including agreeing and monitoring Project Plan; and
 - willingness to ensure that risks to the organisation, staff, volunteers and service users are at an acceptable level and are effectively managed.
- 3.1.3.2 Management Committee members must be aged 18 years or older at the time of nomination.
- 3.1.3.3 Council will advertise and call for membership nominations at the time of, or soon after the quadrennial local government elections.
- 3.1.3.4 For casual vacancies Council may advertise and call for membership nominations at the time of the vacancy, provided there is more than 12 months until the next quadrennial local government elections.
- 3.1.3.5 Council will seek membership nominations using an application form designed to address the job description and an outline of relevant skills and experience that is beneficial to the Committee. The application may also require character references and other screening appropriate to the role.
- 3.1.3.6 Membership nominees and their written nominations will be screened and assessed by a selection panel comprised of Council staff. Other suitably experienced individuals may be invited to participate in the selection panel.
- 3.1.3.7 Membership nominees may be interviewed by the selection panel to further assess their suitability to serve on the Management Committee.
- 3.1.3.8 Nominees who have been members on previous committees will also be assessed on their previous performance with regard to their demonstrated contribution, attendance, behaviour, and their ability to collaborate as part of the Committee.

3.1.4. Management Committee Office Bearers

3.1.4.1. Election of Office Bearers

- The Committee will elect from its membership an Executive Committee comprising the Executive Office Bearers to fulfil the activities and responsibilities of the Executive roles.
- The Committee may elect from its membership other non-executive positions and/or sub-committees to coordinate programs.

- Elections for office bearers are undertaken at the Annual General Meeting and/or as required to fill casual vacancies.

3.1.4.2. CIFA Executive Committee

- The CIFA Executive Committee will comprise of the Executive Office Bearers, namely the positions of:
 - President
 - Secretary
 - Treasurer
 - Vice President
- The Executive Committee is charged with both setting the direction for the General Committee and for considering, deciding and approving actions in the context of control and management.
- All decisions made by the Executive Committee are binding on the CIFA Committee and are to be tabled at the next General Meeting for ratification by the BEP Committee. The CIFA Committee may only overturn a decision of the Executive Committee by resolution.
- The Executive Committee should operate in an agile manner. Decisions of the Executive Committee can be achieved by formal meetings, phone calls and informal meetings. Minutes of Executive meetings must be kept and provided to the next General Meeting of the Committee for ratification. Matters containing confidential items may be reported to the Committee as resolution only.
- A member may not hold an Executive Position on more than one Council Community Management Committee at one time.
- Where there is more than one person from a family, only one member of the family can be an Executive Office bearer on the same Committee at the same time.
- Only one (1) of those related office bearers is to approve individual payments (sign cheques/approve EFT payments).
- The Executive Committee may request an eVote (as described elsewhere in this document).

3.1.4.3 Executive Officer Bearer Position Descriptions

President/Chairperson

The President shall be the Executive head of the Management Committee. The President will:

- Ensure all necessary tasks for day to day running of the activities of the BEP Committee are carried out;
- Chair Committee and General Meetings ensuring that correct meeting procedures are followed and control of the meeting is maintained;
- Serve as a spokesperson and representative for the BEP Committee when required;
- Prepare and distribute the agenda (in consultation with the Secretary and Council Liaison Officer), setting out the items of business to be considered;

- Ensure Committee meetings are properly convened in accordance with this manual i.e. proper notice of a meeting is given and a quorum is present;
- Act impartially and use discretionary powers in the best interests of members and in accordance with the agreed standing orders and ensure all statutory regulations and organisational rules are observed; and
- Provide assistance to all members of the Management Committee to help ensure that they fulfil their respective roles.

Secretary

The Secretary is the administrative manager of the Management Committee and is responsible for coordination of all administrative tasks. The Secretary will:

Before a meeting

- Draw up the agenda in consultation with the Chairperson;
- Make copies of the agenda if required.

During the meeting

- Maintain an attendance register;
- Take minutes of Committee meetings;
- Read minutes of previous meeting if necessary;
- Provide a list of correspondence in order and summarise any important points;
- Record any motions and/or decisions of the meeting including, mover and seconder.

After the meeting

- Forward minutes of Meetings to the BEP Committee and to Council;
- Keep a register of inward and outward correspondence and file copies of all letters written;
- Forward copies of all correspondence to Council for inclusion in its electronic document management system.

In between meetings

- Inform all other committee members of any correspondence requiring urgent attention.

Treasurer

The Treasurer is the financial manager of the Management Committee and holds responsibility for the all financial matters. The Treasurer will:

- Ensure that all financial records of the Committee are kept in a proper manner;

- Prepare and present monthly a treasurer's reports to the Management Committee. The report must include a bank reconciliation, income statement, balance sheet and cash flow statement as a minimum;
- Prepare and bring to audit all financial records of the Management Committee;
- Prepare and present proposed annual budget to the Management Committee;
- Keep financial records for all incoming and outgoing transactions;
- Bank all monies received by the Committee in an approved bank account;
- Present to each Committee meeting a current financial statement;
- Present to each Committee meeting all invoices received on behalf of the Committee and follow up on payments of invoice; and
- Prepare and submit the financial books of the Committee to Council as required.
- Where the committee requests council to take on the role of Treasurer on behalf of the committee. Council will appoint a staff member to undertake the tasks above.

Vice President

The Vice President is the Deputy Executive head of the Management Committee. The Vice President will:

- Act as President in the event of the President being unable to fulfil his or her duties;
- Support the President and Executive Committee in fulfilling the requirements of their roles;
- Ensure that the Committee activities are in accordance with the rules, regulations & guidelines required for the Management Committee;
- Ensure the committees procedures and documents are in order;
- Ensure action items and resolutions are carried out;
- Oversee Work Health and Safety matters and report any matters to the Committee; and
- Fulfil such other duties as the committee may request.

3.1.5. Council Committee Liaison Officer

- 3.1.5.1 Council, through the General Manager, may appoint a staff member to the role of Committee Liaison Officer. The Officer is authorised to participate in committee discussions, activities and deliberations but is without any voting rights at any time.
- 3.1.5.2 The Committee Liaison Officer reports to the relevant Council Director/Manager, not the Committee.
- 3.1.5.3 Council Directors/Managers may direct the Committee Liaison Officer to communicate certain advice relating to Council policies, legislation, operational matters and adherence to the controls of this manual to the Committee.

- 3.1.5.4 The Committee Liaison Officer may provide services such as professional advice and administrative duties as agreed between the relevant Director/Manager and the Committee.
- 3.1.5.5 The Officer may be temporarily appointed by the Committee to any of the Office Bearer roles except the role of President. The Officer may be elected by the Committee to chair meetings.
- 3.1.5.6 Where appropriate, the Committee Liaison Officer will provide advice to the Committee with regards to Council policies, legislation, operational matters and adherence to the controls of this manual. The Committee Liaison Officer may also seek guidance and/or instruction from Council to assist in the provision of advice to the Committee with regards to Council policies, legislation, operational matters and adherence to the controls of this manual.
- 3.1.5.7 The Committee Liaison Officer will monitor the Committee's compliance with the manual and report any instances of non-compliance as well as performance, activities and operation of the Committee to their Director/Manager as required.
- 3.1.5.8 The Committee Liaison Officer is not to request or receive any payment from the Committee for provision of services.
- 3.1.5.9 The Committee Liaison Officer will coordinate the logging of any requests for assistance from Council into Council's CRM system on behalf of the Committee.

3.1.6. Dissolution of Management Committee

- 3.1.6.1 Council may dissolve a Management Committee at any time. Council may wish to dissolve a Management Committee to carry out the control of the program itself.
- 3.1.6.2 Council may also dissolve a Management Committee if that Committee is not complying with the roles and responsibilities of the Committee outlined in this Manual.
- 3.1.6.3 The Management Committee shall be dissolved in the event of it becoming unviable where membership drops to less than seven (7) members.
- 3.1.6.4 The Committee can by resolution recommend to Council that the Committee be dissolved by a vote of 75% of members entitled to vote present at an Extraordinary Meeting of the Committee properly convened to consider this option. Council has established the following policy to address this issue:
- if a committee chooses to remain active it is given 6 months to re-establish a viable membership as above (i.e. minimum of 7 members); or
 - if a committee, facility or function becomes inoperable or inactive, the Committee will be dissolved and all responsibilities will be taken over by Council.
- 3.1.6.5 Upon a resolution to dissolve the Committee being passed and confirmed by Council, all assets and funds of the Management Committee shall, after payment of all expenses and liabilities, be handed over to Council.

3.1.7. Suspension and Revocation of membership of a Management Committee

3.1.7.1 Revocation of Membership

- A member (individual or organisation) shall have their membership on the Management Committee revoked and cease to be a member of a Management Committee when Council passes a resolution to remove the member from the Committee.
- If an individual or organisation has their membership of the CIFA Management Committee revoked that member may not be reappointed to the CIFA Management Committee during the same term of Council.

3.1.7.2 Suspension of Membership

- An individual or organisation may be suspended from the Management Committee. During a period of suspension the member may not participate in any activities of the Committee and as far as is practicable be excluded from all intra-Committee communication.
- Suspension of a member occurs to either allow time for Council to process the revocation of a membership, or as a punitive action against improper behaviour.

3.1.7.3 Automatic Suspension of membership

A member of the Management Committee will be automatically, immediately and indefinitely suspended if:

- Council passes a resolution to suspend a member;
- The member resigns from the Committee by notification in writing to the Committee and/or Council;
- The member is deceased;
- The member is bankrupt;
- The member holds any office of profit under the Committee;
- The member fails to disclose any pecuniary interest in any matter with which the Committee is concerned and takes part in the consideration, discussion or votes on any question relating to the matter;
- The member while holding that office is convicted of an offence under Part 4 of the Crimes Act 1900 which includes offences relating to property; or
- The member intentionally disobeys the manual, Council policies, procedures and/or Council direction.

Where a member is automatically suspended the Management Committee will provide advice to Council of the reasons for the suspension without prejudice.

A letter will be provided to the member by Council advising their membership has been suspended.

3.1.7.4 Suspension by resolution of the Management Committee

A member of the Management Committee may be suspended for a period of up to 3 months by the passing of a vote by 75% of members entitled to vote present at a properly convened General or Extraordinary General meeting for the following reasons:

- the member is absent for 3 or more consecutive general meetings without a leave of absence granted from the Committee;

- the member is absent for more than 50% of general meetings in a 12 month period without a leave of absence granted from the Committee;
- the member seeks to overturn a decision of the committee by making representations to Councillors or other third parties. This does not include contacting Council or making representations through formal mechanisms such as submissions to exhibited materials where council is seeking community feedback;
- the member uses or distributes information attained whilst undertaking their duties on the committee to lobby against a decision of the committee or to lobby Councillors or other third parties
- the member undertakes actions that defy and/or are contrary to a decision of the Management Committee;
- the member brings the reputation of the Management Committee and/or Council into disrepute;
- the member acts in a manner unbecoming of an officer of a Council Committee; or
- The member directly or indirectly threatens or menaces other Committee members;

Where a member is suspended by resolution the Management Committee will provide advice to Council of the reasons for the suspension and may forward a recommendation for Council to consider removing the member from the Management Committee permanently without prejudice.

3.2. Duties and Responsibilities of Management Committees and Council

The duties and responsibilities of Management Committees and Council varies between committees.

3.2.1. Deed of Delegation

Council sets out the delegation of the committee in a Deed of Delegation. This Deed sets out the specific function delegated by Council and is accompanied by a Schedule of Delegation and a copy of this Manual.

3.2.2. Responsibilities of Council

3.2.2.1 Council's Overriding Authority

Management of the facility is delegated to the Management Committee by Council. Whilst the Committee has control over the program, Council may exercise overriding authority and may revoke the powers of the Committee or otherwise direct the Committee as Council sees fit.

3.2.2.2 Insurance of Committee Members

The Council shall insure the Committee in respect of Public Liability Insurance, Professional Indemnity Insurance, and Personal Accident Insurance and Motor Vehicle Insurance (for Council registered vehicle's only)

3.2.2.3 Training of Committees

Council will provide compulsory training to advise members and the Executive of the Committee of the requirements of their positions. Training will be arranged by Council. Additional training may be requested by the Committee.

3.2.2.4 Customer Service Charter

Council will respond to requests of the Committee in accordance with its Customer Service Charter.

3.2.2.5 Legal Expenses

Council may consider the payment of legal expenses in relation to matters involving the Committee and members when acting in their capacity as members of the Committee.

3.2.3 Responsibilities of Management Committees

3.2.3.1 Responsibilities

The Community Management Committee will be responsible for the care, control, and management of the program (including organising, operating and implementing).

3.2.3.2 Care, control and management

Care includes:

- Duty of care to ensure the health, safety and welfare of persons participating in a program of the Committee; including contractors or volunteers;
- Advising Council of any potential insurance risk that may arise in regard to buildings and/or users;
- Attaining sufficient funds to maintain the program as a going concern;
- Ensuring sufficient and equitable access of the program by the community; and
- Ensuring that all users of the program conform to the insurance requirements as set out in this Manual.

Control includes:

- Holding regular meetings with recorded minutes;
- Monitoring and maintaining financial records;
- Submitting an annual report and all records to Council for an annual audit;
- Submitting monthly financial reports in accordance with GST requirements;
- Clearly defining the role of office bearers and Committee members;
- Submitting a current list of all contents belonging to the Committee (not User Groups) for inclusion in Council's Insurance Policy, by 31 January each year;
- Maintaining a post office box or public postal address to which all physical correspondence will be forwarded;
- Maintaining a public email address to which all email correspondence will be forwarded;
- Submitting a current list of all Committee members including the address and phone number and emergency contact details to Council immediately following nominations of the Committee, and where there are changes; and
- Submitting officer bearers names and an audited financial report to Council following the Annual General Meeting each year.

Management includes:

- Ensuring that all monies received will be used for the benefit of the activity in an equitable, honest and consistent manner;
- Ensuring that the organisation is not used for the financial gain of individual members;
- Being aware of and involved in, appropriate community activities, which are compatible with the goals of the program;
- Developing and updating Project Plans;

- Recommending policies and procedures which contribute to the effective management of the program; and
- Being accountable to the community and the Council for the Committees actions and initiatives in respect of the program.

