



Camden Council

Business Paper

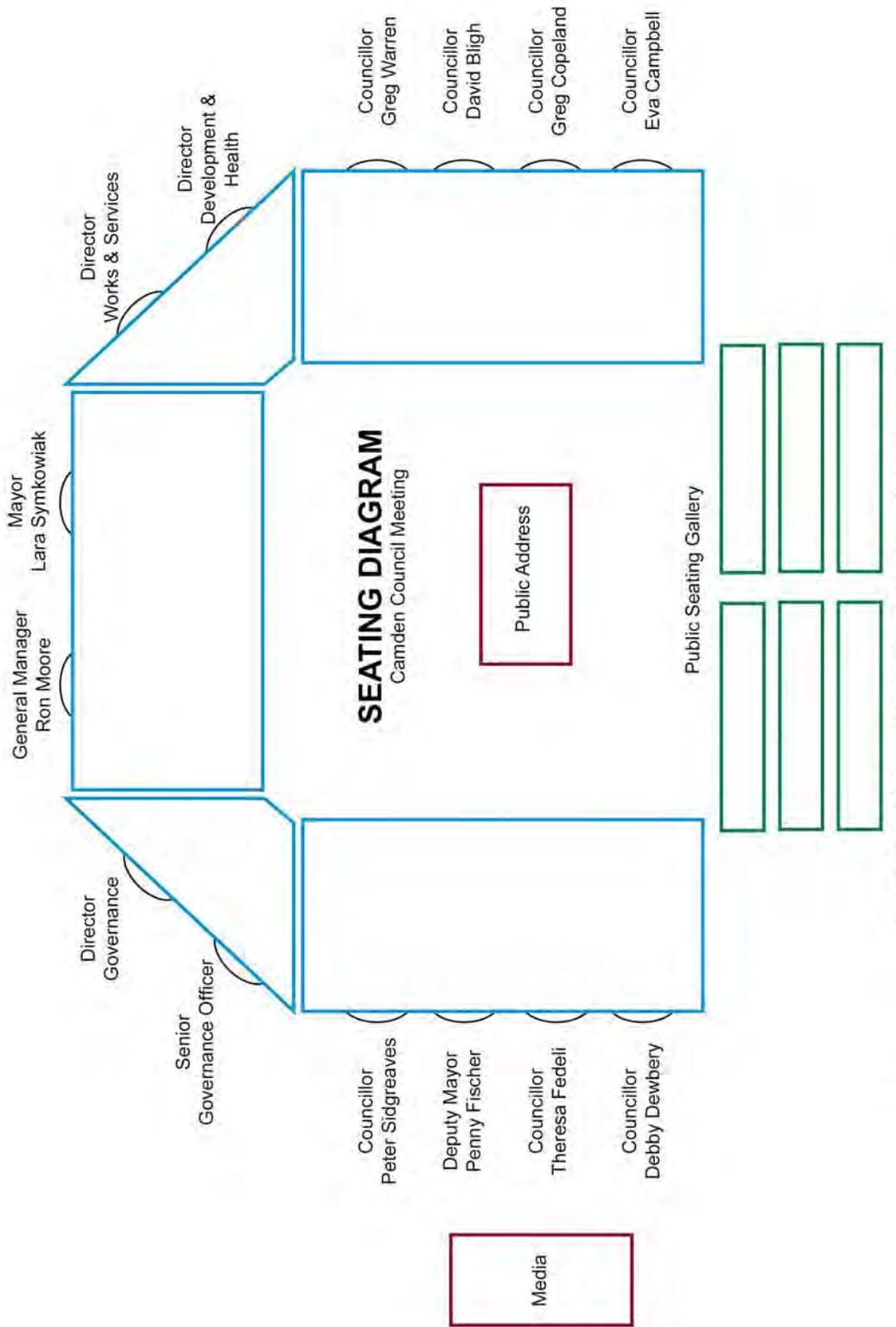
Ordinary Council Meeting
22 October 2013

Camden Civic Centre
Oxley Street
Camden



COMMON ABBREVIATIONS

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



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

ORDINARY COUNCIL

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ORDINARY COUNCIL

SUBJECT: PRAYER

PRAYER

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

Amen

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

Amen

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

Amen

AFFIRMATION

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

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

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

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

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



ORDINARY COUNCIL

SUBJECT: ACKNOWLEDGMENT OF COUNTRY

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



ORDINARY COUNCIL

SUBJECT: RECORDING OF COUNCIL MEETINGS

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

ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.

ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

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

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

RECOMMENDED

That the declarations be noted.

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

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

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

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

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

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

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

RECOMMENDED

That the public addresses be noted.

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 8 October 2013.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 8 October 2013, copies of which have been circulated, be confirmed and adopted.



ORD05

ORDINARY COUNCIL

ORD05

SUBJECT: HOUSING DIVERSITY SUBMISSION TO THE DEPARTMENT OF PLANNING AND INFRASTRUCTURE

FROM: Director Governance

TRIM #: 13/41953

PURPOSE OF REPORT

The purpose of this report is to inform Council of the NSW Government's exhibition of the "Housing Diversity in Sydney's Growth Centres package". The Housing Diversity package proposes a series of amendments to the Growth Centres SEPP and Growth Centre precinct DCP's to facilitate the delivery of a greater diversity of housing product within the Growth Centres. The package is currently on exhibition and is open to community and industry feedback. This report seeks Council's endorsement to submit comments to the Department of Planning and Infrastructure (DPI) in relation to the proposed amendments.

BACKGROUND

The DPI has recently undertaken investigation into the slow rate of take up of housing opportunities in medium density areas within a number of precincts within the Growth Centres.

The investigation concluded that with an increase in population (forecast of an additional 90,000 people in the Camden LGA by 2031), and a change in household composition (48% increase in the number of lone person households by 2031) has created a demand for increased diversity of housing types within growth centre precincts and a shift away from traditional medium density products.

The investigations also identified, that while there is a demand for diversity of housing, including smaller lots, there are also significant impediments to the approval and delivery of this product into the market place.

The proposed changes to the Growth Centres SEPP and all Growth Centres DCP's will facilitate consistency across all growth centre precincts, enable the delivery of a diverse range of housing products, and the improved delivery of small lot housing and housing choice to the market.

MAIN REPORT

Council staff have undertaken a thorough review of the documentation contained within the Housing Diversity package including a number of internal workshops with Council officers, local development representatives, and a Councillor Workshop held on 8 October 2013.

From these reviews it is evident that whilst Council generally support housing diversity, and increased affordability, additional discussion needs to occur with the DPI around several key issues, and with regard to the technical detail and application of the DCP and SEPP amendments.

A detailed submission responding to the package and specifically in regards to the technical application and wording in the DCP and SEPP amendments, is included as **Attachment 1 to this report**.

The comprehensive review has identified 9 key issues, requiring further information and/or consideration. A summary of these issues is provided below.

1. Density & Streetscape

Issue

The proposed changes could potentially facilitate increased densities beyond that previously planned for. Council has concerns that there are no mechanisms within the documentation to control or limit densities. This is of particular concern where there is fragmented land ownership within a precinct.

It is imperative that sufficient controls be in place to facilitate the appropriate density to provide certainty to the community and adjoining owners, and ensure a cohesive and attractive streetscape is achieved.

The Housing Diversity package utilises sites such as Thornton in Penrith as a best practice example of small lots providing increased densities. Council supports this in areas such as Thornton which is located close to rail transport, and a major centre. It is important to emphasise that within the Camden Growth Centre precincts only the Leppington North precinct will have direct access to the rail network and a major centre, and it is within such locations that high densities should be concentrated.

Further to this point the DPI needs to ensure that the provision of higher densities are also investigated outside of the growth centres precincts. Increased densities should be located in metropolitan areas that have existing infrastructure servicing and are better suited to increased densities. This should be reinforced within the Metropolitan Plan for Sydney.

Council has also expressed concerns regarding density exceeding those levels for which infrastructure has been designed and planned. Infrastructure at both the local and state level is prefaced on population estimates produced by taking the minimum densities into consideration. Development in excess of these original estimates will place increased pressure on state and local services and infrastructure such as education, health and emergency services.

The decreased lot frontage, in conjunction with front loading garages and car spaces in the front setback, may create a car and garage dominated streetscape. Camden's high car ownership rates compared to other growth centre councils are likely to exacerbate this impact.

Increased densities and reduced lot sizes will place increased pressure on neighbourhood relations. Incursions into privacy, noise and parking disputes are likely to increase as a result of increased densities and reduced separation of dwellings. These issues should be considered at the design stage to reduce potential conflict.

Recommendation

It is recommended that the DPI and Council continue to work together to consider controls and mechanisms to ensure densities and streetscapes are delivered in accordance with the objectives of the precinct. Mechanisms such as placing a cap on achievable densities, and concentrating higher densities around key transport nodes and services should be given further consideration and investigation.

2. VPA and Contributions

Issue

Council has identified some concerns in regards to existing Voluntary Planning Agreements (VPA's) and new contributions plans.

As part of the precinct planning for areas such as Oran Park and Turner Road Council has executed VPA's based on the projected population of the minimum dwellings per hectare target. There is concern that where population exceeds these targets, the VPA's have under collected for and under-sized infrastructure requirements.

This also creates concerns around future contributions planning, and what population targets to use.

Recommendation

As part of its detailed submission Council has recommended that this matter be further considered by the DPI. Council have also recommended that further investigation be made into the "capping" of densities to prevent over development that has not been appropriately planned for.

3. Review of Zoning

Issue

The growth centres precincts currently utilise R2 (Residential Low Density) and R3 (Residential Medium Density) zones, as a means to control density. There is concern that increased permissible residential uses have removed any delineation between low and medium density zones. To enable better control of the types of housing and associated density within each zone the permissible residential housing types need to more accurately reflect the desired density and streetscape of the area and the objectives of the zone.

The low density zone should retain larger lot sizes for detached housing, and remove residential uses that are not compatible with the low density objectives. Where increased densities are desired the zoning should permit housing typologies such as Manor Houses where increased densities can be achieved with minimal impact to the streetscape.

Recommended

It is recommended that the DPI in conjunction with Council undertake a comprehensive review of zoning and permissible uses within each zone. In addition maximum densities and lot sizes should be linked to each zone. This will help ensure increased certainty with regard to densities.

4. Laneways

Issue

The proposed amendments to the DCP propose to introduce uniform requirements for laneways across all growth centre councils. Council officers have raised concerns that laneways should not be one size fits all, and instead need to cater for service functionality such as waste collection, and vehicle access requirements.

Recommendation

It is recommended that laneway specifications and requirements be LGA specific, to enable consideration of requirements such as garbage truck and waste collection requirements.

5. Servicing

Issue

Council officers have expressed concern regarding servicing of small lots, and the need to ensure that all servicing arrangements are determined prior to release of subdivision certificates.

Servicing issues relate to waste collection, sewer location/manhole, sub station requirements and locations, utilities such as telephone and electricity, and locations of driveways and street trees in association with these services.

On larger lots there is sufficient room to facilitate all services on the site, however on smaller lots there is less margin for error and increased need to determine and approve service location in conjunction with subdivision layout.

Recommended

It is recommended that additional controls be placed within the DCP that require detailed upfront planning for services.

6. Approval Process for Small Lot Housing

Issue

The Housing Diversity Package will standardise the approvals process for small lot housing. Currently housing of 350m² or less requires an integrated approval process (approval of building plans and subdivision plan concurrently).

The proposed DCP amendment creates four (4) streams of approval that will be implemented across all growth centre precincts.

- **Pathway A1** – Traditional DA for subdivision
- **Pathway A2** – DA for subdivision including a Building Envelope Plan that will be enforced via an 88B instrument (lots between 300m² and 225m²)
- **Pathway B1** – Dwelling construction for detached or abutting on lots less than 225m², need to lodge full construction plans, but will not need to construct prior to subdivision approval.
- **Pathway B2** – Lots less than 225m² – standard integrated housing DA, (i.e. subdivision and construction approved at same time and must be constructed prior to subdivision).

There are concerns within Council regarding pathways A2 and B1. Council officers have identified that Pathway A2 doesn't currently require sufficient information, to determine a subdivision DA for small lot housing, and needs to include identification of key issues such as principle private open space, servicing requirements, driveway locations and site lines etc.

Pathway B1 requires detailed dwelling design (and approval), prior to the lot being sold, prompting concerns of increased modification applications once properties are purchased and construction commences.

Council officers have also expressed concerns regarding the ability to construct abutting dwellings independently, and feel that they should be considered similarly to attached dwellings and dealt with as a fully integrated DA.

Recommendation

It is recommended to delete Pathway B1 and amend Pathway A2, to provide additional information as part of a subdivision application for lots between 225m² and 300m². It is also recommended a reduction in the restrictions placed on title (88B instrument) to only include the zero lot line boundaries, and associated maintenance easement. It is considered that this will result in a better design outcome and reduced retrospective modifications to approvals and 88B instruments.

7. Car Parking

Issue

The Camden LGA has a significantly higher rate of car ownership than that of other areas in Greater Sydney.

- At the 2011 census, 68% of households in Camden Council area had access to two or more motor vehicles, compared to 44% in Greater Sydney.
- This is also a figure that had increased significantly since the last census.

Given this higher rate of car ownership car parking within growth centre precincts is a key concern of Council.

The lack of storage within some small lot housing products may also place increased pressure on carparking. Council have raised concerns that where storage is not available within the dwelling the garage may be used for storage not parking, placing increased pressure on carparking.

Recommended

Car parking strategies and associated rates needs to be assessed on the basis of car ownership within the specific LGA, it is therefore recommended that individual controls be applied per LGA for car parking spaces. This should include the setting of road widths to facilitate off street parking where appropriate.