3.2.3.3 Limitations of powers

The Committee may not make decisions concerning the following:

- Fixing of charges or fees. The Committee may submit recommendations for approval to Council in relation to the fixing of charges and fees for the use of the facility under its control;
- Borrowing any monies without the express written consent of Council on each occasion;
- The sale, lease or surrender of any land or other property vested in its care under the provision of the *Local Government Act 1993* (as amended);
- The acceptance of tenders which are required to be called by Council;
- The purchase of goods and services of a value exceeding \$10,000 (ex GST) without the prior written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing and Procurement Policies. For any purchase which are considered to be related or to be used in relation to the same Project, their combined value must not exceed \$10,000 (ex GST) without the prior written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing and Procurement Policies.
- Formation of submissions to government without the prior written consent of Council;
- The payment or making of any profit, gain or gift, to or by its members as well as allowance or travelling expenses incurred whilst attending Committee meeting;
- As a voluntary Committee, members do not receive payment for their services. The Committee may by resolution reimburse the Committee members for reasonable expenses incurred in the completion of official Committee activities. No other payment is to be made to Committee members without the prior written approval of Council;
- The Committee is not permitted to vote monies for expenditure on the works, services or operations of Council;
- The Committee is not permitted to enter into any legal action;
- The Committee is not permitted to loan or donate funds for any purpose
- The Committee is not permitted to set or charge fees for Membership of the Management Committee.

The exercise by the Committee of its powers and functions will be subject to such limitations and conditions as may from time to time be imposed by law, specified by resolution of the Council or in writing by the General Manager to the Committee. The Committee will observe any rules and regulations made by Council, in relation to the facility/ function under its management and control.

If at any time the Committee is deemed to be functioning outside the limits of its powers as described herein, all powers may be revoked by written notice to the Committee signed by the General Manager or their representative.

4. DISPUTES

4.1. General & External:

- 4.1.1 Where a citizen(s) of the local government area that is not a member of the Management Committee disagrees with a resolution of the Management Committee these persons may refer their grievances in writing to the Committee for reconsideration.
- 4.1.2 Where the Management Committee chooses not to alter its decision, the citizen(s) or citizens may present their grievance to Council in writing, for reconsideration.
- 4.1.3 Where such notice in writing is referred to Council, Council will request a report on the issue from the Management Committee. Upon receipt of the report the matter will be referred to Council for resolution.
- 4.1.4 Upon Council adopting a resolution, the details of Council's deliberations will be advised to the Management Committee and the citizen(s) who referred the matter to Council.
- 4.1.5 A member may not seek to amend, change or overturn a decision of the Committee by making representation directly or indirectly to Council and / or Councillors or other officials and / or organisations.

4.2. Disputes - Internal

- 4.2.1 All disputes between members of the Committee are to be attempted to be resolved within the Committee where possible.
- 4.2.2 Where a dispute occurs within a Committee the resolution of the majority of the Committee as a whole will determine the outcome. Where this is not possible the Chairperson/President will have the casting vote.
- 4.2.3 There will be no right of appeal when the Management Committee has determined its resolution of a dispute.
- 4.2.4 A member may not seek to amend, change or overturn a decision of the Committee by making representation directly or indirectly to Council and/or Councillors or other officials and/or organisations.

5 LEGAL ISSUES

5.2 Delegation from Council

- 5.2.1 From a legal perspective, it is important that Management Committees of Council and their members be aware that they are acting on Council's behalf. Legally, the committee is 'Council' and any action that the Committee undertakes is Council's responsibility.
- 5.2.2 Council delegates its authority to the Committee to act on Council's behalf.

5.3 Record Keeping

- 5.3.1 All documents and records relating to the program of Management Committees, e.g. minutes of meeting, financial reports, correspondence etc. should be kept in accordance with the State Records Act 1998. Committees should provide copies of all records to their Council Liaison Officer to be archived in Councils electronic document management system.
- 5.3.2 Management Committees need to be aware of the importance of minutes, because of their legal status and their liability to be subpoenaed in court cases.
- 5.3.3 Minutes are required to be kept for all formal meetings of the Committee. These include General meetings, Annual General meetings and Extraordinary General meetings.
- 5.3.4 Meeting minutes must record all motions and amendments put to the meeting, and the results. Minutes should include the mover and seconder of motions. There is no need to record what members say at a meeting, however, there may be occasions when it is appropriate to record the general content of discussions.
- 5.3.5 The Chairperson/President and the Secretary are responsible for the form of the minutes for proper confirmation and must check that there have been no unauthorised alterations to those minutes.

- 5.3.6 Where electronic minutes are used as the sole record of proceedings a motion accepting the minutes as a true record of proceedings of the meeting is required. This includes any amendments required and accepted by the Committee. The Chairperson/President is not required to sign the minutes.
- 5.3.7 Electronic minutes must be stored in Council's electronic document management system as soon after the meeting being held as is practicable in a read-only state prohibiting any changes or updates.
- 5.3.8 The motion to confirm the minutes can only be moved and seconded by persons who were in attendance at that meeting to which the minutes relate. Should there be insufficient members present from the previous meeting the Chairperson may exercise their right to move and/or second the motion to confirm previous minutes.

5.4 Pecuniary Interest

- 5.4.1 A pecuniary interest is one of financial benefit by a Committee person or other person with whom the person is associated (that is, spouse, de-facto partner or relative of a Committee person) from an interest that a Committee person has in a Council matter.
- 5.4.2 A pecuniary interest does not exist where the interest is so remote or insignificant that it could reasonably be regarded as unlikely to influence any decision.
- 5.4.3 The obligation to disclose a pecuniary interest is a strict duty, and the person's motives for participation are irrelevant if an interest is said to exist.
- 5.4.4 Chapter 14 of the *Local Government Act 1993* includes a framework for the handling of alleged breaches of the pecuniary interest provision of the Act. The Act is about openness, accountability and transparency in decision-making by councils and any Committees representing the Council.
- 5.4.5 It is the responsibility of members of Management Committees:
- To disclose to the meeting any pecuniary interest in a matter before the meeting;
 - Not to participate in the discussion of the matter before the Committee in which the member has a pecuniary interest; and
 - Not to vote on the matter before the Committee meeting in which the member has a pecuniary interest.
- 5.4.6 Pecuniary interest provisions are not breached if the person did not know or could not have reasonably been expected to know that the matter under consideration was a matter in which the person had a pecuniary interest.

5.5 Conflict of Interest

5.5.1 A conflict of interest can arise when a member of the Committee has other involvements or interests that make it difficult for them to always remain impartial when involved in discussions and decision makings. These can include:

- Business or professional activities;
- Employment or accountability to other people or organisations;
- Membership of other community organisations or service providers; or
- Ownership of property or other assets.

The conflict may lead to:

- Financial benefit e.g. sale of goods or privileged knowledge;
- Political benefit e.g. gaining or losing electoral support; or
- Personal benefit e.g. career advancement or increased standing in the community.

5.6 Declaration of Interests

5.6.1 It is the responsibility of Committee members:

- To disclose to the meeting any pecuniary interest in a matter before the meeting, and
- Not participate in the discussion of the matter before the Committee in which the member has a pecuniary interest, and
- Not to vote on the matter before the Committee meeting in which the member has a pecuniary interest.

A pecuniary interest does not exist where the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision. The obligation to disclose is a strict duty and the persons motives to participate are irrelevant if an interest is said to exist.

5.5.2 Pecuniary interest provisions are not breached if the person did not know or could not have reasonably been expected to know that the matter under consideration was a matter in which the person had a pecuniary interest.

5.5.3 Committee members are also required to lodge an annual written pecuniary interest declaration in accordance with the section 440AAA of the *Local Government Act 1993*. Committee members are strongly advised to declare any interests they may have in this written declaration to ensure transparency, accountability and protection for individual members.

5.7 Code of Conduct

- 5.7.1 Committee Members are required to adhere to Council's Code of Conduct. Compulsory training on the Code of Conduct will be provided to all Committee members.

5.8 Privacy and Personal Information Protection Act

- 5.8.1 Committee members are required to abide by the *Privacy and Personal Information Protection Act, 1998* (PPIPA). The Act provides for the protection of personal information and the privacy of individuals generally. Training will be provided to all Committee members.

6 MEETINGS

The Management Committee should meet on a regular basis to discuss relevant business, and make decisions affecting the facility/program operation. The time, scheduling and location of meetings will be decided by the Committee.

6.2 Agenda

- 6.2.1 An agenda should be sent out to all Management Committee members at least 5 days prior to any meeting giving notice of the proposed meeting and of any items for discussion and notices of motion.
- 6.2.2 The format of the agenda will be agreed on from time to time by the Committee but will include as a minimum:
- Time, date and date and venue of the meeting;
 - Matters to be discussed / considered; and
 - Means for members to submit apologies.

Written reports for the President, Treasurer will be sent out with the agenda to allow Committee appropriate time to review the report prior to the meeting.

6.3 Quorum

- 6.3.1 A quorum of any meeting (General, Annual General, Executive or Extraordinary General) will consist of more than half the total number of entitled voting members (i.e. greater than 50%). Should a quorum not be present:

- At commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
- Within half an hour after the meeting time designated for the meeting, or
- At any time during the meeting,

the meeting will be adjourned to a date determined by the Executive Committee.

- 6.3.2 Members who are absent or have submitted an apology for their non attendance to a meeting will be counted when calculating the quorum.
- 6.3.3 Members who have been granted leave of absence or who have been suspended from the committee will not be counted when calculating the quorum.

- 6.3.4 Councillors who are appointed to a Management Committee in an ex-officio role will not be counted when calculating the quorum. A Councillor may advise the Committee that they wish to be included in the quorum and if so they will be included in the quorum calculation for the remaining term of the Management Committee.
- 6.3.5 Where a meeting commences with a quorum any members who wish to depart the meeting prior to its formal adjournment must seek leave from the meeting by resolution. If leave is granted the time of the members departure will be noted in the minutes and the quorum will not be adjusted. If leave is not granted and the member departs the member will be removed from the calculation of the quorum.

6.4 Ordinary/General Meetings

- 6.4.1 There should be no less than six (6) Ordinary/General meetings held each year, however it is recommended that Ordinary/General Meetings of the Committees occur on a monthly basis to ensure that any outstanding matters are dealt with expeditiously.
- 6.4.2 A calendar of when general meetings are to be held in the ensuing 12 months should be drafted at the Annual General Meeting.
- 6.4.3 General meetings of the Management Committee are required to address correspondence, management and control matters, finance matters, risk management matters and general matters relating to the program.
- 6.4.4 An agenda for a General Meeting should be sent out to all Management Committee members at least 5 days prior giving notice of the proposed meeting and of any items for discussion and notices of motion.
- 6.4.5 Minutes of a General Meeting will be kept of the proceedings and a copy forwarded to Council for storage in its electronic document management system.
- 6.4.6 General meetings will be conducted in accordance with Council's adopted Code of Meeting Practice.

6.5 Annual General Meeting

- 6.5.1 The Annual General Meeting will report on the activities of the Committee for the year, to conduct elections for Committee positions and to receive the annual financial report.
- 6.5.2 The Annual Financial Report will be presented to the Committee for adoption and for forwarding to Council for auditing purposes.
- 6.5.3 An agenda for the Annual General Meeting will be sent out no less than 21 days prior to the meeting.
- 6.5.4 Minutes of an Annual General Meeting will be kept and a copy forwarded to Council for storage in its electronic data management system.
- 6.5.5 The Annual General Meeting will be conducted in accordance with Council's adopted Code of Meeting Practice.

6.6 Extraordinary General Meetings

- 6.6.1 An Extraordinary General Meeting of a Committee may be called to discuss urgent business and matters outside the scope of an ordinary meeting. A meeting must be requested in writing to the Executive Committee by two (2) members of the Committee.
- 6.6.2 An agenda for the Extraordinary General Meeting of matters to be considered by the Committee will be prepared and circulated to all members of the Committee with at least three (3) business days notice.
- 6.6.3 Only matters included in the agenda will be considered at an Extraordinary General Meeting.
- 6.6.4 Minutes of an Extraordinary General Meeting will be kept and a copy forwarded to Council outlining the reason for the meeting and for storage in Council's electronic document management system.
- 6.6.5 An Extraordinary General Meeting will be conducted in accordance with Council's adopted Code of Meeting Practice.

6.7 Minute Format

General Meeting minutes of the CIFA Management Committee will be forwarded to Council for storage in its electronic document management system.

Items to be addressed in the minutes should include:

- Attendance – records of attendees and apologies
- Declaration of pecuniary interests
- Previous minutes and matters arising
- Executive and operational reports
- Correspondence and matters arising
- Agenda items with notice
- Project reports
- Action log/register log
- Member reports
- General business

7 FINANCIAL MANAGEMENT

7.2 Introduction

Council Community Management Committees and their members are appointed under Section 355 of the *Local Government Act 1993*. As such, they are subject to the same standards of financial accountability as Council and its employees. It is imperative that Committees manage their finances prudently and with transparency.

At all times, any funds and assets held by the Committee ultimately remain the property of Council. The Committee is responsible for the care and management of the funds and assets held on behalf of Council.

Where necessary Council will provide the committee with advice and support to comply with Council and the Committees financial management obligations.

7.3 Financial Records

7.3.1 Bank Accounts

- 7.3.1.1 All bank accounts operated by a Committee will be established by Council with a banking provider of Council's choice. Establishment of bank accounts by committees are not permitted.
- 7.3.1.2 Council will establish a transaction bank account on behalf of the Committee which will serve to operate for the Committee's operational transactions. Council may establish other accounts (interest bearing, term deposits etc) if requested in writing by a Committee.
- 7.3.1.3 All bank accounts will require dual (2) approval for any payments. These approvals can be dual signatures on cheques or dual EFT approval.
- 7.3.1.4 The signatories of all accounts will include the Committee Executive, as well as at least two Council Finance staff members. Committee signatories require approval at the time of their election to an Executive role.

7.3.2 Financial Record Keeping

- 7.3.2.1 Financial records must be kept in accordance with this Manual. Training will be provided by Council's Finance section following the election of a Treasurer as required.
- 7.3.2.2 Committees of Council operate under a financial year from 1 July to 30 June. Each Committee's accounts need to be completed and submitted to Council by 15 July each year, following their adoption at a Committee meeting. This will enable Council to consolidate the Committee's accounts into Council's general accounts as required under the *Local Government Act 1993*.

7.3.3 Financial Documents

If a committee does not use Council's accounting software to record its financial transactions, each Committee should maintain the following records:

- Cheque Book - supplied by Council
- Receipt Book - supplied by Council
- Bank Deposit Book – if applicable
- Bank Statement Folder – if applicable
- Petty Cash Book and Tin – if applicable
- Cash-book (electronic version available)
- Business Activity Statement Forms for GST records (electronic)
- Bank Reconciliation Forms (electronic)

It is essential that these records are maintained and reconciled monthly.