In addition it is recommended a control be inserted into the DCP requiring a minimum area of storage within the dwelling.

8. Affordability

Issue

Council applauds the initiative to increase the opportunity to provide affordable housing into the market in the Camden LGA. However there is no requirement that savings made by the developer through the streamlined approval process will be passed onto the purchaser.

Recommendation

The DPI and NSW Government should consider incentives to ensure that savings made by developers are passed onto purchasers to ensure that housing delivered through this package remains “affordable”.

9. Accessible Dwellings

Issue

With an ageing population and an increased demand for accessible and adaptable dwellings it is important to ensure that a significant proportion of new housing stock is capable of being utilised as accessible dwellings. With the increased emphasis on narrow lots, there is concern that an increased percentage of dwellings will not be capable of facilitating disabled access. Accessible dwellings require increased circulation areas, wider access and entry ways and in some instances disabled access car spaces. The reduced lot width will restrict the ability to facilitate this.

Recommendation

DPI to investigate possible products that are able to facilitate accessible dwellings on narrow lots, and ensure that the DCP amendment does not unduly restrict dwellings from being adapted.

10. DCP Amendment

Detailed comments regarding technical interpretation or wording within the DCP are contained at Attachment 1 to this report.

Issues

Council is not supportive of the ability to “switch off” key controls in densities over 25 dwellings / hectare (or R3 zone in Oran Park and Turner Road precinct). Under the DCP amendment it is proposed to switch off some key controls such as solar access in higher density areas. Whilst it is recognised that there may need to be some compromise to achieve density targets, completely switching off controls is not considered acceptable.

Concerns have also been raised with regard to the inclusion of definitions within the DCP, which are not contained within the SEPP instrument. The DCP cannot contradict the SEPP and it is essential that further work be undertaken by the DPI to ascertain the hierarchy of definitions within the SEPP and DCP.

Recommendation

It is recommended that DPI work with Councils to provide an alternative to the absolute “switch off” of key controls in densities above 25 dwellings per hectare.

11. SEPP Amendment

Concerns have been raised with regard to definitions within the SEPP amendment, not including information pertaining to legal title, i.e. whether a dwelling can be strata titled or Torrens title. An example of which is the ability to strata title a secondary dwelling (Fonzie flat)

Recommendation

Requested that explanatory notes within the SEPP be included that identify whether the type of housing is able to be strata or Torrens title subdivided.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The NSW Government has released the “Housing Diversity in Sydney’s Growth Centres” package for discussion and invited comment by the community and key stakeholders.

The package facilitates the provision of increased diversity of housing stock within all Growth Centre Precincts, and streamlines approval processes for small lot housing across all growth centre councils.

Whilst Council is supportive in principle of the intention of the package, additional discussion needs to occur with the DPI and other growth centre councils around the technical application of the SEPP and DCP amendments.

RECOMMENDED

That Council:

- i. prepare a covering letter to the Department of Planning and Infrastructure identifying Councils willingness to continue to work through identified issues;**
- ii. forward the submission to the Department of Planning and Infrastructure as outlined in this report; and**
- iii. forward a copy of the submission to Mr Chris Patterson MP, State Member for Camden.**

ATTACHMENTS

1. Housing Diversity Submission 16/10/2013

Attachment 1 – Housing Diversity Submission – 22 October Council Meeting

General Comments

Key Issue	Comment	Recommendation
Streetscape	<p>Generally there is concern that decreased lot frontage may create a garage and car dominated streetscape. Need to ensure that the façade design of small lots sufficiently articulates garages to decrease dominance on the streetscape.</p> <p>The Camden LGA is not well serviced by public transport and the reliance on motor vehicles is extremely high in comparison to other LGA's. At the latest census Camden's car ownership rate was considerably more than that of other Growth Centre area councils.</p> <ul style="list-style-type: none"> At the last census 68% of households in Camden Council area had access to two or more motor vehicles, compared to 44% in Greater Sydney. This is also a figure that had increased significantly since the last census. 	<p>Additional consideration be given to the impact on streetscape of narrow lots, and the ability to control the concentration of lot sizes.</p>
	<p>This high rate of car ownership, and requirement for only a single space behind the building line on narrow</p>	

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Key Issue	Comment	Recommendation
<p>lots (regardless of number of bedrooms) will impact on street scape significantly.</p>	<p>Whilst it is not the aim or intent of the housing diversity package to significantly increase densities, there is potential for this to occur, and currently no mechanism (other than a subjective judgement on the constitution of an urban Vs. a suburban street) for Council to manage density.</p>	<p>It is recommended that some control or mechanism be inserted into the DCP or SEPP that provides Council assessment officers with a mechanism to ensure density targets are met and not unduly exceeded. This may include a cap on density (i.e. 15-20 dwellings/hectare)</p>
<p>Density</p>	<p>It is imperative that sufficient controls be in place to facilitate the appropriate density to provide certainty to the community and adjoining landowners, and a cohesive and attractive streetscape is achieved.</p>	<p>It is recommended that Indicative Layout Plans (ILP) produced at a rezoning stage include an indication of the street character that is desired, and that this be reproduced within the DCP.</p>
<p>The Housing Diversity package utilises sites such as Thornton in Penrith as a best practice example of small lots providing increased densities. Council supports this in areas such as Thornton which is located close to rail transport and a major centre. It is important to emphasise that within the Camden Growth Centre Precincts only the Leppington North precinct will have direct access to the rail network and a major centre, and it in within such locations that high densities should be concentrated.</p>	<p>Furthermore, the DPI needs to ensure that higher</p>	<p>Recommended that the DPI look at enforcing a maximum density cap to better manage density outcomes, and utilise zoning to focus high densities around key transport nodes such as the Leppington Rail Station and Major Centre.</p>
		<p>Recommended that the DPI increase investigation into infill housing in existing metropolitan areas to ensure maximisation of existing infrastructure and to reduce pressure on the growth centres to provide higher densities. This recommendation should be reinforced through the Metropolitan Strategy for Sydney.</p>

Key issue	Comment	Recommendation
	<p>density provision are also investigated outside of the growth centres precincts, in metropolitan areas that have existing infrastructure servicing and are better suited to high density housing.</p>	
	<p>Council has also expressed concerns regarding density exceeding those levels for which infrastructure has been designed and planned. Infrastructure at both the local and state level is prefaced on population estimates produced by taking the minimum densities into consideration. Development in excess of these original estimates will place increased pressure on state and local services and infrastructure such as education, health and emergency services.</p>	
	<p>This may be particularly difficult to manage where there is fractured ownership within a precinct such as in Leppington North and Leppington Precincts in the SW Growth Centres.</p>	
	<p>Increased densities and reduced lot sizes will place increased pressure on the neighbourhood relations. Incursions into privacy, noise and parking disputes are likely to increase as a result of increased densities and reduced separation of dwellings. These issues should be considered at the design stage to reduce potential</p>	

Key Issue	Comment	Recommendation
<p>conflict.</p>		
<p>Zoning Review</p>	<p>The growth centres precincts currently utilise R2 (Residential Low Density) and R3 (Residential Medium Density) zones, as a means to control density. There is concern that increased permissible residential uses have removed any delineation between low and medium density zones.</p> <p>To enable better control of the types of housing within each zone, permissible residential housing types within these zones need to more accurately reflect the desired density and streetscape of the area and the objectives of the zone.</p> <p>The low density zone should retain larger lot sizes for detached housing, and remove uses that are not compatible with the low density objectives. Where increased densities are desired the zoning could permit housing typologies such as Manor Houses where increased densities can be achieved with minimal impact to the streetscape.</p>	<p>It is recommended that the DPI in conjunction with Council undertake a comprehensive review of zoning and permissible uses within each zone. In addition maximum densities and lot sizes should be linked to each zone. This will help ensure increased certainty with regard to densities.</p>
<p>VPA/ S94 Impacts</p>	<p>Council has identified some concerns in regards to existing Voluntary Planning Agreements (VPA's) and new contributions plans.</p>	<p>It is recommended that the DPI in conjunction with Council further consider implications on existing VPA's and S94 Plans, and provide direction on population estimates for the preparation of future s.94</p>

Key Issue	Comment	Recommendation
	<p>As part of the precinct planning for areas such as Oran Park and Turner Road Council has executed VPA's based on the projected population of the minimum dwellings per hectare target. There is concern that where population exceeds these targets the VPA's have under collected for (or under-sized) infrastructure requirements.</p> <p>This also creates concerns around future contributions planning, and what population targets to use.</p>	
<p>Car Parking</p>	<p>As discussed above the Camden LGA has a significantly higher rate of car ownership than that of other Growth area councils. Camden also has less access to public transport such as trains.</p> <p>With increased driveway crossovers and narrow frontages there will be increased pressure on car parking in growth centre precincts in the Camden LGA.</p> <p>Under the proposed amendments to the DCP's and SEPP, dwellings of 3 or more bedrooms will trigger a need for 2 car spaces, only one of which is to be provided as a garage, facilitating the second space in</p>	<p>It is recommended that the requirements for car parking allow consideration of LGA car ownership rates and access to good public transport.</p> <p>It is recommended that for dwellings containing 4 or more bedrooms that provision be made for 2 car parking spaces behind the building line.</p>

Key Issue	Comment	Recommendation
Servicing	<p>the front setback of the property (5.5m).</p> <p>Increased need to ascertain ability to service small lots at subdivision stage, will require increased information from the developer for subdivision approval.</p> <ul style="list-style-type: none"> • Sewer location and manhole location • Street tree location • Driveway location and safety for reversing and sight lines • Garbage bin collection locations (shared driveway bin collection areas) • Sub station locations etc • Utilities serving location • Stormwater requirements etc 	<p>Recommended that a requirement be inserted in the DCP requiring increased information be provided at subdivision DA stage.</p>
Accessible Dwellings	<p>With an ageing population and an increased demand for accessible and adaptable dwellings it is important to ensure that the majority of new housing stock is capable of being utilised as accessible dwellings. With the increased emphasis on narrow lots there is concern that an increased percentage of dwellings will not be capable of facilitating disabled access. Accessible dwellings require increased circulation areas, wider access and entry ways and in some</p>	<p>DPI to investigate possible products that are able to facilitate accessible dwellings on narrow lots, and ensure that the DCP amendment does not unduly restrict dwellings from being adapted.</p>

Key Issue	Comment	Recommendation
	<p>instances disabled access car spaces. The reduced lot width will restrict the ability to facilitate this.</p>	
Affordability	<p>Council applauds the initiative to increase the opportunity to provide affordable housing into the market in the Camden LGA. However there is no requirement that savings made by the developer through the streamlined approval process will be passed onto the purchaser.</p>	<p>State Government could consider and incentives driven program to ensure that the savings made by developers is continued to be passed to the purchaser, ensuring this product remains affordable.</p>
Storage	<p>The proposed housing products highlighted within the Housing Diversity Package and under construction at sites such as Thornton have limited opportunities for storage, internally or within a garage space.</p> <p>Council is concerned that the lack of storage will lead occupants to using the single garage space for storage purposes, and not for the purpose of parking, putting additional pressure on car parking within the precinct.</p>	<p>A control setting a minimum requirement for storage is placed within the DCP.</p>

Draft DCP Comments

Reference	Issue	Recommendation
Typical Characteristics of Residential Net Densities (Page 10 DCP) (Table 1)	Table 1 identifies typical characteristics for certain bands of residential densities. These characteristics need to be tied to the Streetscape and Architectural Design illustrations contained at page 38 (Fig 12) of the amending DCP.	<ul style="list-style-type: none"> That the 15-20 dw/ha band is expanded to include a point "incorporates laneways and shared driveways where appropriate That the point in the 15-20 dw/ha regarding locational requirements for small lot housing be included as a control for lots utilising rear loaded driveways
1.2 Block and Lot Layout – Control 5	Reinforce the need to achieve the desired characters of that density, not higher, and not less.	After control 5 (lots) add ... <i>in accordance with the desired character for this density.</i>
Achieving desired street character	There are no controls within the amending DCP that ensure a diversity of housing products are delivered (as depicted within the dwelling density guide), whilst the objectives encourage a "range" of lot sizes and dwelling types there appears to be no mechanism for ensuring it happens, making the assessment vary subjective and based on the opinion of Council.	It is recommended that a control be included within the DCP amendment that provides control to the location of sets of attached dwellings. It is not appropriate to have sets side by side by side Council has a control to enforce to achieve the desired outcome.
Generally and page 15 Growth Centres DCP	Whilst the control 17/18 Subdivision for attached and abutting dwellings limits a set of attached /abutting dwellings to 6 dwellings, it doesn't limit the location of sets, so you could have applications for sets side by side.	Recommended that additional consideration be given to the development of controls that ensure a range of lot sizes and frontages across a precinct, whilst still attaining a good streetscape.
	A control of this nature is particularly crucial where across	

Reference	Issue	Recommendation
	<p>a precinct there is the potential for numerous developers, as opposed to other areas which have 1 or 2 developers working across large areas.</p>	
<p>Residential Flat Building Control 20 (DCP)</p>	<p>“A person may not amalgamate two or more adjoining allotments to create a larger lot that achieves the minimum lot size required for residential flat buildings” –</p>	<p>It is also noted that there is potential for a manor house to be defined as a RFB, (dependent on access) is the aim to prohibit this form of development?</p> <p>This appears to be contrary to the permissible uses within the SEPP. If subdivision and RFB's are permissible uses in the SEPP this clause in the DCP cannot override it. If this is a desired outcome a clause should be inserted into the SEPP.</p>
<p>1.2.2 Corner Lots</p>	<p>The objectives need to include some urban design outcomes.</p>	<p>Recommended control '2' be moved to objectives as this reads as more of an objective. It also allows variation to this control where it's not applicable to address both street frontages.</p> <p>Inclusion of a control that requires identification of servicing on corner lots. Recent examples where substations etc. have been included on corner lots has limited development potential.</p>
<p>1.3 Subdivision Approval Process</p>	<p>The proposed modifications to the approval process are generally supported with some modifications recommended. Whilst Pathway A2 is proposed to improve the speed of delivery of subdivision approval to the market there are concerns that it may still require as</p>	<p>Pathway A2 For all lots subject to Pathway A2, at the time of subdivision it is requested that an additional requirement be placed within the DCP requiring the submission of detailed site analysis plans showing:</p> <ul style="list-style-type: none"> • Zero lot line

Reference	Issue	Recommendation
	<p>much assessment as Pathway B1.</p>	<ul style="list-style-type: none"> • Easement
	<p>To enable a zero lot line and easement to be set will require the proponent to undertake as much design as that required in proposed pathway B1.</p>	<ul style="list-style-type: none"> • Building Envelope • Principal Private Open Space (PPOS) outline
	<p>Pathway B1 – Puts the onus on the development assessment team to determine whether dwellings can be independently constructed. If they determine that it can't be constructed there is no mechanism to enable Council to request an application through Pathway B2.</p>	<ul style="list-style-type: none"> • Garage location demonstrating garage accessibility (i.e. turning areas, sight lines etc.) • Indicative servicing arrangements, including pits and pad mount locations • Potential waste collection points (garbage) • Bench lots, retaining walls, cut and fill requirements • Comment re solar access implications for each lot.
		<p>Although it is recommended that additional detail be required up front, Council officers are also recommending that the 888 restriction only be placed on the zero lot line and associated easement.</p>
		<p>It is anticipated that this change will enable better decision making at DA stage, and less changes at the dwelling construction stage necessitating modifications for 888 instruments and possible s.96 modifications for DA approvals. The additional information requested at DA stage will enable Council officers to make a more informed decision in terms of lot layout,</p>

Reference	Issue	Recommendation
	<p>solar access and functionality of the subdivision pattern.</p> <p>Pathway B1</p> <p>Release of subdivision certificates prior to construction of abutting dwellings is not supported. It is recommended that Pathway B1+B2 be combined.</p> <p>Recommended</p> <p>Pathway A2 – Be amended as above</p> <p>Pathway B1- Be deleted</p>	
<p>88B instruments and standard wording</p>	<p>Council is supportive of standardised wording for 88B instruments.</p>	<p>Council and the DPI discuss appropriate 88B wording to be included as standard</p>

Reference	Issue	Recommendation
<p>Laneway Requirements and Dimensions</p> <p>Page 23 2.2 Laneways and Shared Driveways</p>	<p>The width of laneways needs to be determined on an LGA specific basis.</p> <p>With laneways being utilised for waste collection purposes it is important that each LGA has local controls that facilitate the specific types of garbage trucks used within each area.</p> <p>The Camden Council garbage fleet utilise single driver side loading trucks, which require a significant "bin lift" curve (as in Appendix A).</p> <p>In addition to the width of laneways its also important to include setbacks to garages and no eaves encroaching into the "bin lift circle".</p>	<p>Requirements for the width of laneways are LGA specific. Council to provide a recommended Laneway dimension including cross sections to the DPI.</p>
<p>Shared Driveways</p>	<p>Ability to collect waste of dwellings that are accessed via a shared driveway.</p>	<p>Where it is proposed to utilise shared driveways it is recommended that an additional control be inserted to require the identification of suitable area to enable the collection of waste. In accordance with the requirements of the LGA.</p>
<p>4. Dwelling design controls</p>	<p>The DCP contains a number of definitions that are not contained within the SEPP. This is of concern to Council where there will be confusion regarding the definition of dwellings, and the hierarchy of that definition.</p>	<p>A clear hierarchy of definitions is established and a clear explanatory note is included in terms of the SEPP Definition hierarchy.</p> <p>It is also recommended that both the SEPP and DCP provide detail regarding the permissible titling arrangements for each of the dwelling types.</p>

Reference	Issue	Recommendation
	E.g. Studio Dwelling – is the same as a dual occupancy? Need to use the same definition as the SEPP.	
4.1 Summary of Key Controls	The summary tables provided are easy to follow and interpret.	Supports amendment to represent the key controls within the summary tables
Table 6 – Summary Controls for lots of frontage width ≥ 4.5m (rear accessed)	Control re Garage Setback – 0.5m garage set back for rear loaded garage Site Coverage – No site coverage control for ground floor, Solar Access – see below comment re solar access	Garage Setback The proposed setback of 0.5m for rear loaded garages is not in accordance with AS 2890 (sightlines), this needs to be 2.5m. Where there are studios above the garage consideration must be given to setback, particularly where the balcony requires posts. Insert control for garage setback where garage is accessed from street at rear of property. (e.g. 18 Luff Close Oran Park- Photo at Appendix B)
		Site Coverage Recommended that a site coverage control for ground floor be inserted

Reference	Issue	Recommendation
Table 7 – Summary of Controls for lots with frontage ≥7m and ≤ 9m for front accessed dwellings		Ground Floor site coverage controls to be added Garages and Carparking— Insert the words “behind the building line” after the words “ will provide at least 1 car space”
Solar Access Requirements	There is concern about the ability to “switch off” solar access requirements in all dwellings in density bands of 25 dwellings/ha. Whilst it is acknowledged that the proposed built form will provide limited opportunities to meet the current solar access requirements, it is felt that there needs to be a control that allows maximisation of solar access.	It is recommended that further consideration be provided to controls that switch off absolutely within higher density bands.
Streetscape and Architectural Design	The streetscape and architectural design section is very subjective as it is currently proposed. The use of garden suburban, suburban and urban needs to be associated with the density bands and ILP to provide it with more statutory weight.	Page 38 of DCP it’s recommended that the garden suburban, suburban and urban streetscapes be tied back to density bands, and be better defined/outlined.
Page 39 – Streetscape and Architectural	Controlling streetscape outcomes are integral to the success of Housing Diversity. The suggested changes will provide increased certainty to assessment officers that a	Control 1 – Include additional dot points <ul style="list-style-type: none"> • Mix of building materials, and or colours • Vertical architectural elements to reduce the horizontal emphasis

Reference	Issue	Recommendation
Design	desired streetscape character is achieved.	of the façade Add additional control "Upper wall lengths not too exceed 14m in length without being steeped or articulated." Delete Control 8 – This control is not a control its more a vision for the illustrations below at Figure 13.
Page 47 – Control 1	Control 1 is in its current form provides uncertainty regarding dwelling height. Its important to emphasise that the height limit is 2 storeys unless the other development standards are met .	Delete the word "generally to emphasise the intended height of 2 storeys and 3 storeys being only by exception.
Page 48 – Landscaped Area	Controls 3+4 are very ambiguous. Controls need to be measurable.	Either delete controls 3+4 or move to objectives.
Page 49 – Private Open Space	Control 4 – Location of PPOS in the front setback has a considerable impact on the streetscape	Generally PPOS in the front setback is not supported.
Page 50 – Garages, storage, site access and parking	Control 5 – Driveway configuration. Control needs to be reworded, in conjunction with Control 17	Controls 5+17 be reworded to form one standard– "Driveways are to confirm with AS 2890 and Councils Engineering Standards. Where there is any inconsistency the greater of these standards"
Page 50 Control 6 – Garage Door	The current wording for this control is difficult to interpret needs to be reworded, possibly broken into two controls?	Control 6 re determining services etc. in relation to driveway location – insert after availability of on street parking... "This information is to be provided with any application for subdivision".

Reference	Issue	Recommendation
Page 50 Control 6 – Garage Door		“Single Garage Doors should be a maximum of 3m wide by 5.5m deep... “– Concern that this prohibits the construction of garages that enable disabled access. There needs to be an exception “except where the garage is being constructed, and or modified to enable disabled access to the dwelling”
5.2 Attached or Abutting dwellings	Control 1 – Wording makes the control ambiguous	Control 1- Delete first sentence
	Control 2 – Very difficult to enforce this subjective control.	Control 2 – Move to objectives
5.3 Secondary Dwellings	Control 3 - (second dot point) – “Solar access to the principle private open space of neighbouring lots is not significantly reduced”. The word ‘significantly’ is very subjective, and difficult to enforce.	Delete word significantly as this is not a measurable control, alternatively include a % to measure against. Request further information as to whether this control applies to R3 lands? (Over 25 dwellings/hectare).
Floor area	Control 6 –	Control 6 needs to be reworded. It’s confusing and difficult to interpret.
	Control 11	Control 11 – This is a superfluous control. Please delete.
Definition	Whilst Council is generally supportive of the use of Studio/secondary dwellings there needs to be increased clarity around the permissible titling arrangements within the SEPP, and the difference between a Studio dwelling	Recommended - Inclusion of an explanatory note of the definition in the SEPP and how it relates to “Studio dwellings”, unless this is separately defined within the SEPP.

Reference	Issue	Recommendation
	<p>and a secondary dwelling.</p> <p>Use of the word Studio Dwelling within the DCP and Secondary Dwellings within the SEPP is not supported.</p>	<p>Recommended to insert into the DCP control noted at – Explanation of intended effect (changes to the SEPP below)</p> <p>3.4 Studio Dwellings</p> <p>(d) the total floor area of the studio dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:</p> <ul style="list-style-type: none"> (i) 75 square meters (ii) 30% of the total floor area of the principal dwelling
<p>Dual Occupancies</p>	<p>The definition of detached dual occupancy is similar to that of strata titled studio? The definition of an attached dual occupancy is similar to that of a semi-detached dwelling house. The only differentiation appears to be around the titling? This needs to be made clear.</p> <p>Control 21 – refers to tables 6-10 for private open space requirements, these tables only provide for PPOS requirements.</p>	<p>Recommended that an explanatory note be added within the SEPP to differentiate dual occupancies, from studio units, and semi detached dwellings</p> <p>Amend Control 21 (Dual Occupancies) to include a requirement for PPOS in addition to PPOS.</p> <p>Insert Control 24 – Identifying Waste collection provision for dual occupancy developments</p>
<p>Controls for residential flat buildings, manor homes and shop top housing</p>	<p>Question whether Manor homes would be more appropriately contained within the controls for multi unit housing given the density and mass would be more similar to 2storey multi dwelling, even though the definition may meet that of RFB's.</p>	<p>Recommended Manor Houses be included in controls for multi unit housing.</p>

Reference	Issue	Recommendation
Control 3	Control 3 (point 2) - provides that controls within the DCP override that of SEPP 65 whereas there are inconsistencies between the two. – From a legal perspective this does not seem to be possible, unless it is notated in the SEPP, the DCP cannot override a SEPP.	Remove reference to specific standards, as soon as they change the document is out-dated. Insert instead reference to the appropriate standards for disability assess and adaptable housing.
Reference AS 4299-1995 is not the correct reference it is inconsistent with standard AS1428.1(design for assess and mobility)		
Glossary (page 61)	Manor House – Question the ability and intent to Torrens title a Manor House? Need clarification on the intent.	DPI to confirm that Manor House can be Torrens Title.
		Recommend the insertion of an Explanatory note re the relationship between the glossary definition and the SEPP definitions.

Comments on SEPP Amendments

Key Issues	Comment/Recommendation
Definition contrast in SEPP and DCP	It is recommended that explanatory notes be included in the definition for secondary dwelling, semi

<p>Whilst the SEPP is proposing to change some definitions others will sit in the DCP</p> <ul style="list-style-type: none"> • Manor Home – DCP only • Abutting dwelling- DCP only • Studio dwelling - DCP only (this a secondary dwelling that meets the requirements to be subdivided has previously been referred to as a Fonzie Flat) <p>Definitions that change within the SEPP include</p> <ul style="list-style-type: none"> • Secondary dwelling • Semi detached dwelling; and • Dual occupancy. 	<p>detached dwelling and dual occupancies as to whether these developments can be strata or Torrens subdivided, to remove the ambiguity.</p> <p>An explanatory note is recommended with regard to the definition of Manor Homes/multi unit dwellings and residential flat buildings, differentiating when a manor house is a RFB or Multi dwelling house. Where it is decided to keep all definitions as currently proposed it is recommended that a definition hierarchy be included in the SEPP and DCP to ensure consistency.</p>
<p>Lot sizes for Dual Occupancy</p>	<p>The minimum lot size for a dual occupancy is 600m² (300m² per dwelling), need clarification as to the purpose of a dual occupancy requiring a larger minimum lot size then that of two detached dwelling houses in the same density band (225m² in 15 dwellings/ha).</p>
<p>Removal of minimum lot size maps</p>	<p>Council supports this initiative</p>
<p>Integrated Approvals</p>	<p><i>Need to see extent of SEPP insert</i></p>
<p>Studio Dwellings</p>	<p><i>Need to see extent of SEPP insert</i></p>