7.4 Receiving Payments

- 7.4.1 Payments of hire fees or other services provided by Management Committees can only be made by cheque, EFT or bank deposit. Cash may not be used.
- 7.4.2 The following process should be followed:
- Ensure that the correct amount has been paid by either cheque, EFT or bank deposit.

- Write out a receipt from the Receipt Book.
- Give the original receipt to the payer (tear out of book)
- Ensure that the duplicate receipt is kept in the Receipt Book.
- Store any cheques in an appropriate location until they can be banked.
- Ensure that any cheques on hand are banked weekly.

7.5 Making Payments

- 7.5.1 The Committee is empowered to make purchases up to the value of \$10,000 (ex GST) expending sums as necessary from amounts received from fees and charges to meet costs arising out of the delegation function. All purchases should comply with Council's Purchasing and Procurement Policies and requirements set out in this Manual. All purchases should be for goods and services required for the exercise of the responsibilities of the Management Committee.
- 7.5.2 Purchases for goods and services above \$10,000 (ex GST) require written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing and Procurement Policies. For any purchases which are considered to be related or to be used in relation to the same Project, their combined value must not exceed \$10,000 (ex GST) without the prior written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing and Procurement Policies.
- 7.5.3 It is not appropriate or permissible to:
- Split invoices from the same or similar Projects to avoid the requirement for Council approval under clause 8.4.2; or
 - Intentionally mislead Council representatives in any way about the cost associated with a Project.
- Any member engaging in behaviour described above may be the subject of disciplinary action under Clause 3.1.6 of this Manual (Suspension and Revocation of membership of a Management Committee).
- 7.5.4 Any payments over \$82.50 (GST-inclusive) must be supported by an official Tax Invoice from the supplier. This enables the Committee to claim back the GST portion of the payment when completing their monthly Business Activity Statement (BAS) and is a requirement of the Australian Taxation Office (ATO). Without a Tax Invoice, the GST portion is unable to be claimed.
- 7.5.5 All Committee expenditure must only be paid by cheque or Electronic Funds Transfer (EFT). Under no circumstances should a blank cheque be signed.
- 7.5.6 All procurement and payments should be made in accordance with Council's Purchasing and Procurement Policies with additional steps appropriate for a Committee as outlined below:
- 7.5.6.1 A committee member requests approval from the Management Committee for the procurement and/or supply of service or goods (e.g. engage a contractor, purchase timber supplies).

- 7.5.6.2 The Committee considers the request, checks that documents and quotes provided are suitable and adequate and compliant with Council policies and if deemed appropriate approves the procurement and/or supply.
- 7.5.6.3 The Committee member engages the vendor for the service or goods and the supplier issues a tax invoice.
- 7.5.6.4 Where the invoice matches (or is below) the amount approved by the Committee, the Committee member and an Executive Committee member notes the invoice advising that the goods/services consistent with the quote accepted and approved by the Committee is presented to the Committee have been provided.
- 7.5.6.5 The Treasurer and one other cheque signatory confirms that the amount and invoice details and other calculations are correct (including GST, etc)
- 7.5.6.6 The Treasurer pays the invoice by cheque or EFT.
- 7.5.6.7 The invoice and any supporting documentation is stored for future reference.
- 7.5.6.8 Payment of the invoice is then recorded either in the cashbook or accounting software.
- 7.5.6.9 Where the invoice is above the amount approved by the Committee, the Committee member must table the invoice at a Committee meeting for consideration.
- 7.5.6.10 The Committee reviews the invoice and associated endorsement and if deemed appropriate approves payment of the invoice by resolution. If approved, the payment of the invoice is to done in accordance with clause 8.4.4.5 – 8.4.6.8
- 7.4.6.11 Where payment of an invoice is required prior to a meeting being convened an “electronic show of hands (eVote)” as described elsewhere in this Manual may be used. Ratification of the payment should be tabled at the next General Meeting of the Committee.
- 7.5.7 In extreme cases where payment of an invoice is required urgently the Executive Committee may consider an invoice for payment. Ratification of the payment and record of the vote should be tabled at the next General Meeting of the Committee.
- 7.5.8 If prior approval from the Executive Committee is received a Committee member may expend up to \$500 ex GST for the purchase of goods and services for the program and be reimbursed by the Committee on presentation of the appropriate invoices/dockets/receipts.

7.6 Grant Seeking & Administration

- 7.6.1 All Management Committees must seek approval from the General Manager or relevant sub-delegated Director before submitting an application for any grant.
- 7.6.2 If a grant application is successful, a report will need to go to an Ordinary Council Meeting for acceptance, prior to the funding agreement being signed.
- 7.6.3 Delegation to sign funding agreements largely depends on the funding body and will typically involve Council’s General Manager or relevant sub-delegated Director or Manager.

- 7.6.4 In some cases, the funding body may require the seal of Council, which can only be made under resolution of Council.
- 7.6.5 Grants need to be administered by Council's Finance section as the acquittal process usually requires audit certification. There is also a need to report to Council any commitment of Council's funds, including Management Committee funds, towards grant funded projects.
- 7.6.6 Members of the Management Committee are accountable for expending and acquitting the grant in accordance with the service agreement.

7.7 Maintaining the Cash Book

- 7.7.1 A Cash Book is used to record the Committee's receipts and payments.
- 7.7.2 The Cash Book will be kept either electronically using the Council preferred accounting software or other agreed method.

7.8 Using the Cash Book

- 7.8.1 Every time the Committee receives or pays money, the Treasurer records the date, source, amount, and receipt/cheque/payment number in the Cash Book.
- 7.8.2 Receipts and payments are entered consecutively in date and receipt number/cheque number order in the appropriate location of the cash book.
- 7.8.3 If using the electronic version, all columns will total automatically.
- 7.8.4 If using the accounting software income should be allocated against the appropriate item (e.g. Ground Hire, Building Hire, Bins, Bonds etc.).
- 7.8.5 If using the accounting software the system will collate all income and expenditure.
- 7.8.6 If using the electronic version, save the file for that month, e.g. January 2019, and start a new file for each month.

7.9 Bank Reconciliations

- 7.9.1 At the end of each month, the Committee will obtain a Bank Statement for its Bank Account. This needs to be reconciled with the Cash Book.

7.10 Preparing a Bank Reconciliation

- 7.10.1 Review the Cash Book, checking to see if all cheques have been presented and deposits confirmed at the Bank (ie. noted on the Bank Statement as having been paid or received). Check that the dollar amounts are the same.
- 7.10.2 Enter into the Cash Book any entries on the Bank Statement which are not already recorded, ie. there are likely to be bank charges and interest to add to the Cash Book.
- 7.10.3 For electronic Cash Books, you must save the file for that month, and start a new file for the next month.

7.11 Balancing the Bank Reconciliation

- 7.11.1 Write down the amount in the bank at the time of the last reconciliation (generally the amount at the beginning of the month). Add the total amount of money received (according to the Cash Book) since the last reconciliation. Subtract the total amount paid (according to the Cash Book).
- 7.11.2 Add the total amount for unpresented cheques and subtract the total of any outstanding deposits in the Cash Book (the last banked amount should be recorded in the Banking column, and all receipts after that should not yet have been banked). This will all calculate automatically if using the electronic Cash Book spreadsheets.
- 7.11.3 Check that the amount you have calculated is the same as the amount on the bottom of your Bank Statement. If not, check all figures and repeat this process.
- 7.11.4 If the amount is unable to be reconciled, this shall be reported to the Committee Liaison Officer to seek assistance from Council's Finance section.

7.12 Annual Financial Statements

Goods & Services Tax (GST) Compliance

7.12.1 GST Basics

- All of Council's Committees must use Camden Council's Australian Business Number (ABN) 31 117 341 764.
- Committees are responsible for administering the requirements of GST legislation i.e charging GST on taxable supplies and correctly identifying input tax credits claimable from the Australian Taxation Office (ATO). Accordingly each Committee must supply Council's Finance section with details of GST applicable to all financial transactions for inclusion in Council's monthly Business Activity Statements (BAS).
- All suppliers for purchases exceeding \$82.50 (GST-inclusive) must supply a valid Tax Invoice to the Committee prior to payment. If the supplier does not have an ABN and is registered for GST, the Committee must obtain a Statement by a Supplier declaration from the supplier. The completed form must then be kept on record for audit purposes.

7.12.2 Monthly Business Activity Statements (BAS)

Council is required to lodge its BAS within 21 days after the end of each month. To enable the Finance section to meet this deadline, Committees are requested to submit a photocopy of the following Cash Book entries within 10 days after the end of each month:

- Income transactions
- Expenditure transactions
- BAS Report (if using electronic cash books this is automatically generated)

7.12.3 Committee Settlement of GST Obligations

- 8 Each quarter Camden Council will issue each Committee with an invoice or a refund in accordance with GST applicable to the transactions for the past three months. Reconciliations will be sent with the invoice or payment.

8.2 Funds Held In Bank Accounts

- Funds held in bank accounts which are in excess of current operational needs should be invested with the assistance of Council in order to achieve a return on funds, rather than leaving balances in low interest-bearing accounts.

8.3 Debt Management

- Committee will follow Council policy in relation to debt management
- Where debt recovery action is required Committees will engage Council Finance Branch to undertake the debt recovery on their behalf.

9 PROJECT PLAN

- 8.1 Council will prepare a Project Plan for the Committee annually, all activities must conform to the Project Plan.

10 RISK MANAGEMENT AND INSURANCE

10.2 Risk Management

Risk management is a method of identifying and prioritisation of risks, followed by preventative and precautionary measures to avoid injury, loss and damage, to either persons or property.

As a Committee of Council, the Management Committee has a duty of care to ensure the health, safety and welfare of persons using the program.

10.2.1 General

Council and Committees of Council have a wide range of potential liability.

Liabilities can be based on statute and common law duties of care. To ensure compliance there must be appropriate policies, procedures and practices in place.

The Committee are to use documentation provided by Council to evidence the due diligence process and ensure all responsible steps are being taken to identify risks to the Committee and users of the facility.

10.3 Insurance

10.3.1 General

Council is required to take out insurance policies to cover Council's liability as a consequence of Council's business activities. These policies include:

- Public Liability Insurance to cover Council for its liability to third parties for personal injury or property damaged caused by Council's business activities;
- Professional Indemnity Insurance to cover Council for professional negligence claims (e.g. caused by incorrect specialist advice);
- Personal Accident Insurance provides specified benefits for registered volunteers following accidental injury, disability or death while carrying out their duties on behalf of Council;
- Motor Vehicle Comprehensive Insurance to cover Council vehicles driven by volunteers or staff for damage to the vehicle or to third party property; and

- Casual Hirers Insurance covers against public liability claims arising from the casual hiring of a member Council facility.

10.3.2 Notification

Management Committees and hirer/user groups are instructed that any matter or incident which may give rise to a claim against Council must be reported to Council as soon as practicable. This will ensure that investigations and remedial actions can be undertaken to protect Council's interests

Council has a responsibility to notify its insurer as soon as a potential claim is known. Management Committees may receive advice regarding claims via writing or telephone call or by observation. Once the Committee becomes aware of potential claim they are to notify Council immediately. If Council does not notify of claims which they could reasonably have known about indemnity may be denied by the insurer.

10.3.3 Child Protection

Children and Young Persons (Care and Protection) Act 1998 - under this legislation Community Management Committee members accompanying children on trips or participating in activities conducted by the Committee involving contact with children, must complete and pass a Working with Children Check.

Working with Children's Checks are provided by the NSW Children's Guardian. There is no cost for a Volunteer Check. For more information or to make an application please visit:

www.kidsguardian.nsw.gov.au

Procedural Manual for Community Management Committees 2019

Camden Seniors Program Committee

Version draft 02

1. INTRODUCTION

The *Local Government Act 1993* allows Council to delegate authority to committees to manage some of Council's facilities or functions. Council has resolved to delegate responsibility to four Community Management Committees. These Committees are:

- **Camden Bicentennial Equestrian Park Committee**
- **Camden Town Farm Committee**
- **Camden International Friendship Association Committee**
- **Camden Seniors Programs Committee**

Community Management Committees play an important role in the local community, and the volunteers who become members provide a valuable contribution to the local community.

Camden Council recognises the contributions made by volunteers appointed to Community Management Committees and provides advice and direction to assist with their effective operation through Procedural Manuals.

This Manual outlines the responsibilities; functions and operations of the Camden Seniors Program Management Committee; and clarifies Council's role in this partnership.

Upon Council's formal approval of a Seniors Program Committee, its members are required to adopt and adhere to the conditions set out in this Manual.

Councillors may on occasion attend the regular meetings of the Committee to enable them to develop an awareness and/or understanding of the operation of the committee.

Council Contacts

Council's contact information is outlined below:

Contact with Council Officers can be made by contacting Camden Council, 70 Central Avenue, Oran Park - Phone (02) 4654 7777.

Business Hours (8.30am – 5.00pm) Monday – Friday

Contact can also be made via Council's After Hours Emergency Number (02) 4654 7777 which is a 24 hour service. This service should only be used for emergency situations. All other contact should be made during business hours.

Council will also appoint a Council Liaison Officer to act as the key point of contact within the Council for the Committee. This information will be provided directly to the Committee.

2. DEFINITIONS

In this Manual:

- a. "Committee", or "Management Committee" or "Community Management Committee" shall mean that body of persons appointed in accordance with Section 3 of this Manual.
- b. "Community Representative" shall mean those individuals that are not specifically representative of any User Group and are a representative of the Camden LGA.
- c. "Council" shall mean the Council of Camden.
- d. "Council Liaison Officer" refers to an officer of Council assigned to be the key liaison point between a Management Committee & Council. The officer will not have voting rights on the Committee.
- e. "CSPC" is an abbreviation for Camden Seniors Program Committee
- f. "Delegate" refers to "Delegate & Alternate Delegate" as representatives nominated by an organisation to represent their group on the committee.
- g. "Manual" means this Community Management Committee Manual and its appendices.
- h. "Member" shall mean a person and/or organisation appointed to a Management Committee by Council.
- i. "Relative" means the spouse, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or the person's spouse.

3. ROLES AND RESPONSIBILITIES OF MANAGEMENT COMMITTEES

3.1. Appointment & Election of Management Committees

3.1.1. Formation of the Management Committee

- 3.1.1.1. The appointment of Management Committees is at the discretion of the Council. Management Committees are appointed and reappointed in accordance with the provisions of the Local Government Act 1993 every four years.
- 3.1.1.2. Council aims to appoint Committees that are representative of the local community or interest group of the Committee.
- 3.1.1.3. Council will call a public meeting to enable any interested person to find out about the committees available and the responsibilities of committees.
- 3.1.1.4. Council may call the public meeting by advertising in local newspapers and/or by advertisement on Councils' website.
- 3.1.1.5. To hold office and be responsible for the management of a Council facility or function, all committee members must be appointed by Council before they are able to vote or take part in the meetings of the Committee.
- 3.1.1.6. Committees are formally appointed by the Councillors in office, therefore as soon as practicable after the General Election of Councillors, all Community Committee Members will cease to hold office and new Management Committees appointed.
- 3.1.1.7. Existing Committees will maintain a caretaker role until the new committees are formally appointed by Council. The caretaker role permits the outgoing Management Committee to continue with the routine operational business of management & control of their facility and/or program. If clarification is required the Committee should consult with their Council Liaison Officer.
- 3.1.1.8. All nominations for Community Committees are formally submitted in writing to Council for consideration of appointment.
- 3.1.1.9. Following the appointment of committees by Council, Council will issue a Deed of Delegation to each committee. This Deed must be signed by Committee members, within one month of their appointment to acknowledge their role and responsibilities. The Committee continue to operate in a caretaker capacity until the Deed of Delegation is signed by all members.
- 3.1.1.10. Where members are appointed to the Committee after the original Deed of Delegation is signed an appendix Deed of Delegation will be issued and signed by the new members to acknowledge their role and responsibilities.
- 3.1.1.11. Council will provide a structured induction programme for Committee members to ensure they understand the Committee's policies, processes and practices and become effective Committee members as soon as practicable. Induction may comprise a combination of face to face sessions, online and printed resources and mentoring/buddy system with other Committee members. The Committee Liaison Officer will also be available to provide information to members as required.

3.1.2. Management Committee Membership

3.1.2.1. CSP Management Committee Membership Composition

- CSP Committee membership is on a quadrennial basis for the term of Camden Council.
- The CSP Committee will comprise those people and organisations appointed to it by Camden Council. CSP Committee membership will not number less than 7 persons and not more than 15 persons.
- Camden Council may appoint Councillors to the committee however due to the operational nature of the Committee Councillors will act in an ex-officio capacity only unless upon appointment they elect to be considered part of the quorum (see comment in Quorum).
- Management Committee membership should reflect the community of Camden and is open to community members and representatives of groups from within the local area between the ages of 18 and 90 years.
- Staff of Camden Council may not be members of the CSP Committee except with the approval of the General Manager. Approval will only be given where it can be demonstrated that membership of the Committee will not conflict with the employee's duties and responsibilities and does not pose a conflict of interest, or a perceived conflict of interest.
- Camden Council will appoint an appropriate staff member to the position of Council Liaison Officer for the Committee with the agreement of the General Manager.

3.1.2.2. Leave of Absence

- A Committee member who is temporarily unable to fulfil their obligations on the Committee may request a leave of absence from the Committee.
- Typical reasons for needing to take a period of leave include but are not limited to personal health, family health, work or family commitments.
- A leave of absence may be granted by the Committee for a period of up to 6 months.
- A leave of absence can only be approved by a vote of 75% of members entitled to vote present at a properly convened meeting of the Committee.
- During a leave of absence, a member may not participate in votes of the Committee and the member will not be counted when calculating the quorum.
- A leave of absence may be requested by the member of the Committee or on behalf of a member by a relative of the member or by another member of the Management Committee.

3.1.2.3. CSP Committee Voting

- A motion is required to be moved and seconded prior to being put to a vote of the Committee.
- All Committee members shall carry 1 vote at Committee meetings and other times where voting is required. The chairperson/presiding officer also carries a casting vote to resolve any deadlocks for votes undertaken in meetings.

- When a Member declares an interest in an item being discussed and voted on by the Committee, the Committee will act in accordance with Section 5.5.
- Voting at CSP Committee meetings is by default undertaken by a show of hands.
- A motion may be passed to conduct votes by secret ballot using written votes. If a secret ballot is to be undertaken 2 scrutineers will be selected from those in attendance ((not necessarily voting members) at the meeting to conduct and tally the votes.
- A member may request to have their voting intention recorded in the meeting minutes immediately after the result of a vote is announced by the chairperson.
- Proxy votes or absentee votes are not permitted at any General Meeting, Annual General Meeting or Extraordinary General Meeting of the Committee.
- Members on approved leave of absence or suspended are not included in votes of the Committee during their period of absence.

3.1.2.4. Electronic Show of Hands (eVote)

- On occasion it may be necessary to seek agreement among the Committee between Committee meetings for administrative matters affecting the immediate program. On these occasions an Electronic Show of Hands (eVote) may be used.
- The Executive Committee and/or the CSP Committee may request an eVote to be conducted either by the Secretary or Council Liaison Officer.
- An eVote requires that all Committee members are requested to respond electronically in writing (email, SMS etc) to a proposition within a defined period of time.
- Normal rules for a quorum and voting apply to eVotes where a response of more than 50% of committee members is required (Quorum) and a majority of those responses received in the affirmative are required for the proposition to be approved.
- Records of eVotes should be tabled at the next General Meeting and included in the official record of the meeting using a proforma template provided by Council.
- All decisions made by eVote are binding on the CSP Committee and are to be tabled at the next General Meeting for ratification by the CSP Committee.
- Members on approved leave of absence or suspended are not included in eVotes of the Committee during their period of absence.
- Secret ballots are not permitted for an eVote and all eVotes are public.

3.1.3. CSP Management Committee Membership Recruitment

- 3.1.3.1. No particular qualifications are necessary to be considered for membership of the Committee, however the general duties and expectations of being a member of the Management Committee are as follows:
- commitment to the community activities of the Committee;

- willingness and ability to give adequate time and energy to the duties of being a Committee member, including the ability to attend monthly meetings and other meetings as required from time to time;
 - willingness to be actively involved in and contribute to Committee activities;
 - willingness to work collaboratively, cooperatively and respectfully with other community volunteers and Council staff;
 - willingness to uphold the values and objectives of the Committee;
 - ability to act with integrity and avoid or declare conflicts of interest;
 - willingness to contribute to the strategic direction, including agreeing and monitoring the Project Plan; and
 - willingness to ensure that risks to the organisation, staff, volunteers and service users are at an acceptable level and are effectively managed.
- 3.1.3.2. Management Committee members must be aged 18 years or older at the time of nomination.
- 3.1.3.3. Council will advertise and call for membership nominations at the time of, or soon after the quadrennial local government elections.
- 3.1.3.4. For casual vacancies Council may advertise and call for membership nominations at the time of the vacancy, provided there is more than 12 months until the next quadrennial local government elections.
- 3.1.3.5. Council will seek membership nominations using an application form designed to address the job description and an outline of relevant skills and experience that is beneficial to the Committee. The application may also require character references and other screening appropriate to the role.
- 3.1.3.6. Membership nominees and their written nominations will be screened and assessed by a selection panel comprised of Council staff. Other suitably experienced individuals may be invited to participate in the selection panel.
- 3.1.3.7. Membership nominees may be interviewed by the selection panel to further assess their suitability to serve on the Management Committee.
- 3.1.3.8. Nominees who have been members on previous committees will also be assessed on their previous performance with regard to their demonstrated contribution, attendance, behaviour, and their ability to collaborate as part of the Committee.

3.1.4. Management Committee Office Bearers

3.1.4.1. Election of Office Bearers

- The Committee will elect from its membership an Executive Committee comprising the Executive Office Bearers to fulfil the activities and responsibilities of the Executive roles.
- The Committee may elect from its membership other non-executive positions and/or sub-committees to coordinate programs.

- Elections for office bearers are undertaken at the Annual General Meeting and/or as required to fill casual vacancies.

3.1.4.2. CSP Executive Committee

- The CSP Executive Committee will comprise of the Executive Office Bearers, namely the positions of:
 - President
 - Secretary
 - Treasurer
 - Vice President
- The Executive Committee is charged with both setting the direction for the General Committee and for considering, deciding and approving actions in the context of control and management.
- All decisions made by the Executive Committee are binding on the CSP Committee and are to be tabled at the next General Meeting for ratification by the CSP Committee. The CSP Committee may overturn a decision of the Executive Committee by resolution.
- The Executive Committee should operate in an agile manner. Decisions of the Executive Committee can be achieved by formal meetings, phone calls and informal meetings. Minutes of Executive meetings must be kept and provided to the next General Meeting of the Committee for ratification. Matters containing confidential items may be reported to the Committee as resolution only.
- A member may not hold an Executive Position on more than one Council Community Management Committee at one time.
- Where there is more than one person from a family, only one member of the family can be an Executive Office bearer on the same Committee at the same time.
- Only one (1) of those related office bearers is to approve individual payments (sign cheques/approve EFT payments).
- The Executive Committee may request an eVote (as described elsewhere in this document).

3.1.4.3. Executive Officer Bearer Position Descriptions

President/Chairperson

The President shall be the Executive head of the Management Committee. The President will:

- Ensure all necessary tasks for day to day running of the activities of the CSP Committee are carried out;
- Chair Committee and General Meetings ensuring that correct meeting procedures are followed and control of the meeting is maintained;
- Serve as a spokesperson and representative for the CSP Committee when required;
- Prepare and distribute the agenda (in consultation with the Secretary and Council Liaison Officer), setting out the items of business to be considered;

- Ensure Committee meetings are properly convened in accordance with this manual i.e. proper notice of a meeting is given and a quorum is present;
- Act impartially and use discretionary powers in the best interests of members and in accordance with the agreed standing orders and ensure all statutory regulations and organisational rules are observed; and
- Provide assistance to all members of the Management Committee to help ensure that they fulfil their respective roles.

Secretary

The Secretary is the administrative manager of the Management Committee and is responsible for coordination of all administrative tasks. The Secretary will:

Before a meeting

- Draw up the agenda in consultation with the Chairperson;
- Make copies of the agenda if required.

During the meeting

- Maintain an attendance register;
- Take minutes of Committee meetings;
- Read minutes of previous meeting if necessary;
- Provide a list of correspondence in order and summarise any important points;
- Record any motions and/or decisions of the meeting including, mover and seconder.

After the meeting

- Forward minutes of Meetings to the CSP Committee and to Council;
- Keep a register of inward and outward correspondence and file copies of all letters written;
- Forward copies of all correspondence to Council for inclusion in its electronic document management system.

In between meetings

- Inform all other committee members of any correspondence requiring urgent attention.

Treasurer

The Treasurer is the financial manager of the Management Committee and holds responsibility for the all financial matters. The Treasurer will:

- Ensure that all financial records of the Committee are kept in a proper manner;

- Prepare and present monthly a treasurer's report to the Management Committee. The report must include a bank reconciliation, income statement, balance sheet and cash flow statement as a minimum;
- Prepare financial records of the Management Committee for audit at the end of financial year;
- Keep financial records for all incoming and outgoing transactions;
- Bank all monies received by the Committee in an approved bank account;
- Present to each Committee meeting a current financial statement;
- Present to each Committee meeting all program invoices received on behalf of the Committee; and
- Prepare and submit the financial books of the Committee to Council as required.

Where the committee requests council to take on the role of Treasurer on behalf of the committee. Council will appoint a staff member to undertake the tasks above.

Vice President

The Vice President is the Deputy Executive head of the Management Committee. The Vice President will:

- Act as President in the event of the President being unable to fulfil his or her duties;
- Support the President and Executive Committee in fulfilling the requirements of their roles;
- Ensure that the Committee activities are in accordance with the rules, regulations & guidelines required for the Management Committee;
- Ensure the committees procedures and documents are in order;
- Ensure action items and resolutions are carried out;
- Oversee Work Health and Safety matters and report any matter to the Committee; and
- Fulfil such other duties as the committee may request.

3.1.5.1. Council, through the General Manager, may appoint a staff member to the role of Committee Liaison Officer. The Officer is authorised to participate in committee discussions, activities and deliberations but is without any voting rights at any time.

3.1.5.2. The Committee Liaison Officer reports to the relevant Council Director/Manager, not the Committee.

3.1.5.3. Council Directors/Managers may direct the Committee Liaison Officer to communicate certain advice relating to Council policies, legislation, operational matters and adherence to the controls of this manual to the Committee.

3.1.5.4. The Committee Liaison Officer may provide services such as professional advice and administrative duties as agreed between the relevant Director/Manager and the Committee.

- 3.1.5.5. The Officer may be temporarily appointed by the Committee to any of the Office Bearer roles except the role of President. The Officer may be elected by the Committee to chair meetings.
- 3.1.5.6. Where appropriate, the Committee Liaison Officer will provide advice to the Committee with regards to Council policies, legislation, operational matters and adherence to the controls of this manual. The Committee Liaison Officer may also seek guidance and/or instruction from Council to assist in the provision of advice to the Committee with regards to Council policies, legislation, operational matters and adherence to the controls of this manual.
- 3.1.5.7. The Committee Liaison Officer will monitor the Committee's compliance with the manual and report any instances of non-compliance as well as performance, activities and operation of the Committee to their Director/Manager as required.
- 3.1.5.8. The Committee Liaison Officer is not to request or receive any payment from the Committee for provision of services.
- 3.1.5.9. The Committee Liaison Officer will coordinate the logging of any requests for assistance from Council into Council's CRM system on behalf of the Committee.
- 3.1.6.1. Council may dissolve a Management Committee at any time. Council may wish to dissolve a Management Committee to carry out the control of the program itself.
- 3.1.6.2. Council may also dissolve a Management Committee if that Committee is not complying with the roles and responsibilities of the Committee outlined in this Manual.
- 3.1.6.3. The Management Committee shall be dissolved in the event of it becoming unviable where membership drops to less than seven (7) members.
- 3.1.6.4. The Committee can by resolution recommend to Council that the Committee be dissolved by a vote of 75% of members entitled to vote present at an Extraordinary Meeting of the Committee properly convened to consider this option. Council has established the following policy to address this issue:
- if a committee chooses to remain active it is given 6 months to re-establish a viable membership as above (i.e. minimum of 77 members); or
 - if a committee, facility or function becomes inoperable or inactive, the Committee will be dissolved and all responsibilities will be taken over by Council.
- 3.1.6.5. Upon a resolution to dissolve the Committee being passed and confirmed by Council, all assets and funds of the Management Committee shall, after payment of all expenses and liabilities, be handed over to Council.
- 3.1.7. Suspension and Revocation of membership of a Management Committee**
- 3.1.7.1. Revocation of Membership**
- A member (individual or organisation) shall have their membership on the Management Committee revoked and cease to be a member of a Management Committee when Council passes a resolution to remove the member from the Committee.