Attachment 1 **ORD05**

<p>Noted that the SEPP for Oran Park and Turner Road doesn't currently contain controls for the size of secondary dwellings as does the SEPP for the Camden Growth Centres. Recommended that this amendment be represented across the board.</p>	<p>Manor Homes <i>Need to see extent of SEPP insert</i></p>
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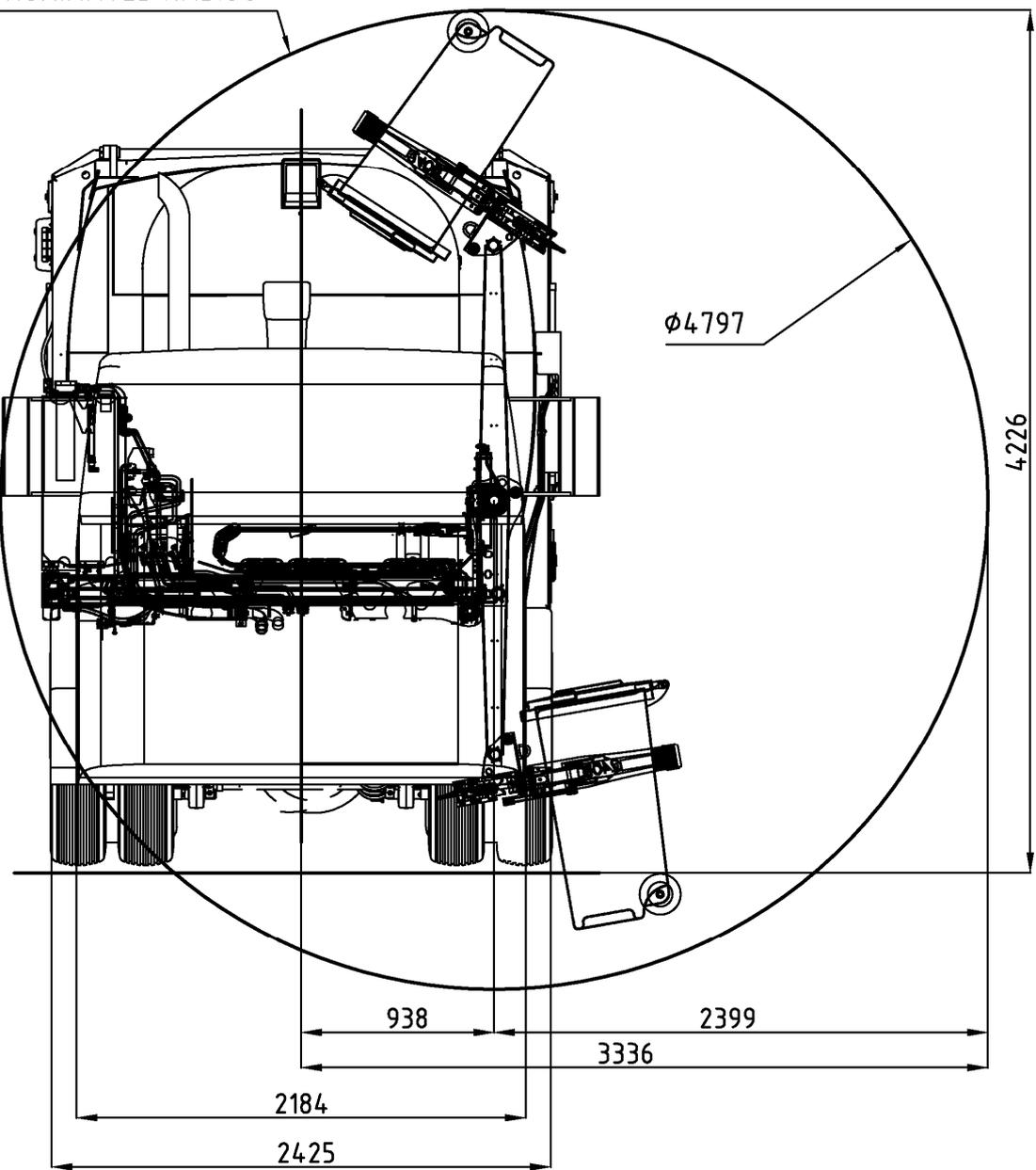
Appendix A – Bin Lift Circle – Camden Garbage Trucks

ORD05

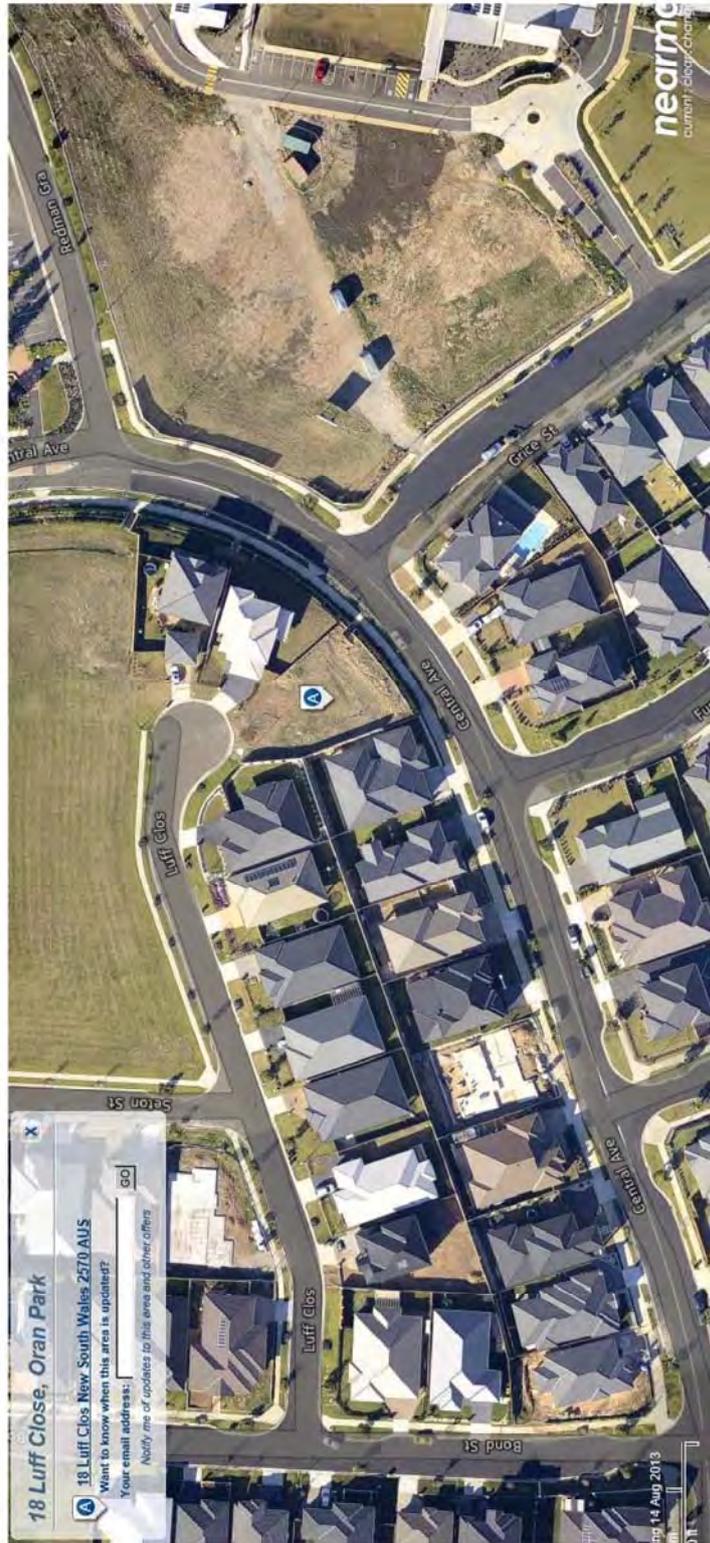
Attachment 1

ORD05

Attachment 1

SD 04/2007				ACN 004 992 090		<h1>SALES DATA SHEET</h1>	
PRODUCT NAME RECYCLE		DATE 17/01/2011	REVISION 02	SHEET 1 OF 1	SD-SL5-0004		
PRODUCT CODE SERIES II	PRODUCT SIZE/CAPACITY 25/29/35m3	SALES MARKET DOMESTIC		PRODUCT FUNCTION VARIATION BINLIFTER CURVE			
BODY OPTIONS							
VEHICLE MAKE ACCO		VEHICLE MODEL F2350G		AXLE CONFIGURATION 6X4	WHEELBASE 5000		
CAB/CHASSIS OPTIONS Hendrickson PAX460					VES CODE		
<p>APPROXIMATED RADIUS</p>  <p>ø4797</p> <p>4226</p> <p>938</p> <p>2399</p> <p>3336</p> <p>2184</p> <p>2425</p>							
<p>DIMENSIONS TAKEN AT BINLIFTER CENTRELINE</p>							
<p>MACDONALD JOHNSTON EXERCISE A PROGRAMME OF CONTINUAL PRODUCT DEVELOPMENT AND IN THIS CONTEXT RESERVE THE RIGHT TO AMEND SPECIFICATIONS WITHOUT PRIOR NOTICE</p>							

Appendix B – Rear access Garages at 18 Luff Close, Oran Park.



ORDINARY COUNCIL

ORD06

SUBJECT: NEW CENTRAL ADMINISTRATION BUILDING - MASTERPLAN
FROM: Director Governance
TRIM #: 13/37011

PURPOSE OF REPORT

The purpose of this report is to:

1. provide Council with an update on the work undertaken on the masterplanning for the Civic Precinct, including the site for the new central administration building, within the Oran Park Town Centre;
2. recommend to Council that it adopts the Masterplan for the Civic Precinct site including relocation of indoor courts from the proposed youth facility to the leisure centre;
3. recommend to Council that the documentation for the delivery by the owners/developers of Oran Park of the preferred site for the new central administration building be amended by replacing the Concept Plan in Annexure 2 (of the Contract signed between Council and GDC) with the Civic Precinct Masterplan and authorise Council's Power of Attorney to execute the relevant documentation; and
4. outline to Council the consequential amendments required to the relevant Part B DCP and SEPP to give effect to the Civic Precinct Masterplan.

BACKGROUND

A review of the future office accommodation needs of Council commenced in 2008 with a preliminary needs analysis which predicted that Council's office based accommodation needs would grow from approximately 3,000 square metres to 8,400 square metres of floor space over the next 30 years.

This increase in the amount of future office space is required to accommodate the projected increase in staff required to service the needs of the Camden Local Government Area (LGA) as a result of the State Government's plans to concentrate a large proportion of development in the South West Sydney region. The Camden LGA population is forecast to increase from 60,000 to in excess of 250,000 over the next 30 years.

At the meeting of Councillors on 27 November 2012, Council:

- A. accepted and endorsed the legal document for the delivery by the owners/developers of Oran Park of the preferred site for the new central administration building for execution by the Mayor and General Manager;
- B. approved the:
 - a. commencement of design procurement via an EOI to enable suitably qualified companies to be selected to tender for the design;

- b. engagement an experienced Senior Architect to provide specialist advice on an 'as and when required' basis through the design procurement phase (including in relation to the design brief and concept design);
- c. appointment of a suitably qualified and experienced Project Manager to oversee the delivery of the project; and
- d. incorporation of an appropriate costing and financing plan into the 10 year Long Term Financial Plan

C. authorised the Mayor and General Manager to sign, under seal, any documents relating to this matter.

MAIN REPORT

Subsequent to the meeting of Councillors on 27 November 2012, Council entered into a range of legally binding documents with the owners/developers of Oran Park for the delivery (by them) of the preferred site for the new central administration building.

The legal documents are based on a standard commercial contract of sale with Special Conditions together with a separate agreement for acceleration of certain VPA commitments such as the Library and Town Park to open in conjunction with the new central administration building as well as acceleration of the Leisure Centre.

It should be noted that the Special Conditions are required as the site offered to Council is within a yet to be created Town Centre i.e. the land being offered does not legally exist as a separate lot.

The concept plan for the shape of the site was included in Annexure 2 of the contract and a copy of this plan **is attached at the end of this report (Attachment 1)**.

Given that the site is yet to be created, the contract provided that Council and the owners/developers of Oran Park would work together in relation to the creation and delivery of the site.

As part of this work, Council and the owners/developers of Oran Park engaged architects Allen Jack & Cottier to prepare a Masterplan for the creation of a Civic Precinct within the Town Centre (based on the co-location of community facilities such as the Library and Leisure Centre with Council's new central administration building) so as to maximise benefit to Council and the community.

The results of this masterplanning work were presented to Councillors at a workshop on 17 September 2013 and copies of the presentation by Allen Jack & Cottier **are attached at the end of this report (Attachments 2 and 3)**.

In summary, the Masterplan recommends the creation of a Civic Precinct by:

- retaining the location of the Library on a site adjacent to the new central administration building; and
- relocating the Leisure Centre from a nearby site to a site adjacent to the Library.

This means that the major community facilities in the Oran Park Town Centre, being the Library and Leisure Centre, will be co-located with the new central administration building on a prominent site opposite the Town Park.



Another recommendation of the Civic Precinct Masterplanning work undertaken by Allen Jack & Cottier was to relocate two (2) indoor courts from the proposed youth facility located outside the Town Centre to the Leisure Centre. This relocation is supported by the relevant specialist officers within Council.

IMPLICATIONS OF ADOPTION OF THE CIVIC PRECINCT MASTERPLAN

Legal Documentation

The Concept Plan in Annexure 2 of the contract between Council and the owners/developers of Oran Park will need to be replaced with the Civic Precinct Masterplan. A copy of this plan **is attached at the end of this report (Attachment 4)**.

In all other respects the contractual obligations remain unchanged.

Financial Implications

There are no financial implications for Council which arise from the adoption of the Civic Precinct Masterplan as the owners/developers of Oran Park bear the responsibility of delivering:

- the site for the new central administration building pursuant to the contractual arrangements which remain unchanged; and
- the Library and Leisure Centre pursuant to the VPA and the separate agreement for acceleration of those VPA commitments.

Other

The adoption of the Civic Precinct Masterplan will require consequential amendments to the Part B DCP and the SEPP documentation that govern the Oran Park project.

WHERE TO FROM HERE

The Civic Precinct Masterplan now provides Council with the opportunity to consider the benefits that might arise from integrating the Library and the new central administration building. As outlined at the workshop with Councillors on 17 September 2013, integration of the Library and new central administration building will be the subject of further research and analysis to provide Council with a better understanding of the risks and opportunities of integration.