- If an individual or organisation has their membership of the CSP Management Committee revoked that member may not be reappointed to the CSP Management Committee during the same term of Council.

3.1.7.2. Suspension of Membership

- An individual may be suspended from the Management Committee. During a period of suspension the member may not participate in any activities of the Committee and as far as is practicable be excluded from all intra-Committee communication.
- Suspension of a member occurs to either allow time for Council to process the revocation of a membership, or as a punitive action against improper behaviour.

3.1.7.3. Automatic Suspension of membership

A member of the Management Committee will be automatically, immediately and indefinitely suspended if:

- Council passes a resolution to suspend a member;
- The member resigns from the Committee by notification in writing to the Committee and/or Council;
- The member is deceased;
- The member is bankrupt;
- The member holds any office of profit under the Committee;
- The member fails to disclose any pecuniary interest in any matter with which the Committee is concerned and takes part in the consideration, discussion or votes on any question relating to the matter;
- The member while holding that office is convicted of an offence under Part 4 of the *Crimes Act 1900* which includes offences relating to property; or
- The member intentionally disobeys the manual, Council policies, procedures and/or Council direction.

Where a member is automatically suspended the Management Committee will provide advice to Council of the reasons for the suspension without prejudice.

A letter will be provided to the member by Council advising their membership has been suspended.

3.1.7.4. Suspension by resolution of the Management Committee

A member of the Management Committee may be suspended for a period of up to 3 months by the passing of a vote by 75% of members entitled to vote present at a properly convened General or Extraordinary General meeting for the following reasons:

- the member is absent for 3 or more consecutive general meetings without a leave of absence granted from the Committee;
- the member is absent for more than 50% of general meetings in a 12 month period without a leave of absence granted from the Committee;
- the member seeks to overturn a decision of the committee by making representations to Councillors or other third parties. This does not include contacting Council or making representations through formal mechanisms such as submissions to exhibited materials where council is seeking community feedback;

- the member uses or distributes information attained whilst undertaking their duties on the committee to lobby against a decision of the committee or to lobby Councillors or other third parties;
- the member undertakes actions that defy and/or are contrary to a decision of the Management Committee;
- the member brings the reputation of the Management Committee and/or Council into disrepute;
- the member acts in a manner unbecoming of an officer of a Council Committee; or
- The member directly or indirectly threatens or menaces other Committee members;

Where a member is suspended by resolution the Management Committee will provide advice to Council of the reasons for the suspension and may forward a recommendation for Council to consider removing the member from the Management Committee permanently without prejudice.

3.2. Duties and Responsibilities of Management Committees and Council

The duties and responsibilities of Management Committees and Council varies between committees.

3.2.1. Deed of Delegation

Council sets out the delegation of the committee in a Deed of Delegation. This Deed sets out the specific function delegated by Council and is accompanied by a Schedule of Delegation and a copy of this Manual.

3.2.2. Responsibilities of Council

3.2.2.1. Council's Overriding Authority

Management of the program is delegated to the Management Committee by Council. Whilst the Committee has control over the program, Council may exercise overriding authority and may revoke the powers of the Committee or otherwise direct the Committee as Council sees fit.

3.2.2.2. Insurance of Committee Members

The Council shall insure the Committee in respect of Public Liability Insurance, Professional Indemnity Insurance, and Personal Accident Insurance and Motor Vehicle Insurance (for Council registered vehicle's only)

3.2.2.3. Training of Committees

Council will provide compulsory training to advise members and the Executive of the Committee of the requirements of their positions. Training will be arranged by Council. Additional training may be requested by the Committee.

3.2.2.4. Customer Service Charter

Council will respond to requests of the Committee in accordance with its Customer service Charter

3.2.2.5. Legal Expenses

Council may consider the payment of legal expenses in relation to matters involving the Committee and members when acting in their capacity as members of the Committee.

3.2.3. Responsibilities of Management Committees

3.2.3.1. Responsibilities

The Community Management Committee will be responsible for the care, control, and management of a program (including organising, operating and implementing).

3.2.3.2. Care, control and management

Care includes:

- Duty of care to ensure the health, safety and welfare of persons participating in a program of the Committee; including contractors or volunteers;
- Advising Council of any potential insurance risk that may arise in regard to programs and participants;
- Attaining sufficient funds to maintain the program as a going concern;
- Ensuring sufficient and equitable access to the program by the community; and
- Ensuring that all users of the program conform to the insurance requirements as set out in this Manual.

Control includes:

- Holding regular meetings with recorded minutes;
- Monitoring and maintaining financial records;
- Submitting an annual report and all records to Council for an annual audit;
- Submitting monthly financial reports in accordance with GST requirements;
- Clearly defining the role of office bearers and Committee members;
- Maintaining a post office box or public postal address to which all physical correspondence will be forwarded;
- Maintaining a public email address to which all email correspondence will be forwarded;
- Submitting a current list of all Committee members including the address and phone number and emergency contact details to Council immediately following nominations of the Committee, and where there are changes; and
- Submitting officer bearers names and an audited financial report to Council following the Annual General Meeting each year.

Management includes:

- Ensuring that all monies received will be used for the benefit of the activity in an equitable, honest and consistent manner;
- Ensuring that the organisation is not used for the financial gain of individual members;
- Being aware of and involved in, appropriate community activities, which are compatible with the goals of the program;
- Developing and updating Project Plans;
- Recommending policies and procedures which contribute to the effective management of the program; and
- Being accountable to the community and the Council for the Committees actions and initiatives in respect of the program.

3.2.3.3. Limitations of powers

The Committee may not make decisions concerning the following:

- Borrowing any monies without the express written consent of Council on each occasion;
- The purchase of goods and services of a value exceeding \$10,000 (ex GST) without the prior written approval from the General Manager or relevant sub-delegated Director in compliance

with Council's Purchasing and Procurement Policies. For any purchase which are considered to be related or to be used in relation to the same Project, their combined value must not exceed \$10,000 (ex GST) without the prior written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing and Procurement Policies.

- Formation of submissions to government without the prior written consent of Council;
- The payment or making of any profit, gain or gift, to or by its members as well as allowance or travelling expenses incurred whilst attending Committee meeting;
- As a voluntary Committee, members do not receive payment for their services. The Committee may by resolution reimburse the Committee members for reasonable expenses incurred in the completion of official Committee activities. No other payment is to be made to Committee members without the prior written approval of Council;
- The Committee is not permitted to vote monies for expenditure on the works, services or operations of Council;
- The Committee is not permitted to enter into any legal action;
- The Committee is not permitted to loan or donate funds for any purpose
- The Committee is not permitted to set or charge fees for Membership of the Management Committee.

The exercise by the Committee of its powers and functions will be subject to such limitations and conditions as may from time to time be imposed by law, specified by resolution of the Council or in writing by the General Manager to the Committee. The Committee will observe any rules and regulations made by Council, in relation to the facility/ function under its management and control.

If at any time the Committee is deemed to be functioning outside the limits of its powers as described herein, all powers may be revoked by written notice to the Committee signed by the General Manager or their representative.

4. DISPUTES

4.1. General & External:

- 4.1.1. Where a citizen(s) of the local government area that is not a member of the Management Committee disagrees with a resolution of the Management Committee these persons may refer their grievances in writing to the Committee for reconsideration.
- 4.1.2. Where the Management Committee chooses not to alter its decision, the citizen(s) or citizens may present their grievance to Council in writing, for reconsideration.
- 4.1.3. Where such notice in writing is referred to Council, Council will request a report on the issue from the Management Committee. Upon receipt of the report the matter will be referred to Council for resolution.
- 4.1.4. Upon Council adopting a resolution, the details of Council's deliberations will be advised to the Management Committee and the citizen(s) who referred the matter to Council.
- 4.1.5. A member may not seek to amend, change or overturn a decision of the Committee by making representation directly or indirectly to Council and / or Councillors or other officials and / or organisations.

4.2. Disputes - Internal

- 4.2.1. All disputes between members of the Committee are to be attempted to be resolved within the Committee where possible.
- 4.2.2. Where a dispute occurs within a Committee the resolution of the majority of the Committee as a whole will determine the outcome. Where this is not possible the Chairperson/President will have the casting vote.
- 4.2.3. There will be no right of appeal when the Management Committee has determined its resolution of a dispute.
- 4.2.4. A member may not seek to amend, change or overturn a decision of the Committee by making representation directly or indirectly to Council and/or Councillors or other officials and/or organisations.

5. LEGAL ISSUES

5.1. Delegation from Council

- 5.1.1. From a legal perspective, it is important that Management Committees of Council and their members be aware that they are acting on Council's behalf. Legally, the committee is 'Council' and any action that the Committee undertakes is Council's responsibility.
- 5.1.2. Council delegates its authority to the Committee to act on Council's behalf.

5.2. Record Keeping

- 5.2.1. All documents and records relating to the delivery of the Management Committees, e.g. minutes of meeting, financial reports, correspondence etc. should be kept in accordance with the State Records Act.1998. Committees should provide copies of all records to their Council Liaison Officer to be archived in Council's electronic document management system.
- 5.2.2. Management Committees need to be aware of the importance of minutes, because of their legal status and their liability to be subpoenaed in court cases.
- 5.2.3. Minutes are required to be kept for all formal meetings of the Committee. These include General meetings, Annual General meetings and Extraordinary General meetings.
- 5.2.4. Meeting minutes must record all motions and amendments put to the meeting, and the results. Minutes should include the mover and seconder of motions. There is no need to record what members say at a meeting, however, there may be occasions when it is appropriate to record the general content of discussions.
- 5.2.5. The Chairperson/President and the Secretary are responsible for the form of the minutes for proper confirmation and must check that there have been no unauthorised alterations to those minutes.

- 5.2.6. Where electronic minutes are used as the sole record of proceedings a motion accepting the minutes as a true record of proceedings of the meeting is required. This includes any amendments required and accepted by the Committee. The Chairperson/President is not required to sign the minutes.
- 5.2.7. Electronic minutes must be stored in Council's electronic document management system as soon after the meeting being held as is practicable in a read-only state prohibiting any changes or updates.
- 5.2.8. The motion to confirm the minutes can only be moved and seconded by persons who were in attendance at that meeting to which the minutes relate. Should there be insufficient members present from the previous meeting the Chairperson may exercise their right to move and/or second the motion to confirm previous minutes.

5.3. Pecuniary Interest

- 5.3.1. A pecuniary interest is one of financial benefit by a Committee person or other person with whom the person is associated (that is, spouse, de-facto partner or relative of a Committee person) from an interest that a Committee person has in a Council matter.
- 5.3.2. A pecuniary interest does not exist where the interest is so remote or insignificant that it could reasonably be regarded as unlikely to influence any decision.
- 5.3.3. The obligation to disclose a pecuniary interest is a strict duty, and the person's motives for participation are irrelevant if an interest is said to exist.
- 5.3.4. Chapter 14 of the *Local Government Act 1993* includes a framework for the handling of alleged breaches of the pecuniary interest provision of the Act. The Act is about openness, accountability and transparency in decision-making by councils and any Committees representing the Council.
- 5.3.5. It is the responsibility of members of Management Committees:
- To disclose to the meeting any pecuniary interest in a matter before the meeting;
 - Not to participate in the discussion of the matter before the Committee in which the member has a pecuniary interest; and
 - Not to vote on the matter before the Committee meeting in which the member has a pecuniary interest.
- 5.3.6. Pecuniary interest provisions are not breached if the person did not know or could not have reasonably been expected to know that the matter under consideration was a matter in which the person had a pecuniary interest.

5.4. Conflict of Interest

- 5.4.1. A conflict of interest can arise when a member of the Committee has other involvements or interests that make it difficult for them to always remain impartial when involved in discussions and decision makings. These can include:
- Business or professional activities;

- Employment or accountability to other people or organisations;
- Membership of other community organisations or service providers; or
- Ownership of property or other assets.

The conflict may lead to:

- Financial benefit e.g. sale of goods or privileged knowledge;
- Political benefit e.g. gaining or losing electoral support; or
- Personal benefit e.g. career advancement or increased standing in the community.

5.5. Declaration of Interests

5.5.1. It is the responsibility of Committee members:

- To disclose to the meeting any pecuniary interest in a matter before the meeting, and
- Not participate in the discussion of the matter before the Committee in which the member has a pecuniary interest, and
- Not to vote on the matter before the Committee meeting in which the member has a pecuniary interest.

A pecuniary interest does not exist where the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision. The obligation to disclose is a strict duty and the persons motives to participate are irrelevant if an interest is said to exist.

5.5.2 Pecuniary interest provisions are not breached if the person did not know or could not have reasonably been expected to know that the matter under consideration was a matter in which the person had a pecuniary interest.

5.5.3 Committee members are also required to lodge an annual written pecuniary interest declaration in accordance with the section 440AAA of the *Local Government Act 1993*. Committee members are strongly advised to declare any interests they may have in this written declaration to ensure transparency, accountability and protection for individual members.

5.6. Code of Conduct

5.6.1. Committee Members are required to adhere to Council's Code of Conduct. Compulsory training on the Code of Conduct will be provided to all Committee members.

5.7. Privacy and Personal Information Protection Act

5.7.1. Committee members are required to abide by the *Privacy and Personal Information Protection Act, 1998* (PPIPA). The Act provides for the protection of personal information and the privacy of individuals generally. Training will be provided to all Committee members.

6. MEETINGS

The Management Committee should meet on a regular basis to discuss relevant business, and make decisions affecting the facility/program operation. The time, scheduling and location of meetings will be decided by the Committee.

6.1. Agenda

- 6.1.1. An agenda should be sent out to all Management Committee members at least 5 days prior to any meeting giving notice of the proposed meeting and of any items for discussion and notices of motion
- 6.1.2. The format of the agenda will be agreed on from time to time by the Committee but will include as a minimum:
 - Time, date and date and venue of the meeting;
 - Matters to be discussed / considered; and
 - Means for members to submit apologies.
- 6.1.3. Written reports for the President, Treasurer will be sent out with the agenda to allow Committee appropriate time to review the report prior to the meeting.

6.2. Quorum

A quorum of any meeting (General, Annual General, Executive or Extraordinary General) will consist of more than half the total number of entitled voting members (i.e. greater than 50%). Should a quorum not be present:

- at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - within half an hour after the meeting time designated for the meeting, or
 - at any time during the meeting.
- the meeting will be adjourned to a date determined by the Executive Committee.
- 6.2.2. Members who are absent or have submitted an apology for their non attendance to a meeting will be counted when calculating the quorum.
 - 6.2.3. Members who have been granted leave of absence or who have been suspended from the committee will not be counted when calculating the quorum.
 - 6.2.4. Councillors who are appointed to a Management Committee in an ex-officio role will not be counted when calculating the quorum. A Councillor may advise the Committee that they wish to be included in the quorum and if so they will be included in the quorum calculation for the remaining term of the Management Committee.
 - 6.2.5. Where a meeting commences with a quorum any members who wish to depart the meeting prior to its formal adjournment must seek leave from the meeting by resolution. If leave is granted the time of the members departure will be noted in the minutes and the quorum will not be adjusted. If leave is not granted and the member departs the member will be removed from the calculation of the quorum.

6.3. Ordinary/General Meetings

- 6.3.1. There should be no less than six (6) Ordinary/General meetings held each year, however it is recommended that Ordinary/General Meetings of the Committees occur on a monthly basis to ensure that any outstanding matters are dealt with expeditiously.
- 6.3.2. A calendar of when general meetings are to be held in the ensuing 12 months should be drafted at the Annual General Meeting.
- 6.3.3. General meetings of the Management Committee are required to address correspondence, management and control matters, finance matters, risk management matters and general matters relating to the program.
- 6.3.4. An agenda for a General Meeting should be sent out to all Management Committee members at least 5 days prior giving notice of the proposed meeting and of any items for discussion and notices of motion.
- 6.3.5. Minutes of a General Meeting will be kept of the proceedings and a copy forwarded to Council for storage in its electronic document management system.
- 6.3.6. General meetings will be conducted in accordance with Council's adopted Code of Meeting Practice.

6.4. Annual General Meeting

- 6.4.1. The Annual General Meeting will report on the activities of the Committee for the year, to conduct elections for Committee positions and to receive the annual financial report.
- 6.4.2. The Annual Financial Report will be presented to the Committee for adoption and for forwarding to Council for auditing purposes.
- 6.4.3. An agenda for the Annual General Meeting will be sent out no less than 21 days prior to the meeting.
- 6.4.4. Minutes of an Annual General Meeting will be kept and a copy forwarded to Council for storage in its electronic data management system.
- 6.4.5. The Annual General Meeting will be conducted in accordance with Council's adopted Code of Meeting Practice.

6.5. Extraordinary General Meetings

- 6.5.1. An Extraordinary General Meeting of a Committee may be called to discuss urgent business and matters outside the scope of an ordinary meeting. A meeting must be requested in writing to the Executive Committee by two (2) members of the Committee.
- 6.5.2. An agenda for the Extraordinary General Meeting of matters to be considered by the Committee will be prepared and circulated to all members of the Committee with at least three (3) business days notice.
- 6.5.3. Only matters included in the agenda will be considered at an Extraordinary General Meeting.
- 6.5.4. Minutes of an Extraordinary General Meeting will be kept and a copy forwarded to Council outlining the reason for the meeting and for storage in Council's electronic document management system.

6.5.5. An Extraordinary General Meeting will be conducted in accordance with Council's adopted Code of Meeting Practice.

6.6. Minute Format

General Meeting minutes of the CSP Management Committee will be forwarded to Council for storage in its electronic document management system.

Items to be addressed in the minutes should include:

- Attendance – records of attendees and apologies
- Declaration of pecuniary interests
- Previous minutes and matters arising
- Executive and operational reports
- Correspondence and matters arising
- Agenda items with notice
- Project reports
- Action log/register log
- Member reports
- General business

7. FINANCIAL MANAGEMENT

7.1. Introduction

Council Community Management Committees and their members are appointed under Section 355 of the *Local Government Act 1993*. As such, they are subject to the same standards of financial accountability as Council and its employees. It is imperative that Committees manage their finances prudently and with transparency.

At all times, any funds and assets held by the Committee ultimately remain the property of Council. The Committee is responsible for the care and management of the funds and assets held on behalf of Council.

Where necessary Council will provide the committee with advice and support to comply with Council and the Committees financial management obligations.

7.2. Financial Records

7.2.1. Bank Accounts

- 7.2.1.1. All bank accounts operated by a Committee will be established by Council with a banking provider of Council's choice. Establishment of bank accounts by committees are not permitted.
- 7.2.1.2. Council will establish a transaction bank account on behalf of the Committee which will serve to operate for the Committee's operational transactions. Council may establish other accounts (interest bearing, term deposits etc) if requested in writing by a Committee.
- 7.2.1.3. All bank accounts will require dual (2) approval for any payments. These approvals can be dual signatures on cheques or dual EFT approval.

- 7.2.1.4. The signatories of all accounts will include the Committee Executive, as well as at least two Council Finance staff members. Committee signatories require approval at the time of their election to an Executive role.

7.2.2. Financial Record Keeping

- 7.2.2.1. Financial records must be kept in accordance with this Manual. Training will be provided by Council's Finance section following the election of a Treasurer as required.
- 7.2.2.2. Committees of Council operate under a financial year from 1 July to 30 June. Each Committee's accounts need to be completed and submitted to Council by 15 July each year, following their adoption at a Committee meeting. This will enable Council to consolidate the Committee's accounts into Council's general accounts as required under the *Local Government Act 1993*.

7.2.3. Financial Documents

If a committee does not use Council's accounting software to record its financial transactions, each Committee should maintain the following records:

- Cheque Book - supplied by Council
- Receipt Book - supplied by Council
- Bank Deposit Book – if applicable
- Bank Statement Folder – if applicable
- Petty Cash Book and Tin – if applicable
- Cash-book (electronic version available)
- Business Activity Statement Forms for GST records (electronic)
- Bank Reconciliation Forms (electronic)

It is essential that these records are maintained and reconciled monthly.

7.3. Receiving Payments

- 7.3.1. Payments of program fees or other services provided by Management Committees can only be made by cheque, EFT or bank deposit. Cash may not be used.
- 7.3.2. The following process should be followed:
- Ensure that the correct amount has been paid by either cheque, EFT or bank deposit.
 - Write out a receipt from the Receipt Book
 - Give the original receipt to the payer (tear out of book)
 - Ensure that the duplicate receipt is kept in the Receipt Book.
 - Store any cheques in an appropriate location until they can be banked.
 - Ensure that any cheques on hand are banked weekly.

7.4. Making Payments

- 7.4.1. The Committee is empowered to make purchases up to the value of \$10,000 (ex GST) expending sums as necessary from amounts received from fees and charges to meet costs

arising out of the delegation function. All purchases should comply with Council's Purchasing and Procurement Policies and requirements set out in this Manual. All purchases should be for goods and services required for the exercise of the responsibilities of the Management Committee.

- 7.4.2. Purchases for goods and services above \$10,000 (ex GST) require written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing and Procurement Policies. For any purchases which are considered to be related or to be used in relation to the same Project, their combined value must not exceed \$10,000 (ex GST) without the prior written approval from the General Manager or relevant sub-delegated Director in compliance with Council's Purchasing and Procurement Policies.
- 7.4.3. It is not appropriate or permissible to:
- Split invoices from the same or similar Projects to avoid the requirement for Council approval under Clause 8.4.2; or
 - Intentionally mislead Council representatives in any way about the cost associated with a Project.
- Any member engaging in behaviour described above may be the subject of disciplinary action under Clause 3.1.6 of this Manual (Suspension and Revocation of membership of a Management Committee).
- 7.4.4. Any payments over \$82.50 (GST-inclusive) must be supported by an official Tax Invoice from the supplier. This enables the Committee to claim back the GST portion of the payment when completing their monthly Business Activity Statement (BAS) and is a requirement of the Australian Taxation Office (ATO). Without a Tax Invoice, the GST portion is unable to be claimed.
- 7.4.5. All Committee expenditure must only be paid by cheque or Electronic Funds Transfer (EFT). Under no circumstances should a blank cheque be signed.
- 7.4.6. All procurement and payments should be made in accordance with Council's Purchasing and Procurement Policies with additional steps appropriate for a Committee as outlined below:
- 7.4.6.1. A committee member requests approval from the Management Committee for the procurement and/or supply of service or goods (e.g. engage a contractor, purchase timber supplies).
- 7.4.6.2. The Committee considers the request, checks that documents and quotes provided are suitable, adequate and compliant with Council policies and if deemed appropriate approves the procurement and/or supply.
- 7.4.6.3. The Committee member engages the vendor for the service or goods and the supplier issues a tax invoice.
- 7.4.6.4. Where the invoice matches (or is below) the amount approved by the Committee, the Committee member and an Executive Committee member notes the invoice advising that the goods/services consistent with the quote accepted and approved by the Committee is presented to the Committee have been provided. The invoice is then presented to the Treasurer for payment.

- 7.4.6.5. The Treasurer and one other cheque signatory confirms that the amount and invoice details and other calculations are correct (including GST, etc)
- 7.4.6.6. The Committee member provides certification/endorsement that the service or goods have been supplied consistent with the quote provided.
- 7.4.6.7. Treasurer pays the invoice by EFT. If EFT is not available, payment may be made by cheque
- 7.4.6.8. The invoice and any supporting documentation is stored for future reference.
- 7.4.6.9. Payment of the invoice is then recorded either in the cashbook or accounting software.
- 7.4.6.10. Where the invoice is above the amount approved by the Committee, the Committee member must table the invoice at a Committee meeting for consideration.
- 7.4.6.11. The Committee reviews the invoice and associated endorsement and if deemed appropriate approves payment of the invoice by resolution. If approved, the payment of the invoice is to be done in accordance with clause 7.4.4.5 – 7.4.6.8
- 7.4.7. Where payment of an invoice is required prior to a meeting being convened an “electronic show of hands (eVote)” as described elsewhere in this Manual may be used. Ratification of the payment should be tabled at the next General Meeting of the Committee.
- 7.4.8. In extreme cases where payment of an invoice is required urgently the Executive Committee may consider an invoice for payment. Ratification of the payment and record of the vote should be tabled at the next General Meeting of the Committee.
- 7.4.9. If prior approval from the Executive Committee is received a Committee member may expend up to \$500 ex GST for the purchase of goods and services for the program and be reimbursed by the Committee on presentation of the appropriate invoices/dockets/receipts.

7.5. Maintaining the Cash Book

- 7.5.1. A Cash Book is used to record the Committee’s receipts and payments.
- 7.5.2. The Cash Book will be kept either electronically using the Council preferred accounting software or other agreed method.

7.6. Using the Cash Book

- 7.6.1. Every time the Committee receives or pays money, the Treasurer records the date, source, amount, and receipt/cheque/payment number in the Cash Book.
- 7.6.2. Receipts and payments are entered consecutively in date and receipt number/cheque number order in the appropriate location of the cash book.
- 7.6.3. If using the electronic version, all columns will total automatically.
- 7.6.4. If using the accounting software income should be allocated against the appropriate item (e.g. Ground Hire, Building Hire, Bins, Bonds etc.).
- 7.6.5. If using the accounting software the system will collate all income and expenditure.

- 7.6.6. If using the electronic version, save the file for that month, e.g. January 2019, and start a new file for each month.

7.7. Bank Reconciliations

- 7.7.1. At the end of each month, the Committee will obtain a Bank Statement for its Bank Account. This needs to be reconciled with the Cash Book.

7.8. Preparing a Bank Reconciliation

- 7.8.1. Review the Cash Book, checking to see if all cheques have been presented and deposits confirmed at the Bank (ie. noted on the Bank Statement as having been paid or received). Check that the dollar amounts are the same.
- 7.8.2. Enter into the Cash Book any entries on the Bank Statement which are not already recorded, ie. there are likely to be bank charges and interest to add to the Cash Book.
- 7.8.3. For electronic Cash Books, you must save the file for that month, and start a new file for the next month.

7.9. Balancing the Bank Reconciliation

- 7.9.1. Write down the amount in the bank at the time of the last reconciliation (generally the amount at the beginning of the month). Add the total amount of money received (according to the Cash Book) since the last reconciliation. Subtract the total amount paid (according to the Cash Book).
- 7.9.2. Add the total amount for un-presented cheques and subtract the total of any outstanding deposits in the Cash Book (the last banked amount should be recorded in the Banking column, and all receipts after that should not yet have been banked). This will all calculate automatically if using the electronic Cash Book spreadsheets.
- 7.9.3. Check that the amount you have calculated is the same as the amount on the bottom of your Bank Statement. If not, check all figures and repeat this process.
- 7.9.4. If the amount is unable to be reconciled, this shall be reported to the Committee Liaison Officer to seek assistance from Council's Finance section.

7.10. Annual Financial Statements

Goods & Services Tax (GST) Compliance

.10.1 GST Basics

- All of Council's Committees must use Camden Council's Australian Business Number (ABN) 31 117 341 764.
- Committees are responsible for administering the requirements of GST legislation i.e. charging GST on taxable supplies and correctly identifying input tax credits claimable from the Australian Taxation Office (ATO). Accordingly each Committee must supply Council's Finance section with details of GST applicable to all financial transactions for inclusion in Council's monthly Business Activity Statements (BAS).
- All suppliers for purchases exceeding \$82.50 (GST-inclusive) must supply a valid Tax Invoice to the Committee prior to payment. If the supplier does not have an ABN and is registered for GST, the Committee must obtain a Statement by a Supplier declaration from the supplier. This must be obtained and completed before any payments can be made to that supplier. The completed form must then be kept on record for audit purposes.

.10.2 Monthly Business Activity Statements (BAS)

Council is required to lodge its BAS within 21 days after the end of each month. To enable the Finance section to meet this deadline, Committees are requested to submit a photocopy of the following Cash Book entries within 10 days after the end of each month:

- Income transactions
- Expenditure transactions
- BAS Report (if using electronic cash books this is automatically generated)

.10.3 Committee Settlement of GST Obligations

- Each quarter Camden Council will issue each Committee with an invoice or a refund in accordance with GST applicable to the transactions for the past three months. Reconciliations will be sent with the invoice or payment.

7.11. Funds Held In Bank Accounts

- Funds held in bank accounts which are in excess of current operational needs should be invested with the assistance of Council in order to achieve a return on funds, rather than leaving balances in low interest-bearing accounts.