In addition, further work will be undertaken on the car parking requirements for the Civic Precinct site and, in particular, the new central administration building.

This work will be the subject of a further workshop with Councillors and a subsequent report to Council.

CONCLUSION

This report summarises the work undertaken by the PCG since the Council resolution on 27 November 2012 in relation to the shape of the site for the new central administration building and the creation of a civic precinct within the Oran Park Town Centre (based on the co-location of community facilities such as the Library and Leisure Centre with Council's new central administration building) so as to maximise benefit to Council and the community.

A comprehensive and thorough masterplanning process has been undertaken by Allen Jack + Cottier on behalf of Council and the owners/developers of Oran Park to create a civic precinct with the Oran Park Town Centre.

It is recommended to Council that it accept and endorse the Civic Precinct Masterplan which provides for the relocation of the:

- Leisure Centre to a site adjacent to the new central administration building and Library; and
- two (2) indoor courts from the youth facility to the Leisure Centre.

Following the acceptance of the Civic Precinct Masterplan by Council, authorise Council's Power of Attorney to execute the legal documentation necessary to replace the Concept Plan in Annexure 2 of the contract with the Civic Precinct Masterplan.

RECOMMENDED

That Council:

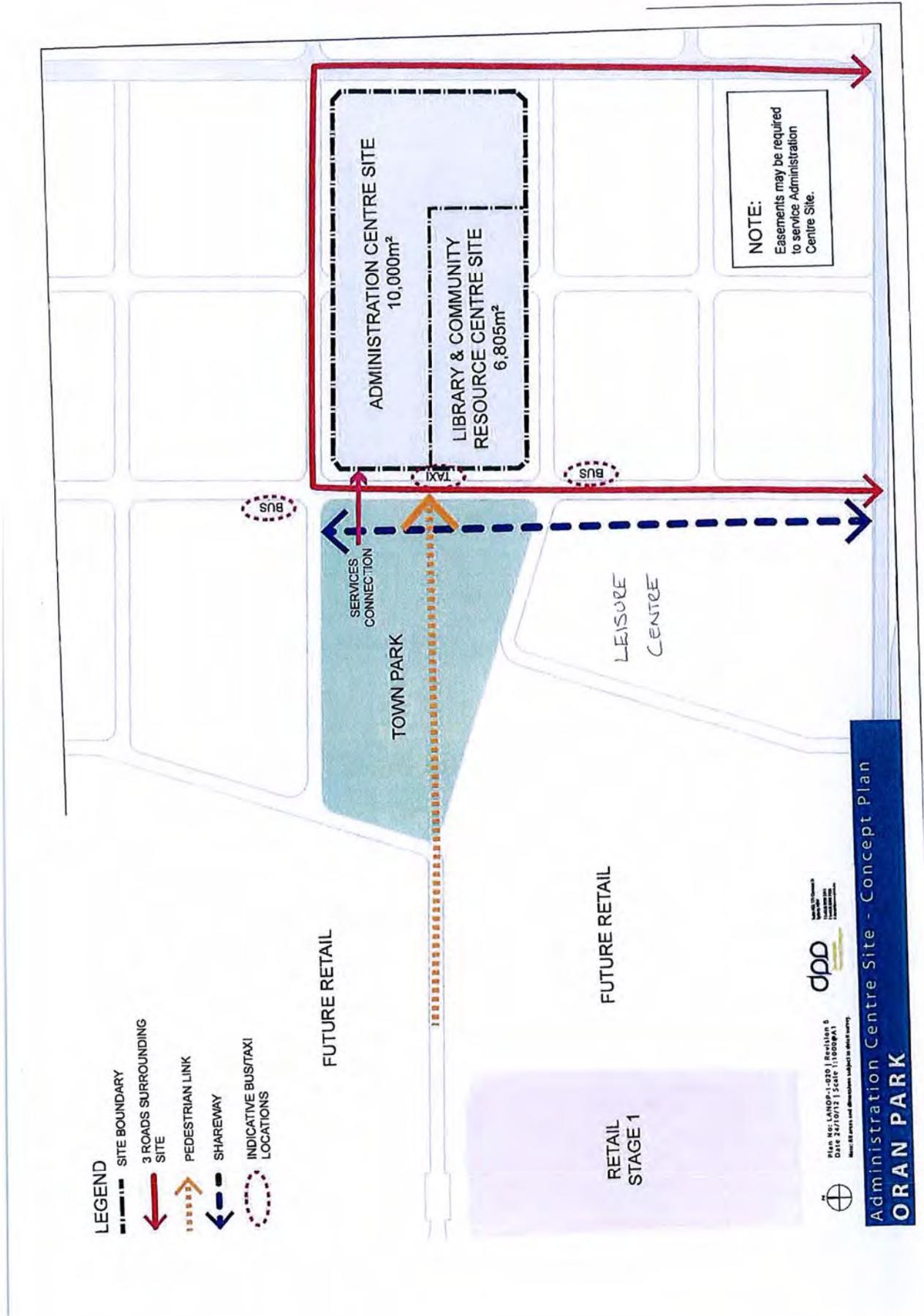
- i. accept and endorse the Civic Precinct Masterplan including the change in shape of the site for the new central administration building together with the relocation of the Leisure Centre to a site adjacent to the new central administration building and Library and two (2) indoor courts from the youth facility to the Leisure Centre.**
- ii. undertake the necessary amendments required to the relevant Part B DCP and the SEPP required to give effect to the Civic Precinct Masterplan;**
- iii. acknowledge that further work will be undertaken in relation to the potential for integration of the Library and new central administration building and the car parking requirements for the Civic Precinct site; and**
- iv. authorise the relevant documentation to be completed under Council's Power of Attorney, granted on 27 August 2013, Minute Number ORD 215/13.**

ATTACHMENTS

1. Admin Centre Site Concept Plan - Oran Park
2. AJC Oran Park Civic Precinct Masterplan Report (draft)
3. Summary Masterplan
4. Civic Precinct Masterplan - New Concept Plan

ORD06

Attachment 1





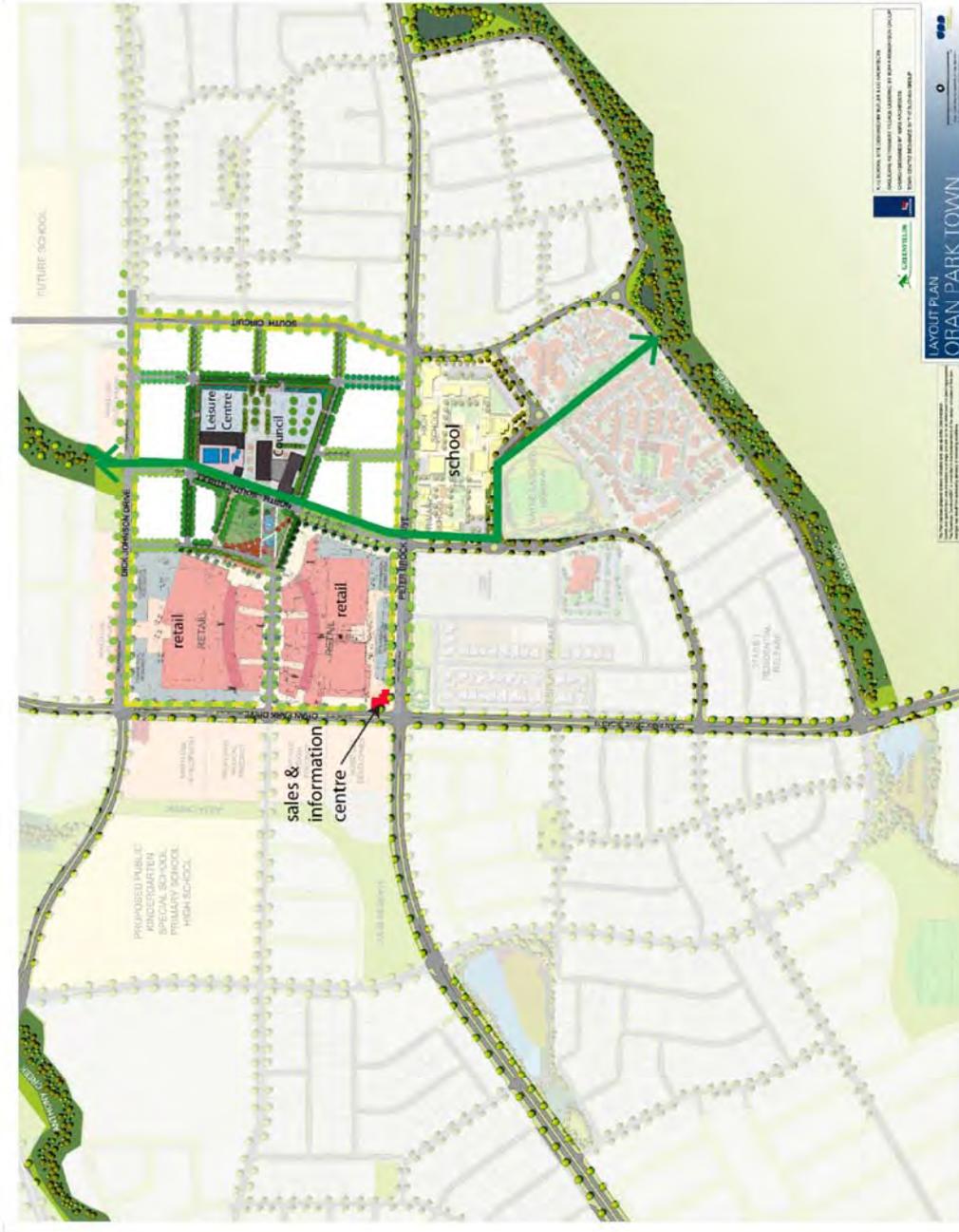
Oran Park Civic Precinct Masterplan 2013

17 September 2013

AJ+C
Michael Heenan
ALUN JACK-COTTIER

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Attachment 2



AJ+C
 ALLEN JACK+COOPER
 Michael Heenan
 September 2013

Civic Precinct Context showing green link
 Oran Park Civic Precinct Masterplan 2013

Street + Block Layout

The diagrams below show the street + block layout for the three town centre masterplan designs. The centre diagram illustrates the irregular street and block pattern of the 2012 Revised Masterplan. It also demonstrates that the 2013 Masterplan is more in keeping with the Part B DCP (2007) which provides a more regular street pattern and is more aligned with best practice town centre design.



2007



2012



2013

Masterplan Development

Oran Park Civic Precinct Masterplan 2013



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Attachment 2



2013



2012



2007

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 Michael Heenan ALLEN JACK-CENTRE
 September 2013

Masterplan Development
 Oran Park Civic Precinct Masterplan 2013

Concept options were assessed for the Oran Park Civic Precinct

Oran Park Civic Precinct Masterplan 2013

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Michael Heenan Allen Jwa-Centim
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Open Space – Option 1 - Stand Alone Option

Oran Park Civic Precinct Masterplan 2013



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Open Space – Option 2 – Fully Integrated Option

Oran Park Civic Precinct Masterplan 2013

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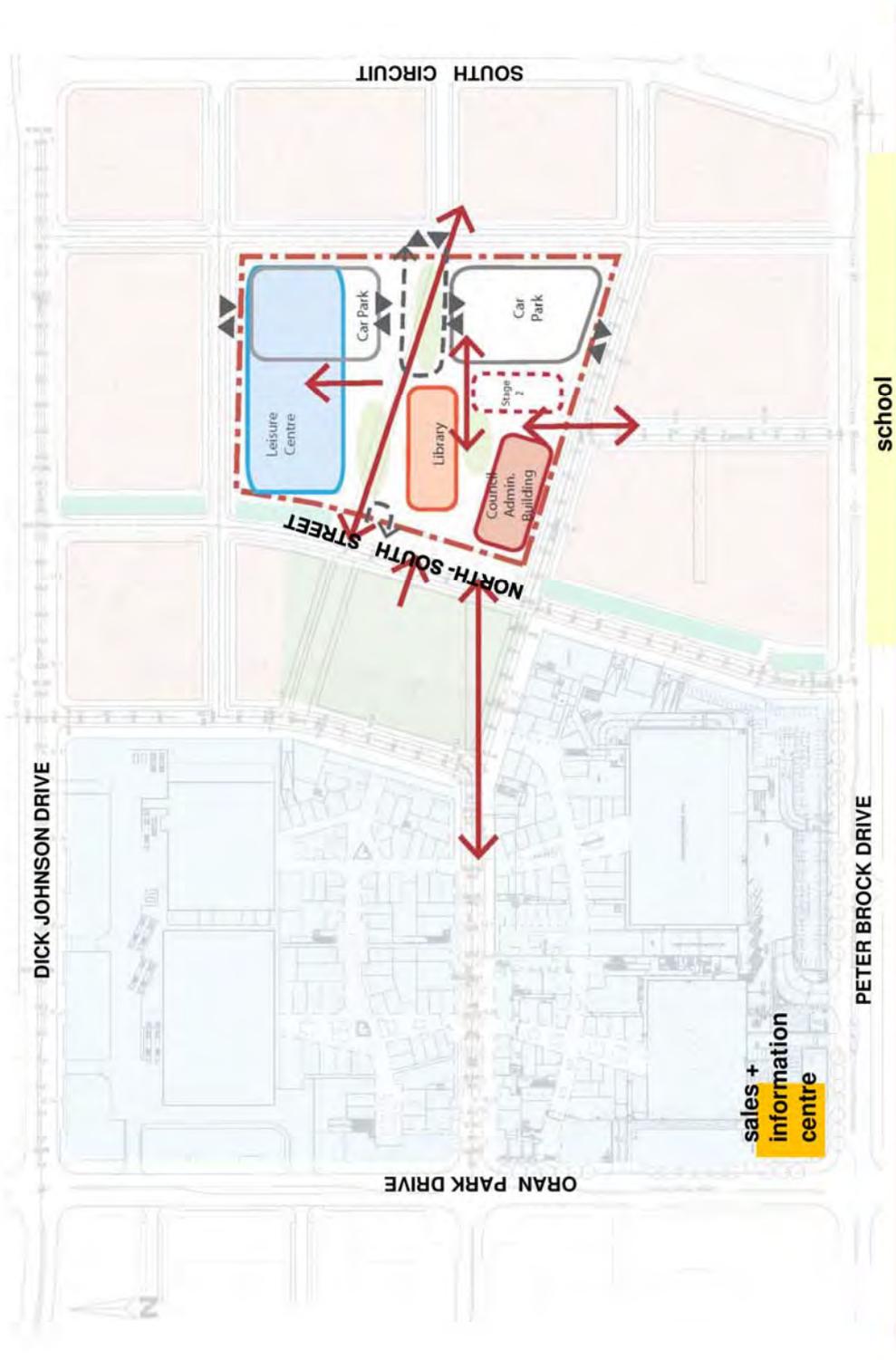
Attachment 2



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Open Space – Option 3 - Integrated Option with Atrium

Oran Park Civic Precinct Masterplan 2013

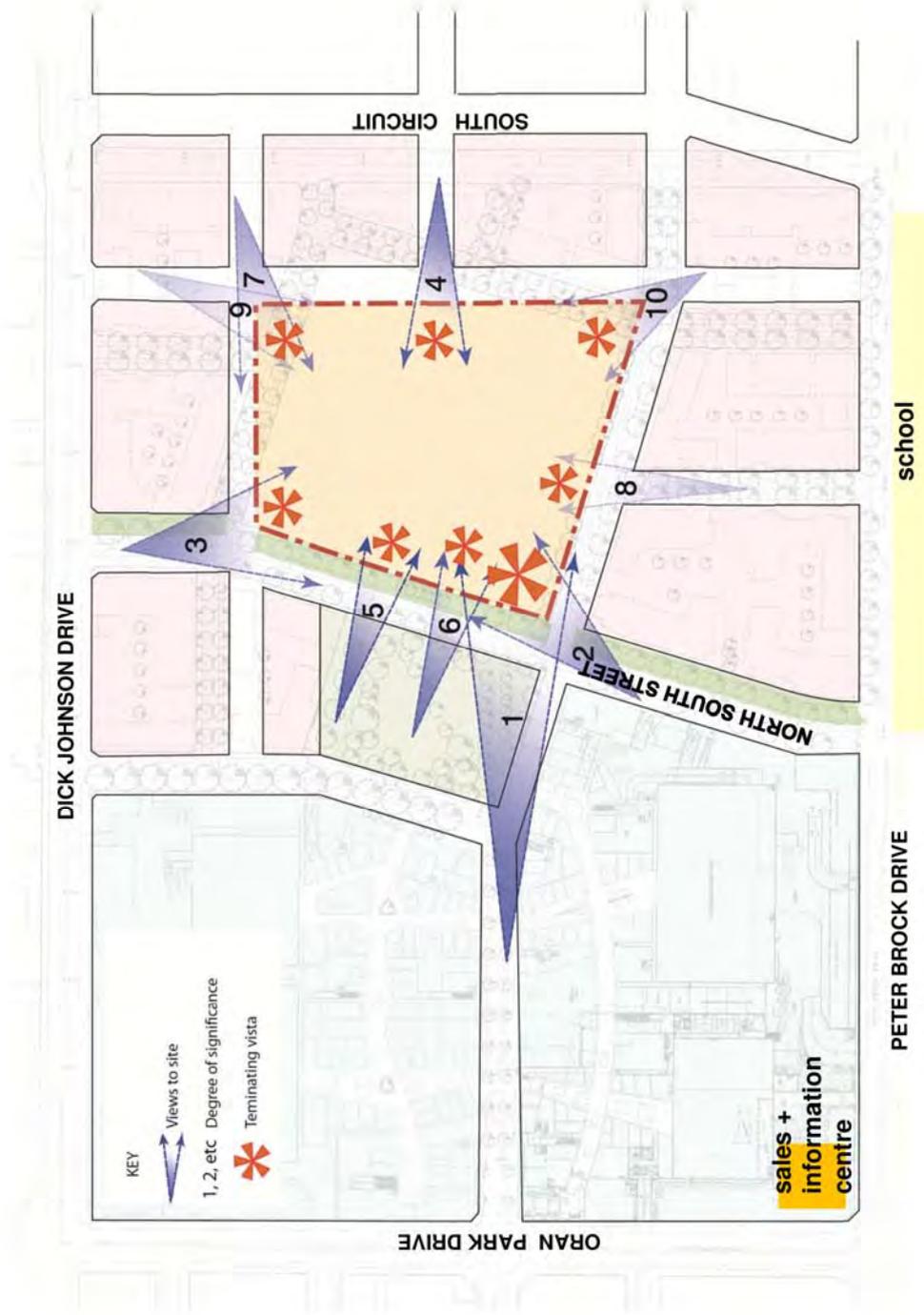


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Allen Jack-Centim
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Design Principle _ Building + Open Space + Access Relationship
Oran Park Civic Precinct Masterplan 2013

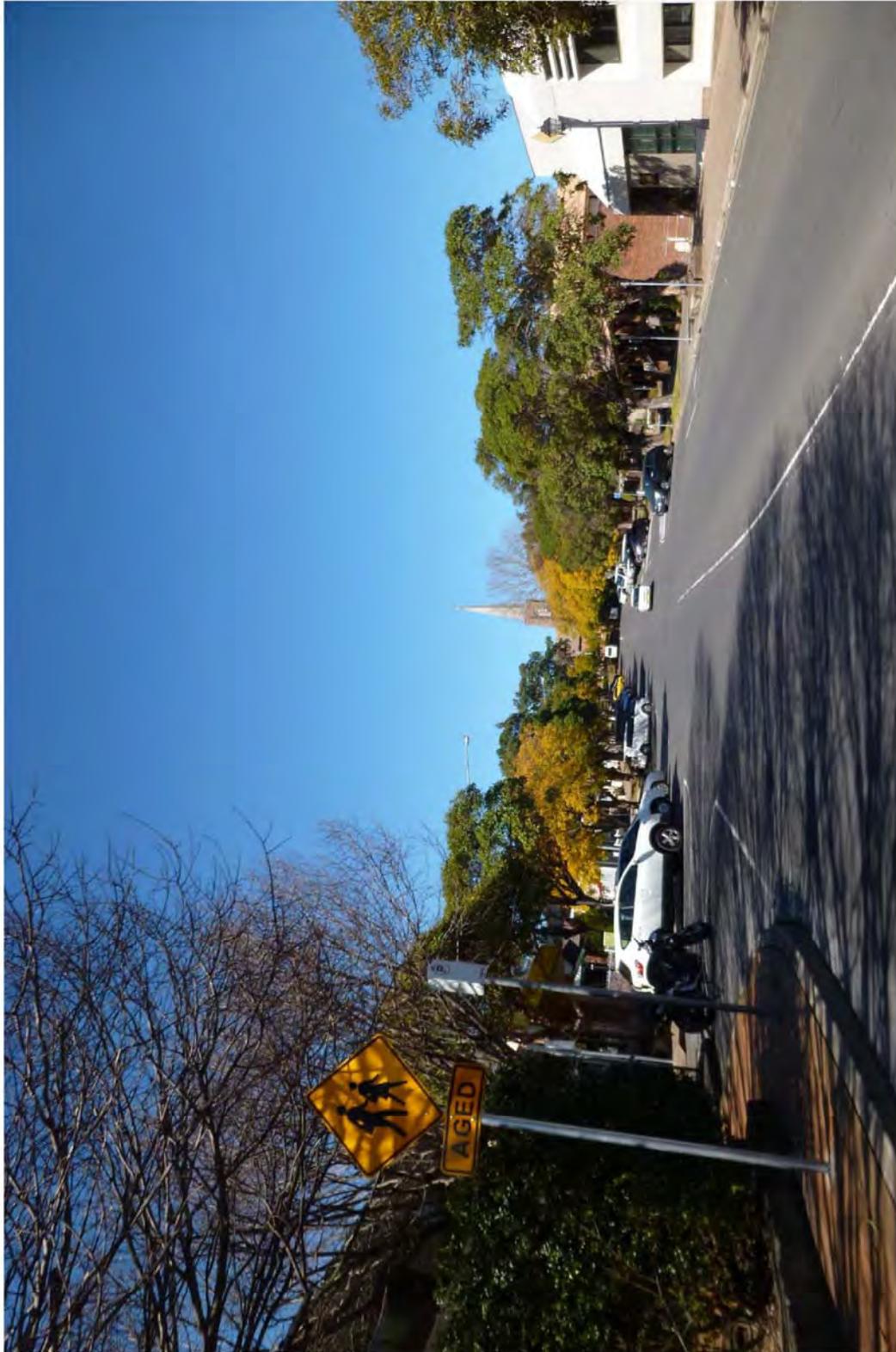
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 Michael Heenan
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Design Principle _ Views + Vistas
 Oran Park Civic Precinct Masterplan 2013



**St Johns Anglican Church, Camden terminating the vista of John St
Designed by Mortimer Lewis at time of the original subdivision of Camden c. 1840
Oran Park Civic Precinct Masterplan 2013**

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Civic Precinct Masterplan Options

Oran Park Civic Precinct Masterplan 2013

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Option 1 - Stand Alone Option_ block model
Oran Park Civic Precinct Masterplan 2013

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Attachment 2



Option 2 – Fully Integrated Option _block model

Oran Park Civic Precinct Masterplan 2013

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ALLEN JACKSON
September 2013

Option 3 – Integrated Option with Atrium_block model
Oran Park Civic Precinct Masterplan 2013

**Some examples of how
the buildings and open
spaces could look.**

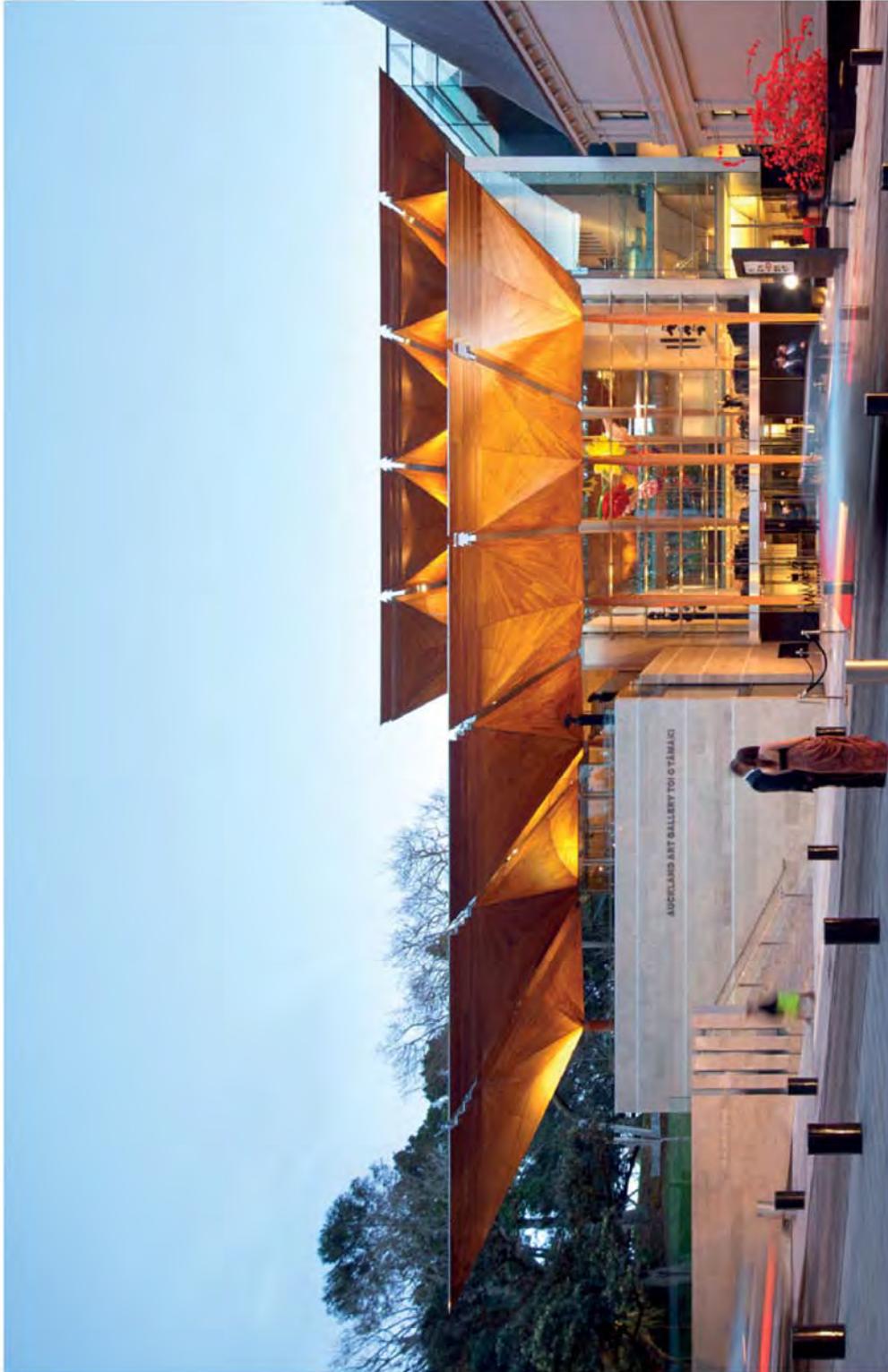


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Masterplan – Option 3
Oran Park Civic Precinct Masterplan 2013