7.12. Debt Management

- The Committee will follow Council's policy in relation to debt management
- Where debt recovery action is required Committees will engage Council Finance Branch to undertake the debt recovery on their behalf.

8. RISK MANAGEMENT AND INSURANCE

8.1. Risk Management

Risk management is a method of identifying and prioritisation of risks, followed by preventative and precautionary measures to avoid injury, loss and damage, to either persons or property.

As a Committee of Council, the Management Committee has a duty of care to ensure the health, safety and welfare of persons using the program.

8.1.1. General

Council and Committees of Council have a wide range of potential liability.

Liabilities can be based on statute and common law duties of care. To ensure compliance there must be appropriate policies, procedures and practices in place.

The Committee are to use documentation provided by Council to evidence the due diligence process and ensure all responsible steps are being taken to identify risks to the Committee and users of the facility.

8.2. Insurance

8.2.1. General

Council is required to take out insurance policies to cover Council's liability as a consequence of Council's business activities. These policies include:

- Public Liability Insurance to cover Council for its liability to third parties for personal injury or property damaged caused by Council's business activities;
- Professional Indemnity Insurance to cover Council for professional negligence claims (e.g. caused by incorrect specialist advice);
- Personal Accident Insurance provides specified benefits for registered volunteers following accidental injury, disability or death while carrying out their duties on behalf of Council;
- Motor Vehicle Comprehensive Insurance to cover Council vehicles driven by volunteers or staff for damage to the vehicle or to third party property; and
- Casual Hirers Insurance covers against public liability claims arising from the casual hiring of a member Council facility.

8.2.2. Notification

Management Committees are instructed that any matter or incident which may give rise to a claim against Council must be reported to Council as soon as practicable. This will ensure that investigations and remedial actions can be undertaken to protect Council's interests

Council has a responsibility to notify its insurer as soon as a potential claim is known. Management Committees may receive advice regarding claims via writing or telephone call or by observation. Once the Committee becomes aware of potential claim they are to notify Council immediately. If Council does not notify of claims which they could reasonably have known about indemnity may be denied by the insurer.

8.2.3. Child Protection

Children and Young Persons (Care and Protection) Act 1998 - under this legislation Community Management Committee members accompanying children on trips or participating in activities conducted by the Committee involving contact with children, must complete and pass a Working with Children Check.

Working with Children's Checks are provided by the NSW Children's Guardian. There is no cost for a Volunteer Check. For more information or to make an application please visit www.kidsguardian.nsw.gov.au.



**Investment Summary Report
June 2019**

Camden Council
Executive Summary - June 2019



Investment Holdings

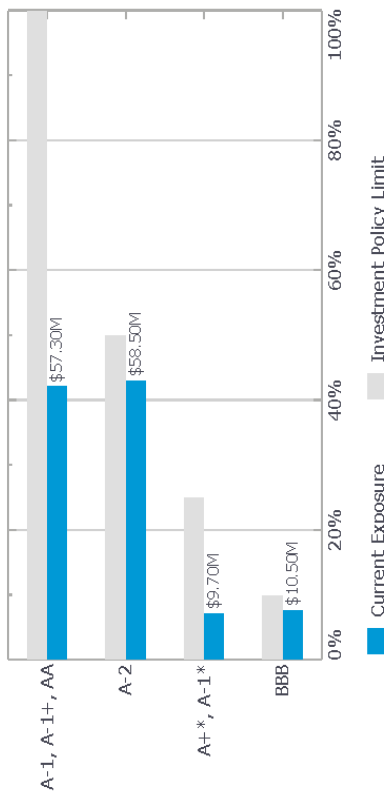
	Amount (\$)	Current Yield (%)
Cash	6,500,000.00	1.40
Term Deposit	129,500,000.00	2.82
	136,000,000.00	

Term to Maturity

	Amount (\$)	Policy Max
Between 0 and 1 Year	103,300,000	76% 100% ✓
Between 1 and 3 Years	21,000,000	15% 60% ✓
Between 3 and 5 Years	11,700,000	9% 30% ✓
	136,000,000	

Percentages in this report may not add up to 100% due to rounding

Detailed Maturity Profile



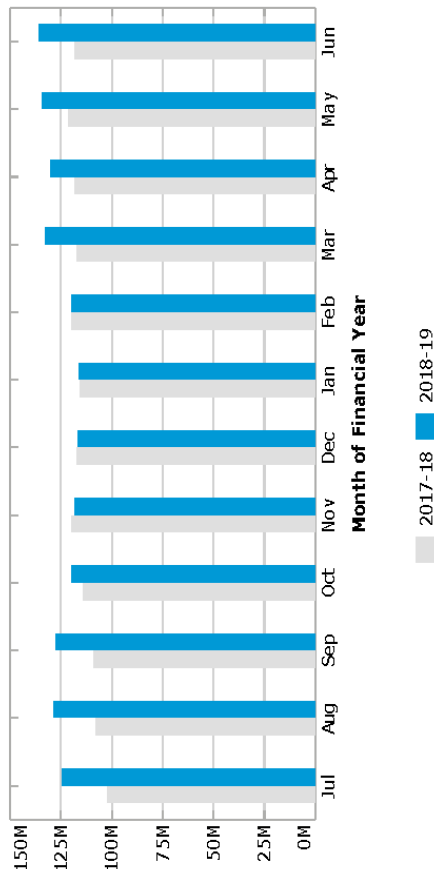
**Council's investment policy limits investments in foreign subsidiary banks which are monitored by APRA to a maximum 25% of the total portfolio*

Sources of Funds

	Amount (\$)
Section 7.11 Developer Contributions	85,321,000
Restricted Grant Income	4,800,000
Externally Restricted Reserves	14,482,000
Internally Restricted Reserves	16,403,000
Camden Regional Economic Taskforce	83,000
General Fund	14,911,000
Total Funds Invested	136,000,000

Council's investment portfolio has increased by \$1.5m since the May reporting period. The increase primarily relates to additional developer contributions and grant income received in June, partly offset by additional capital and operational expenditure. The source of funds invested are indicative only, due to Council's annual financial reports still being finalised for 30 June 2019.

Investment Portfolio Balance



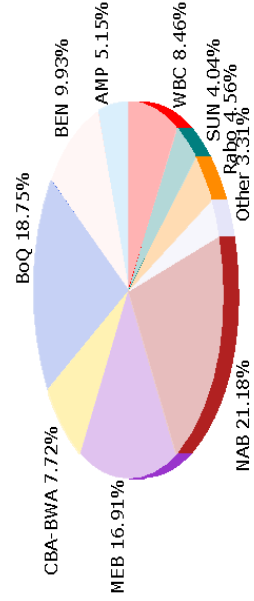
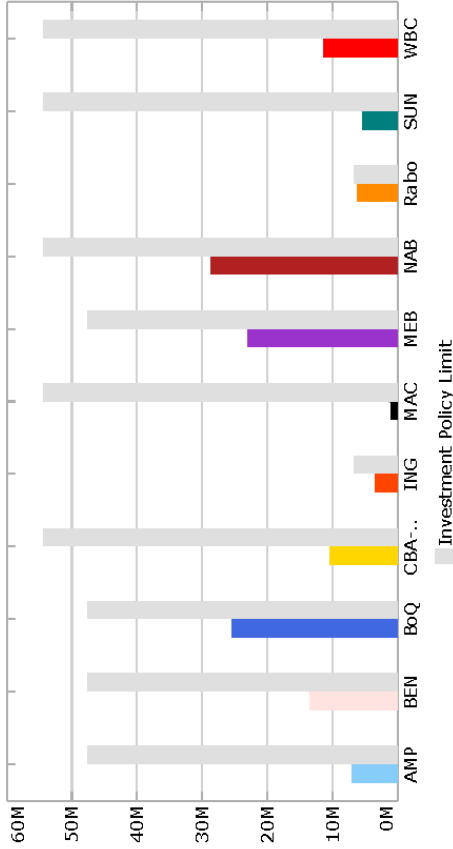


Camden Council
Individual Institutional Exposures Report - June 2019

Individual Institutional Exposures

Parent Group	Exposure (\$M)	Credit Rating	Policy Limit	Actual	Capacity
AMP Bank	7.00M	A-2, A-	35.00%	5.15%	40.60M
Bank of Queensland	25.50M	A-2, BBB+	35.00%	18.75%	22.10M
Bendigo and Adelaide Bank	13.50M	A-2, BBB+	35.00%	9.93%	34.10M
Commonwealth Bank of Australia	10.50M	A-1+, AA-	40.00%	7.72%	43.90M
ING Bank Australia (Foreign Sub)	3.50M	A-1*, A-*	5.00%	2.57%	3.30M
Macquarie Group	1.00M	A-1, A	40.00%	.74%	53.40M
Members Equity Bank	23.00M	A-2, BBB	35.00%	16.91%	24.60M
National Australia Bank	28.80M	A-1+, AA-	40.00%	21.18%	25.60M
Rabobank Aus (Foreign Sub)	6.20M	A-1*, A+*	5.00%	4.56%	.60M
Suncorp Bank	5.50M	A-1, A+	40.00%	4.04%	48.90M
Westpac Group	11.50M	A-1+, AA-	40.00%	8.46%	42.90M
	136.00M				

Individual Institutional Exposure Charts



*Council's investment policy limits investments in foreign subsidiary banks which are monitored by APRA to a maximum 5% of the total portfolio in any single entity

Council's portfolio is within its individual institutional investment policy limits.
Council's portfolio is within its term to maturity investment policy limits.
Council's portfolio complies with the NSW Ministerial Investment Order.

Camden Council

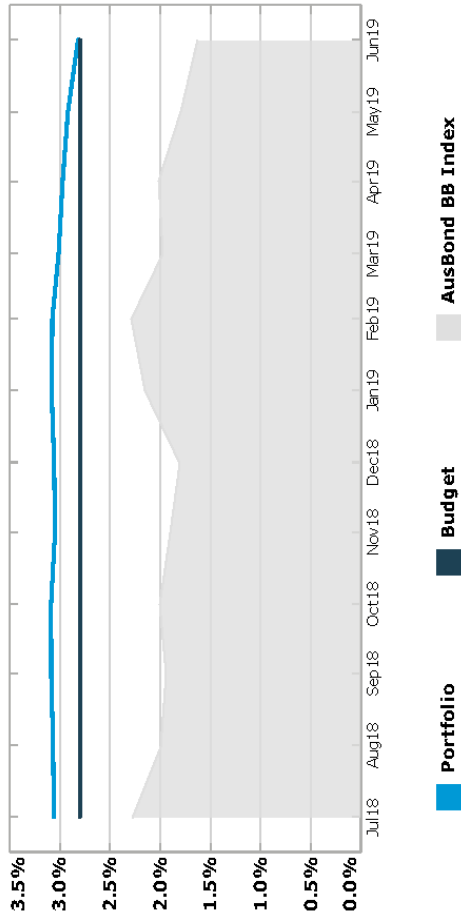
Performance Summary - June 2019



Interest Summary

Interest Summary as of June 2019	
Number of Investments	96
Average Days to Maturity	355
Weighted Portfolio Yield	2.82%
CBA Call Account	1.40%
Highest Rate	4.25%
Lowest Rate	1.95%
Budget Rate	2.80%
Average BBSW (30 Day)	1.30%
Average BBSW (90 Day)	1.29%
Average BBSW (180 Day)	1.29%
Official Cash Rate	1.25%
AusBond Bank Bill Index	1.62%

Investment Performance



Historical Performance Summary

	Portfolio	AusBond BB Index	Outperformance
Jun 2019	2.82%	1.62%	1.20%
Last 3 Months	2.90%	1.81%	1.09%
Last 6 Months	2.98%	1.97%	1.01%
Financial Year to Date	3.02%	1.97%	1.05%
Last 12 months	3.02%	1.97%	1.05%

Investment Performance

Council's portfolio returned 2.82%pa on a weighted average yield basis during June. This compares favourably with the Ausbond Bank Bill Index's return of 1.62%pa for the month.

Interest Received During the 2018/2019 Financial Year

	June	Cumulative	Original Budget	* Revised Budget
General Fund	\$92,108	\$1,300,948	\$1,450,000	\$1,350,000
Restricted	\$219,800	\$2,413,528	\$1,230,000	\$2,300,000
Total	\$311,908	\$3,714,476	\$2,680,000	\$3,650,000

*The Revised Budget is reviewed on a quarterly basis as part of the Budget Process

Camden Council

Investment Holdings Report - June 2019



Cash Accounts						
Amount (\$)	Current Yield	Institution	Credit Rating	Amount (\$)	Deal No.	Reference
6,500,000.00	1.40%	Commonwealth Bank of Australia	A-1+	6,500,000.00	535548	
6,500,000.00				6,500,000.00		

Term Deposits										
Maturity Date	Amount (\$)	Rate	Institution	Credit Rating	Purchase Date	Amount plus Accrued Int (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
1-Jul-19	1,500,000.00	2.72%	National Australia Bank	A-1+	10-Jan-19	1,519,226.30	537468	19,226.30	At Maturity	3174
3-Jul-19	1,500,000.00	2.80%	Bank of Queensland	A-2	10-Jan-19	1,519,791.78	537469	19,791.78	At Maturity	3175
8-Jul-19	1,000,000.00	2.70%	Bankwest	A-1+	8-Oct-18	1,019,676.71	537200	19,676.71	At Maturity	3145
8-Jul-19	3,000,000.00	1.95%	Bankwest	A-1+	5-Jun-19	3,004,167.12	538009	4,167.12	At Maturity	3232
10-Jul-19	1,500,000.00	2.78%	ME Bank	A-2	16-Jan-19	1,518,964.93	537471	18,964.93	At Maturity	3176
15-Jul-19	2,000,000.00	2.75%	AMP Bank	A-2	21-Jan-19	2,024,260.27	537476	24,260.27	At Maturity	3177
17-Jul-19	1,000,000.00	2.75%	AMP Bank	A-2	23-Jan-19	1,011,979.45	537479	11,979.45	At Maturity	3178
22-Jul-19	1,500,000.00	2.75%	ME Bank	A-2	29-Jan-19	1,517,291.10	537485	17,291.10	At Maturity	3179
24-Jul-19	1,500,000.00	2.75%	National Australia Bank	A-1+	31-Jan-19	1,517,065.07	537494	17,065.07	At Maturity	3180
29-Jul-19	1,500,000.00	2.75%	ME Bank	A-2	4-Feb-19	1,516,613.01	537510	16,613.01	At Maturity	3181
31-Jul-19	2,000,000.00	2.75%	ME Bank	A-2	6-Feb-19	2,021,849.32	537513	21,849.32	At Maturity	3182
5-Aug-19	1,500,000.00	2.75%	ME Bank	A-2	11-Feb-19	1,515,821.92	537533	15,821.92	At Maturity	3183
7-Aug-19	1,500,000.00	2.75%	ME Bank	A-2	13-Feb-19	1,515,595.89	537541	15,595.89	At Maturity	3184
12-Aug-19	1,500,000.00	2.75%	ME Bank	A-2	20-Feb-19	1,514,804.79	537554	14,804.79	At Maturity	3186
14-Aug-19	1,500,000.00	2.75%	ME Bank	A-2	22-Feb-19	1,514,578.77	537558	14,578.77	At Maturity	3187
19-Aug-19	1,000,000.00	2.75%	Bank of Queensland	A-2	18-Feb-19	1,010,020.55	537547	10,020.55	At Maturity	3185
21-Aug-19	1,000,000.00	2.80%	AMP Bank	A-2	26-Feb-19	1,009,589.04	537563	9,589.04	At Maturity	3188
26-Aug-19	2,000,000.00	2.70%	ME Bank	A-2	28-Feb-19	2,018,197.26	537588	18,197.26	At Maturity	3190
28-Aug-19	1,000,000.00	2.70%	ME Bank	A-2	1-Mar-19	1,009,024.66	537596	9,024.66	At Maturity	3191
2-Sep-19	1,000,000.00	2.65%	ME Bank	A-2	6-Mar-19	1,008,494.52	537618	8,494.52	At Maturity	3194
4-Sep-19	1,500,000.00	2.65%	ME Bank	A-2	12-Mar-19	1,512,088.36	537627	12,088.36	At Maturity	3195



Camden Council Investment Holdings Report - June 2019

Term Deposits										
Maturity Date	Amount (\$)	Rate	Institution	Credit Rating	Purchase Date	Amount plus Accrued Int (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
9-Sep-19	1,000,000.00	2.80%	AMP Bank	A-2	14-Mar-19	1,008,361.64	537638	8,361.64	At Maturity	3196
11-Sep-19	1,500,000.00	2.65%	Bank of Queensland	A-2	25-Mar-19	1,510,672.60	537649	10,672.60	At Maturity	3198
16-Sep-19	1,500,000.00	2.65%	Bank of Queensland	A-2	27-Mar-19	1,510,454.79	537700	10,454.79	At Maturity	3198
18-Sep-19	1,000,000.00	2.80%	AMP Bank	A-2	18-Mar-19	1,008,054.79	537646	8,054.79	At Maturity	3197
23-Sep-19	1,500,000.00	2.50%	National Australia Bank	A-1+	29-Mar-19	1,509,657.53	537762	9,657.53	At Maturity	3202
25-Sep-19	1,500,000.00	2.50%	National Australia Bank	A-1+	29-Mar-19	1,509,657.53	537763	9,657.53	At Maturity	3203
30-Sep-19	1,500,000.00	2.50%	National Australia Bank	A-1+	29-Mar-19	1,509,657.53	537764	9,657.53	At Maturity	3204
2-Oct-19	1,500,000.00	2.60%	Bank of Queensland	A-2	1-Apr-19	1,509,723.29	537766	9,723.29	At Maturity	3208
8-Oct-19	1,000,000.00	2.75%	AMP Bank	A-2	3-Apr-19	1,006,705.48	537781	6,705.48	At Maturity	3209
9-Oct-19	1,500,000.00	2.60%	Bank of Queensland	A-2	8-Apr-19	1,508,975.34	537792	8,975.34	At Maturity	3210
14-Oct-19	1,000,000.00	2.44%	National Australia Bank	A-1+	15-Apr-19	1,005,147.40	537866	5,147.40	At Maturity	3211
14-Oct-19	500,000.00	2.44%	National Australia Bank	A-1+	23-Apr-19	502,306.30	537892	2,306.30	At Maturity	3213
16-Oct-19	1,000,000.00	2.45%	National Australia Bank	A-1+	18-Apr-19	1,004,967.12	537873	4,967.12	At Maturity	3212
16-Oct-19	500,000.00	2.44%	National Australia Bank	A-1+	23-Apr-19	502,306.30	537893	2,306.30	At Maturity	3214
21-Oct-19	1,000,000.00	2.45%	ME Bank	A-2	26-Apr-19	1,004,430.14	537899	4,430.14	At Maturity	3215
23-Oct-19	1,000,000.00	2.48%	Rural Bank	A-2	3-May-19	1,004,008.77	537925	4,008.77	At Maturity	3216
28-Oct-19	1,500,000.00	2.55%	Suncorp Bank	A-1	29-Mar-19	1,509,850.68	537759	9,850.68	At Maturity	3205
30-Oct-19	1,500,000.00	2.55%	Suncorp Bank	A-1	29-Mar-19	1,509,850.68	537760	9,850.68	At Maturity	3206
4-Nov-19	1,000,000.00	2.55%	Suncorp Bank	A-1	29-Mar-19	1,006,567.12	537761	6,567.12	At Maturity	3207
6-Nov-19	1,000,000.00	2.43%	Rural Bank	A-2	7-May-19	1,003,661.64	537929	3,661.64	At Maturity	3218
11-Nov-19	2,000,000.00	2.43%	Rural Bank	A-2	9-May-19	2,007,056.99	537934	7,056.99	At Maturity	3219
13-Nov-19	1,000,000.00	2.43%	Rural Bank	A-2	10-May-19	1,003,461.92	537935	3,461.92	At Maturity	3220
18-Nov-19	500,000.00	2.43%	Rural Bank	A-2	13-May-19	501,631.10	537938	1,631.10	At Maturity	3221
18-Nov-19	500,000.00	2.35%	Bank of Queensland	A-2	13-May-19	501,577.40	537939	1,577.40	At Maturity	3222
20-Nov-19	1,500,000.00	2.43%	Rural Bank	A-2	17-May-19	1,504,493.84	537957	4,493.84	At Maturity	3223
25-Nov-19	1,000,000.00	2.90%	ING Bank (Australia)	A-1*	23-Nov-17	1,017,479.45	535985	17,479.45	Annually	3032

Page 6 of 8.

Camden Council

Investment Holdings Report - June 2019



Term Deposits										
Maturity Date	Amount (\$)	Rate	Institution	Credit Rating	Purchase Date	Amount plus Accrued Int (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
25-Nov-19	1,500,000.00	2.43%	Rural Bank	A-2	21-May-19	1,504,094.38	537962	4,094.38	At Maturity	3224
27-Nov-19	1,000,000.00	4.10%	Rabobank Australia	A-1*	27-Nov-14	1,024,263.01	535518	24,263.01	Annually	2760
27-Nov-19	2,000,000.00	2.88%	Rural Bank	A-2	23-Nov-17	2,034,717.81	535987	34,717.81	Annually	3033
27-Nov-19	1,500,000.00	2.35%	Suncomp Bank	A-1	23-May-19	1,503,766.44	537970	3,766.44	At Maturity	3225
2-Dec-19	1,500,000.00	2.90%	ING Bank (Australia)	A-1*	27-Nov-17	1,525,742.47	535996	25,742.47	Annually	3035
2-Dec-19	1,500,000.00	2.83%	Rural Bank	A-2	1-Dec-17	1,524,423.29	536020	24,423.29	Annually	3037
2-Dec-19	1,500,000.00	2.30%	ME Bank	A-2	24-May-19	1,503,591.78	537972	3,591.78	At Maturity	3226
4-Dec-19	1,500,000.00	4.25%	Bendigo and Adelaide Bank	A-2	28-Nov-14	1,537,551.37	535488	37,551.37	Annually	2762
9-Dec-19	1,500,000.00	2.25%	National Australia Bank	A-1+	28-May-19	1,503,143.84	537983	3,143.84	At Maturity	3227
11-Dec-19	1,500,000.00	4.00%	National Australia Bank	A-1+	16-Dec-14	1,532,219.18	535504	32,219.18	Annually	2766
16-Dec-19	1,000,000.00	2.25%	Bank of Queensland	A-2	29-May-19	1,002,034.25	537988	2,034.25	At Maturity	3228
16-Dec-19	1,800,000.00	2.21%	National Australia Bank	A-1+	31-May-19	1,803,378.58	537993	3,378.58	At Maturity	3229
18-Dec-19	2,500,000.00	2.28%	ME Bank	A-2	3-Jun-19	2,504,372.60	537998	4,372.60	At Maturity	3230
18-Dec-19	1,500,000.00	2.05%	National Australia Bank	A-1+	19-Jun-19	1,501,010.96	538049	1,010.96	At Maturity	3237
19-Dec-19	1,000,000.00	3.85%	Macquarie Bank	A-1	19-Dec-14	1,174,568.49	535503	174,568.49	At Maturity	2767
23-Dec-19	2,000,000.00	2.20%	National Australia Bank	A-1+	4-Jun-19	2,003,254.79	538001	3,254.79	At Maturity	3231
30-Dec-19	1,500,000.00	2.15%	Bank of Queensland	A-2	11-Jun-19	1,501,767.12	538022	1,767.12	At Maturity	3234
2-Jan-20	1,000,000.00	2.15%	Bank of Queensland	A-2	5-Jun-19	1,001,531.51	538008	1,531.51	At Maturity	3233
6-Jan-20	1,000,000.00	2.15%	Bank of Queensland	A-2	12-Jun-19	1,001,119.18	538033	1,119.18	At Maturity	3235
8-Jan-20	1,500,000.00	2.05%	National Australia Bank	A-1+	17-Jun-19	1,501,179.45	538044	1,179.45	At Maturity	3236
13-Jan-20	1,000,000.00	2.05%	National Australia Bank	A-1+	19-Jun-19	1,000,673.97	538050	673.97	At Maturity	3238
15-Jan-20	1,500,000.00	2.10%	Bank of Queensland	A-2	24-Jun-19	1,500,604.11	538068	604.11	At Maturity	3239
20-Jan-20	1,000,000.00	2.00%	National Australia Bank	A-1+	26-Jun-19	1,000,273.97	538080	273.97	At Maturity	3240
2-Feb-20	1,000,000.00	3.90%	Westpac Group	A-1+	2-Feb-15	1,015,706.85	535537	15,706.85	Annually	2772
10-Feb-20	1,000,000.00	2.90%	ING Bank (Australia)	A-1*	8-Feb-18	1,011,361.64	536215	11,361.64	Annually	3065
15-Mar-21	1,000,000.00	3.60%	Bank of Queensland	BBB+	15-Mar-17	1,010,652.05	535484	10,652.05	Annually	2958



Camden Council Investment Holdings Report - June 2019

Term Deposits										
Maturity Date	Amount (\$)	Rate	Institution	Credit Rating	Purchase Date	Amount plus Accrued Int (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
29-Mar-21	1,500,000.00	2.65%	Bank of Queensland	BBB+	29-Mar-19	1,510,236.99	537758	10,236.99	Annually	3201
7-Apr-21	1,000,000.00	3.50%	Bank of Queensland	BBB+	3-Apr-17	1,008,534.25	535486	8,534.25	Annually	2963
17-May-21	1,000,000.00	3.10%	Westpac Group	AA-	16-May-17	1,003,906.85	535544	3,906.85	Quarterly	2975
23-Jun-21	1,500,000.00	2.05%	Bank of Queensland	BBB+	26-Jun-19	1,500,421.23	538081	421.23	Annually	3241
1-Feb-22	1,000,000.00	3.60%	Westpac Group	AA-	1-Feb-17	1,006,016.44	535538	6,016.44	Quarterly	2936
2-Feb-22	1,500,000.00	3.57%	Westpac Group	AA-	2-Feb-17	1,508,802.74	535539	8,802.74	Quarterly	2937
10-Feb-22	1,000,000.00	3.56%	Westpac Group	AA-	10-Feb-17	1,005,071.78	535540	5,071.78	Quarterly	2938
15-Feb-22	1,500,000.00	3.75%	Bank of Queensland	BBB+	15-Feb-17	1,520,958.90	535547	20,958.90	Annually	2939
22-Feb-22	2,000,000.00	3.64%	Westpac Group	AA-	22-Feb-17	2,007,978.08	535541	7,978.08	Quarterly	2940
28-Feb-22	1,000,000.00	3.75%	Bank of Queensland	BBB+	27-Feb-17	1,012,739.73	535483	12,739.73	Annually	2946
28-Feb-22	1,000,000.00	3.55%	Westpac Group	AA-	28-Feb-17	1,003,306.85	535542	3,306.85	Quarterly	2950
1-Mar-22	1,000,000.00	3.58%	Westpac Group	AA-	1-Mar-17	1,002,746.30	535543	2,746.30	Quarterly	2952
3-Mar-22	1,000,000.00	3.60%	Westpac Group	AA-	3-Mar-17	1,002,761.64	535545	2,761.64	Quarterly	2954
9-Mar-22	1,000,000.00	3.61%	Westpac Group	AA-	9-Mar-17	1,001,978.08	535546	1,978.08	Quarterly	2956
23-Mar-22	500,000.00	3.80%	Bank of Queensland	BBB+	23-Mar-17	505,101.37	535485	5,101.37	Annually	2960
4-May-22	1,000,000.00	3.60%	Bank of Queensland	BBB+	8-May-17	1,005,326.03	535487	5,326.03	Annually	2971
27-Jun-22	1,500,000.00	2.10%	Bank of Queensland	BBB+	26-Jun-19	1,500,431.51	538082	431.51	Annually	3242
11-Dec-23	2,000,000.00	3.15%	National Australia Bank	AA-	19-Dec-18	2,033,484.93	537431	33,484.93	Annually	3070
18-Dec-23	4,500,000.00	3.15%	National Australia Bank	AA-	19-Dec-18	4,575,341.10	537432	75,341.10	Annually	3071
3-Jan-24	2,000,000.00	3.40%	Rabobank Australia	A+*	4-Jan-19	2,033,161.64	537443	33,161.64	Annually	3173
28-Feb-24	1,000,000.00	3.20%	Rabobank Australia	A+*	28-Feb-19	1,010,783.56	537586	10,783.56	Annually	3189
4-Mar-24	1,200,000.00	3.20%	Rabobank Australia	A+*	4-Mar-19	1,212,519.45	537601	12,519.45	Annually	3192
28-Mar-24	1,000,000.00	3.00%	Rabobank Australia	A+*	29-Mar-19	1,007,726.03	537765	7,726.03	Annually	3200
	129,500,000.00					130,706,156.76		1,206,156.76		

Page 8 of 8.