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Auckland Art Gallery
Oran Park Civic Precinct Masterplan 2013



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Street View - Sample Image
Oran Park Civic Precinct Masterplan 2013

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Attachment 2



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September, 2013

Masterplan – Option 3
Oran Park Civic Precinct Masterplan 2013

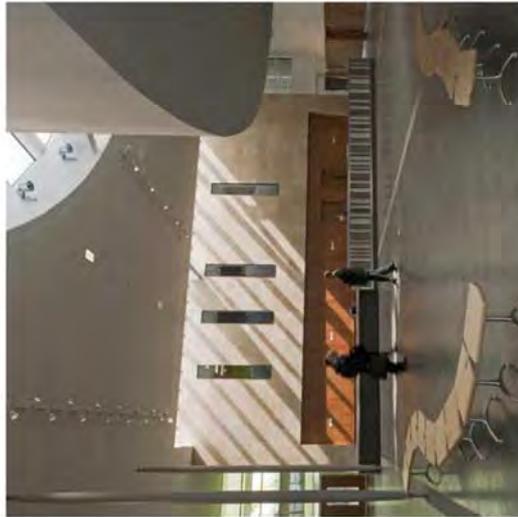
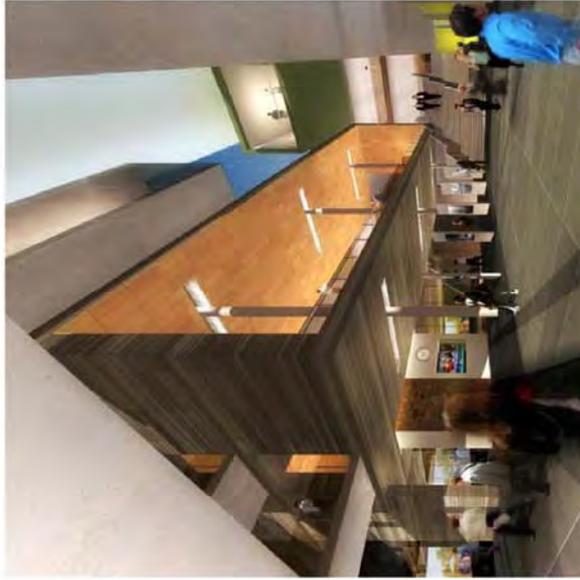


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Michael Heenan
ALLEN JACKSON
September 2013

Macquarie Bank Offices - Atrium
Oran Park Civic Precinct Masterplan 2013

ORD06

Attachment 2



AJ+C
 Michael Heenan Alex Jack-Comber
 September, 2013

Administration Building – Atrium precedents

Oran Park Civic Precinct Masterplan 2013

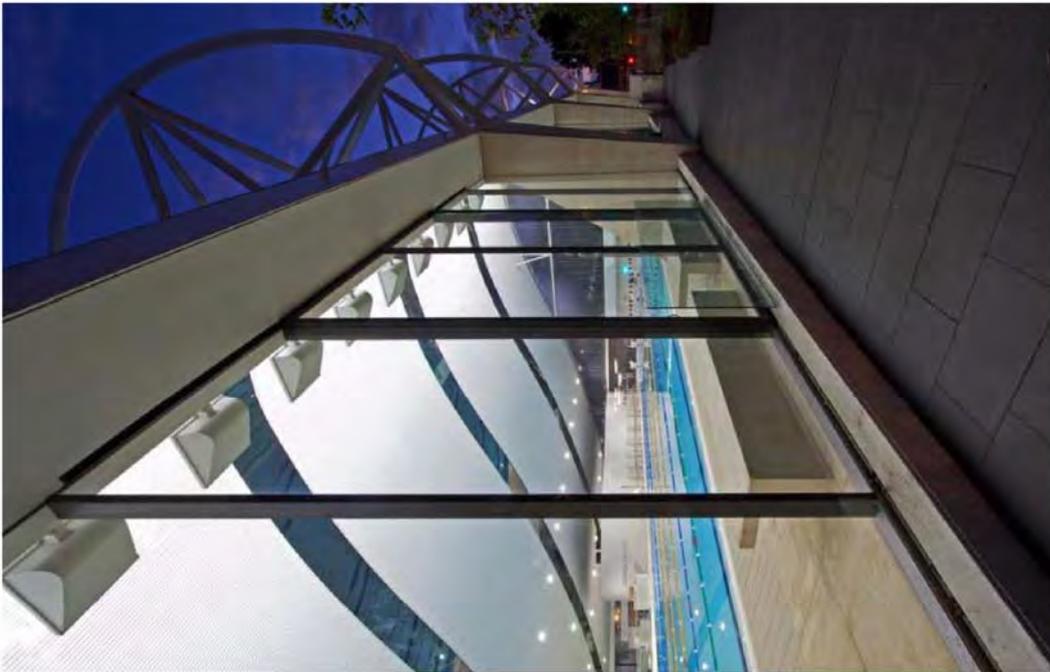


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ALLEN JACKSON
September 2013

Masterplan – Option 3
Oran Park Civic Precinct Masterplan 2013

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Ian Thorpe Pool, Ultimo
Oran Park Civic Precinct Masterplan 2013



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September 2013

Masterplan – Option 3
Oran Park Civic Precinct Masterplan 2013

Attachment 2

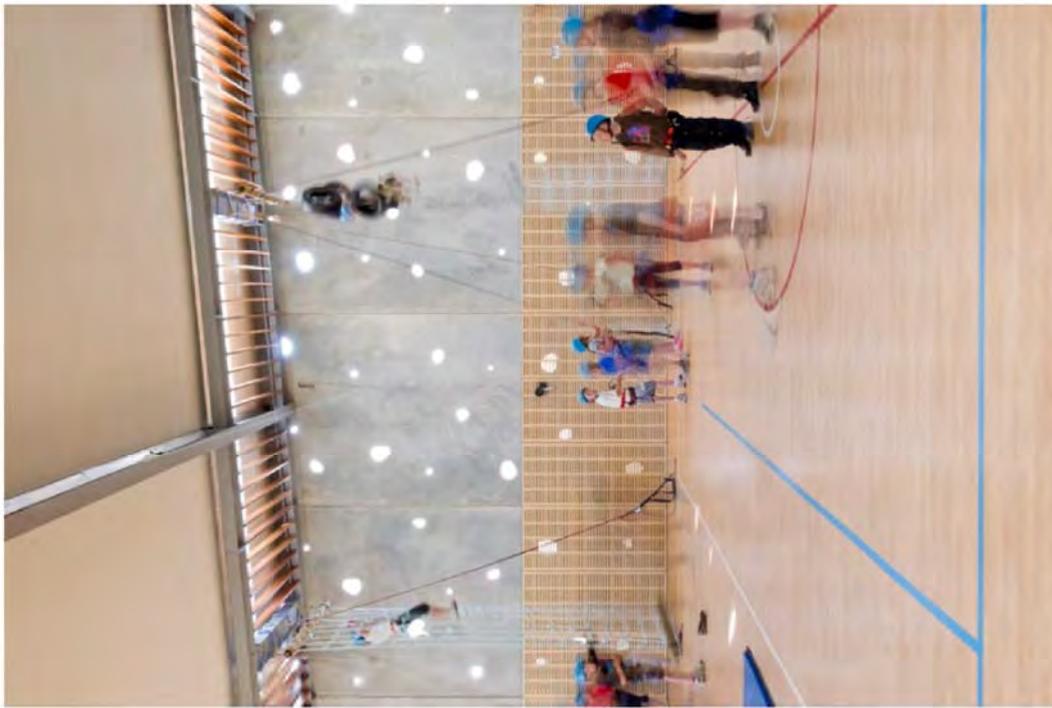
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Milson Island Sport + Recreation Hall

Oran Park Civic Precinct Masterplan 2013

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Berry Sport + Recreation Hall

Oran Park Civic Precinct Masterplan 2013

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September, 2013

Masterplan – Option 3
Oran Park Civic Precinct Masterplan 2013



Civic Eastern Landscaped Entry

Oran Park Civic Precinct Masterplan 2013

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Landscaped car parking
Oran Park Civic Precinct Masterplan 2013

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Landscaped street edge along car park

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Masterplan – Option 3
Oran Park Civic Precinct Masterplan 2013

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Flexible public open space - markets
Oran Park Civic Precinct Masterplan 2013

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Flexible public open space outdoor cinema, umbrellas with rainwater collection

Oran Park Civic Precinct Masterplan 2013

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Questions

Oran Park Civic Precinct Masterplan 2013

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September 2013

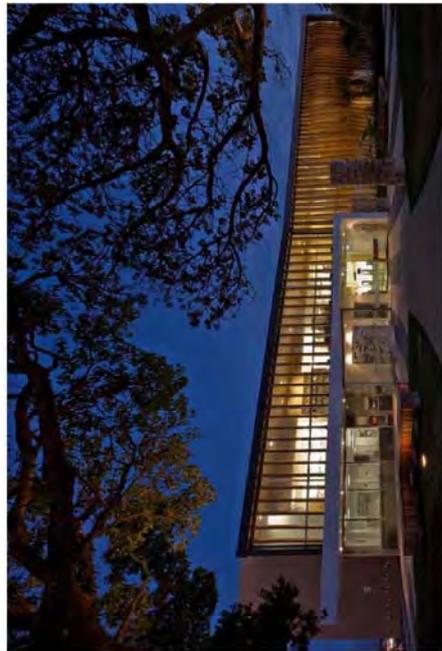
Additional precedents

Oran Park Civic Precinct Masterplan 2013

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Attachment 2



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 September 2013

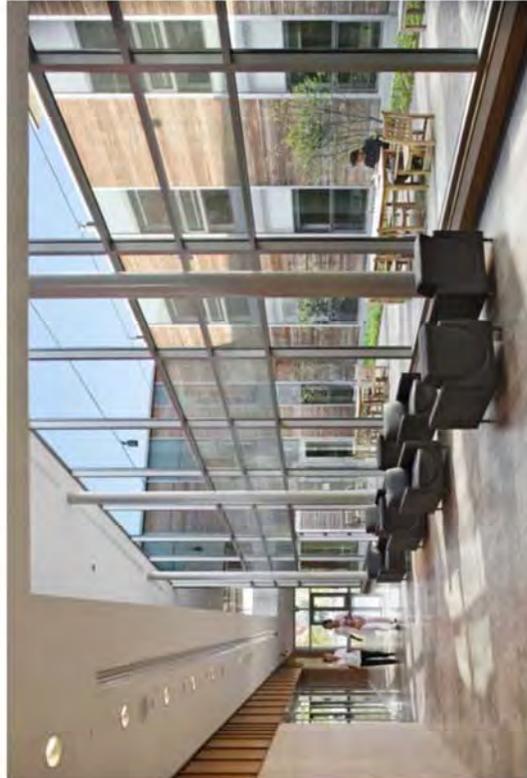
Additional precedents
 Oran Park Civic Precinct Masterplan 2013



AJ+C
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September 2013

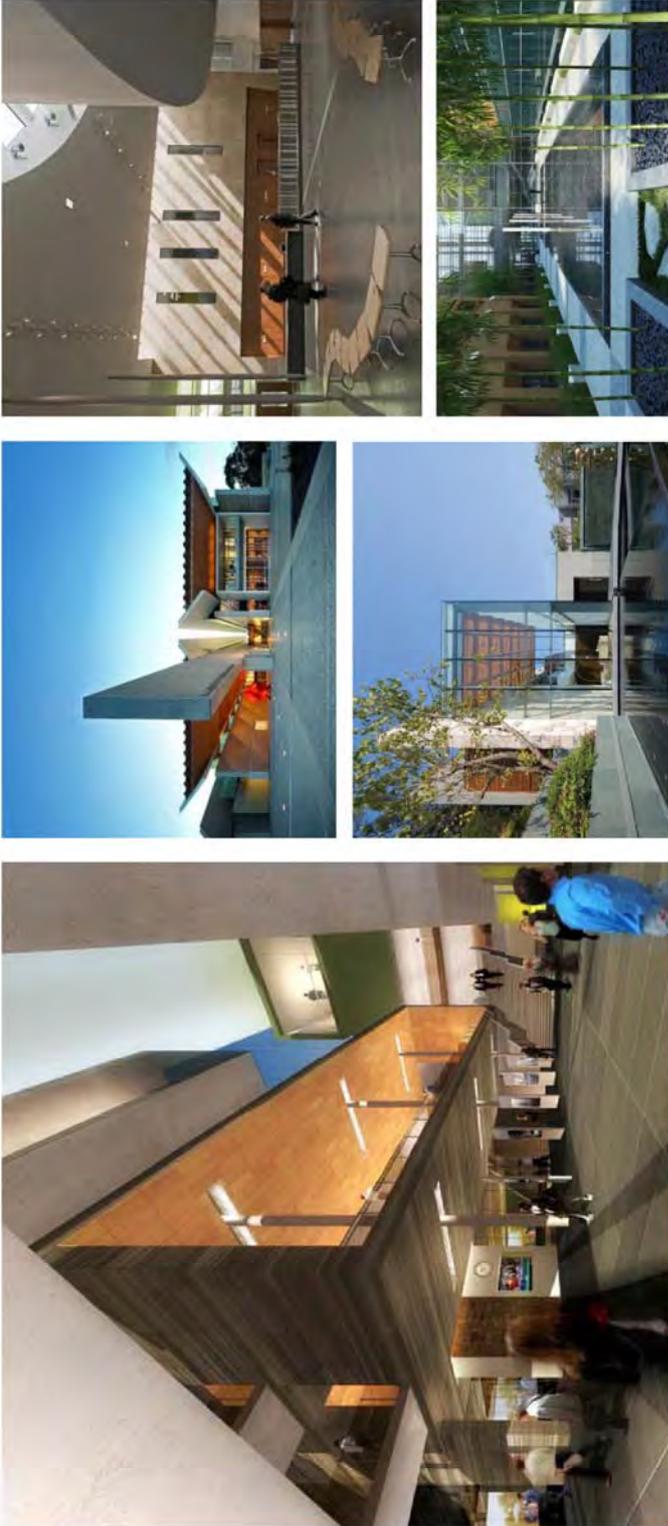
Additional precedents
Oran Park Civic Precinct Masterplan 2013

Attachment 2 ORD06



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 September 2013

Additional precedents
 Oran Park Civic Precinct Masterplan 2013



AJ+C
Michael Heenan ALLEN JACKSON
September 2013

Additional precedents
Oran Park Civic Precinct Masterplan 2013

ORD06

Attachment 3



ORAN PARK CIVIC PRECINCT MASTERPLAN

This paper is a summary of the presentation made to Councillors of Camden Council on the Oran Park Civic Precinct on 17 September 2013. It seeks to describe the evolution of the town centre design, articulate the key design principles driving the process and explain the design development of the 3 masterplan options. Precedent images of buildings, open space and landscape have also been included to give a feel of what the Civic Precinct may be like.

11 October 2013

AJ+C
ALLEN JACK+GOTTIER

ORAN PARK CIVIC PRECINCT MASTERPLAN 01

Presentation to Camden Councillors_17 September 2013



Figure 1: 2007 - Adopted Masterplan

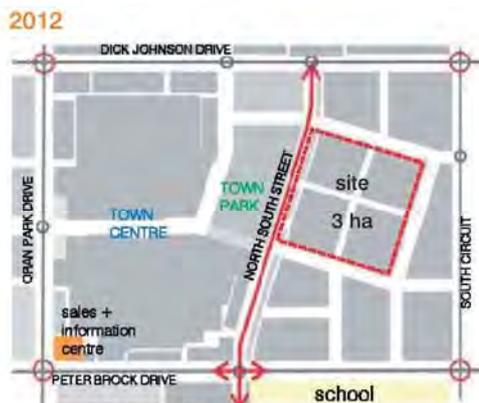


Figure 2: 2012 - Revised Masterplan



Figure 3: 2013 - Masterplan

1.0 Background

AJ+C were engaged by Camden Council and the project developers in January 2013 to produce a masterplan for the Oran Park Civic Precinct.

2.0 Town Centre Masterplan

The Civic Precinct will be located within the Oran Park Town Centre and will contain Camden Council's new Central Administration Building; Branch Library and Community Resource Centre; a Leisure Centre and some Youth Centre facilities.

2.1 Changes to the 2007 Masterplan

The Formal Offer for the relocation of the new Administration Building to Oran Park was based on the town centre design reflected in the Oran Park Town Part B DCP 2007 (2007 Masterplan).

Following acceptance of the Formal Offer and confirmation from Council on the relocation to Oran Park a review of the town centre design was undertaken. This process involved representatives from both Council and the project developers. The review identified a number of improvements to the design of the town centre and resulted in the preparation of the 2012 Masterplan.

The key changes from the 2007 Masterplan (Figure 1) to the 2012 Masterplan (Figure 2) were:

- Realignment and rationalisation of North-South Street (bus route)
- Co-location of the Leisure Centre and some of the Youth and Recreational Centre Facilities (2 ball courts and rock climbing wall) within the Civic Precinct.
- Reconfigured Town Park.
- Change in the surrounding street network
- Change in the size and shape of surrounding blocks.

2.2 Preparation of 2013 Masterplan

AJ+C were engaged in early 2013 to prepare a masterplan for the Civic Precinct. It was agreed that the preparation of a masterplan specifically for the Civic Precinct would assist in developing a procurement and delivery strategy for the Administration Building.

ORAN PARK CIVIC PRECINCT MASTERPLAN

Presentation to Camden Councillors_17 September 2013

It was during the design development of the Civic Precinct Masterplan that the opportunity arose to review the design merits of the 2012 Masterplan. In particular, the potential for the better utilisation of the Civic Precinct site; the potential for improved interrelationships between land and building uses; and the better integration of the Civic Precinct within the surrounding street and block network.

The 2013 Masterplan (Figure 3) provides a substantial improvement on the 2012 Masterplan. In particular:

- Improved street network with a more permeable grid.
- Improved spatial layout of the Civic Precinct.
- Better relationship of proposed building and land uses within the precinct.
- Enhanced building efficiencies in the sharing of facilities/ amenities.
- Better pedestrian connections through the site and town centre.
- Provided surrounding streets blocks of a size and proportion that can accommodate a variety of long term development options.
- Provides public open space areas within the precinct that are varied in size and character.

The design principles included:

- Legible Street + Block Pattern
- Defined Street Hierarchy
- Logical Land + Building Use
- Strong Building Interrelationships
- Prominent Public Open Space
- Efficient Movement Networks
- Good Access + Parking
- Importance of Views + View Corridors to the site
- Ensure Views from within the site

2.3 The Site

The 3 hectare Civic Precinct site comprises both commitments made in the Formal Offer and commitments to deliver facilities in accordance with the Voluntary Planning Commitment (VPA). The following land areas are:

- Council Administration Building Site - 10,000 sqm,
- Branch Library and Community Resource Centre site - 6,805 sqm,
- Leisure Centre - 11,000 sqm,
- Youth and Recreational Centre -approx. 2,195 sqm.

3.0 Oran Park Design Principles

A series of design principles evolved during the design process. These principles were based on the Civic Precinct requirements and urban design analysis, and drove the masterplanning outcomes.

The design principles underpin the masterplan options and are central to providing high a level of amenity and sustainability for development.

ORAN PARK CIVIC PRECINCT MASTERPLAN

Presentation to Camden Councillors_17 September 2013



Figure 4: 'Greenlink' connecting riparian zones



Figure 5: Building relationships and movement network



Figure 6: Views to the site to consider

4.0 Masterplan Options

Three masterplan options were developed based on the design principles.

As the masterplan options developed more detailed design principles were established specific to the site. These principles build upon the more contextual design principles in 3.0 Oran Park Principles.

The key design principles are:

- Create a vibrant Civic Precinct to be a focus for community activities
- Enhance pedestrian accessibility, circulation and way-finding across and through the site linking outer blocks with the Town Park and retail centre
- Create a series of public open spaces within the Civic Precinct to provide a variety of contained and intimate focal points for the community with a high level of climatic amenity
- Provide a safe public domain by creating active frontages to buildings addressing streets and open spaces
- Create a landmark/iconic element with the Council Administration building, to terminate the vista from the Town Centre Main Street
- Ensure the Administration Building, Library and Leisure Centre address the Town Park
- Create building efficiencies by co-locating buildings to allow for sharing of facilities and amenities.
- Locate Leisure Centre and Youth Centre at the northern part of the site to take advantage of level changes.
- Orientate buildings to maximise sunlight and to reduce overshadowing of the open space,
- Locate car parking to the east of the site with multiple entry/exits from the local streets.

ORAN PARK CIVIC PRECINCT MASTERPLAN

Presentation to Camden Councillors_17 September 2013

5.0 Masterplan Options

The three masterplan options are:

- Option 1 - Stand Alone Option (Figure 7 + 10)
- Option 2 - Fully integrated Option (Figure 8 + 11)
- Option 3 - Integrated Option with Atrium (Figure 9 + 12)

Option 1 - Stand Alone Option (Figure 7)

- 3 separate land titles for each building
 - 1 - Council Administration Building
 - 2 - Library/Community Resource Building
 - 3 - Leisure Centre/Youth Centre facilities
- 3 areas of public open space

Option 2 - Fully integrated Option (Figure 8)

- 2 separate titles (buildings 1+2 combined) and (3)
- Council Admin/ Library/Community building integrated into one building (1 + 2)
- 3 areas of public open space
- Efficiencies achieved by the sharing of amenities and facilities with the co-location of buildings.

Option 3 - Integrated Option with Atrium (Figure 9)

- 2 or 3 separate titles (1) and (2) and (3) or (1+2 combined) and (3).
- Council Admin and Library/Community Centre may be built together or separately in two stages,
- 4 areas of public open space
- Efficiencies achieved by the sharing of amenities and facilities with the co-location of buildings.
- Good building orientation

KEY

- 1. Council Admin. Building
- 2. Library / Community Centre
- 3. Leisure Centre/Youth Centre
- 4. Public open space



Figure 7: Option 1 - Building footprints + public open space



Figure 8: Option 2 - Building footprints + public open space



Figure 9: Option 3 - Building footprints + public open space

ORAN PARK CIVIC PRECINCT MASTERPLAN

Presentation to Camden Councillors_17 September 2013



Figure 10: Option 1 - Aerial view of Civic Precinct from the west



Figure 11: Option 2 - Aerial view of Civic Precinct from the west



Figure 12: Option 3 - Aerial view of Civic Precinct from the west

6.0 Public Open Space



Figure 13: Public open space diagram - example Option 3

Public Open Space

General principles:

- Provide a series of public open space areas
- Open space areas to be unique in character flexible in use and relate to the built form
- Buildings to address open space or public domain

Figure 13 shows the public open space areas of Option 3 as described below:

Open Space 1

Create a formal forecourt in front of the atrium entry to both the Administration Building and the library

Open Space 2

The plaza between the pool and the library provides a lineal pedestrian link through the site. This multi-function space provides access to the Leisure Centre, cafe, library and car parks. it also could be an area to hold events, markets. The cafe, located at the corner is to activate the public domain edges.

Open Space 3

The eastern entry park is proposed to be a visual and physical extension of the new boulevard on the east side of the proposed roundabout. The entry park will provide a welcoming environment to the pedestrians who enter the Civic Precinct.

Open Space 4

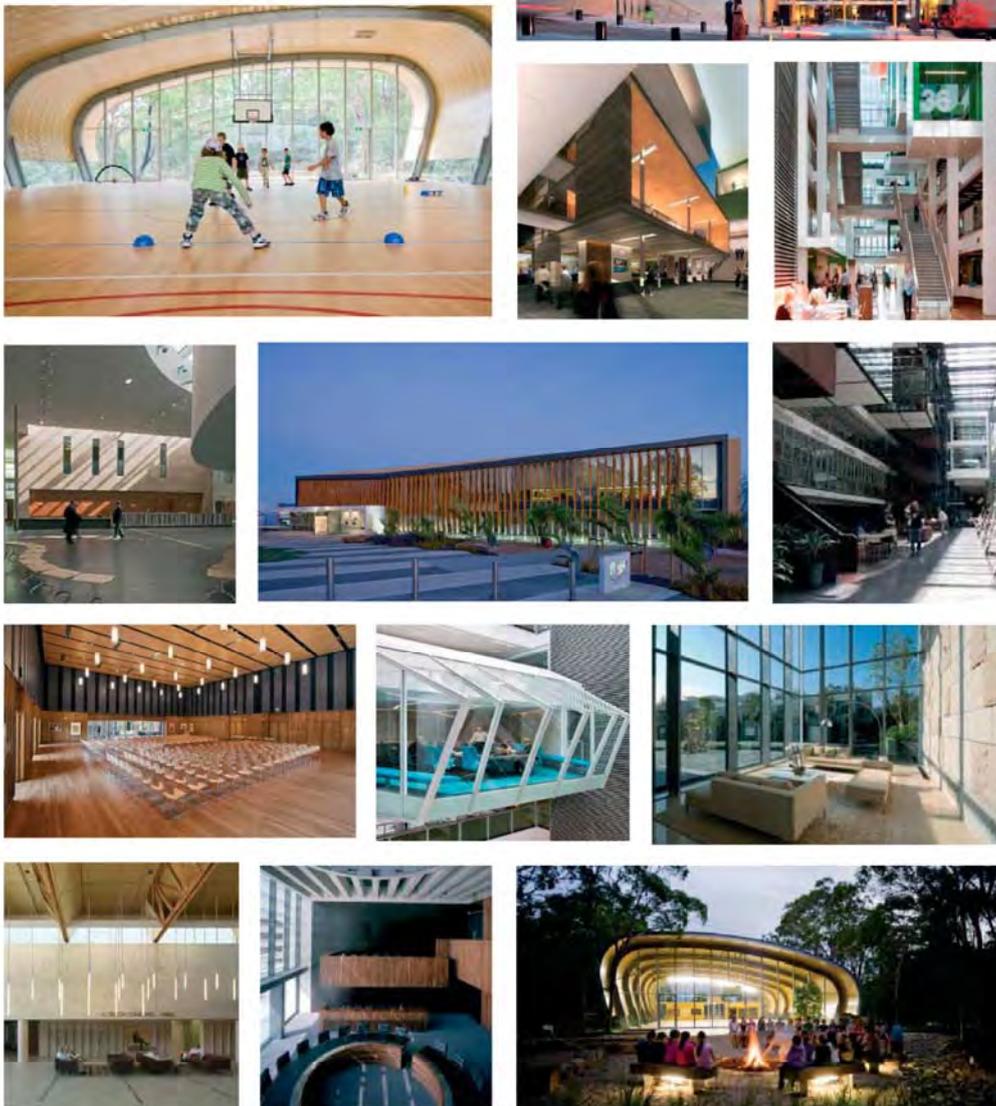
The courtyard enclosed by the library and the Stage 1 and 2 Administration Building intends to be a quiet, contemplative garden/courtyard.

ORAN PARK CIVIC PRECINCT

Presentation to Camden Councillors_17 September 2013

Precedent images

The following two pages show a series of precedent images which include examples of civic buildings, leisure centres, sports halls, atriums, public open spaces of varied use and character, car parks and landscape and street edge treatments.

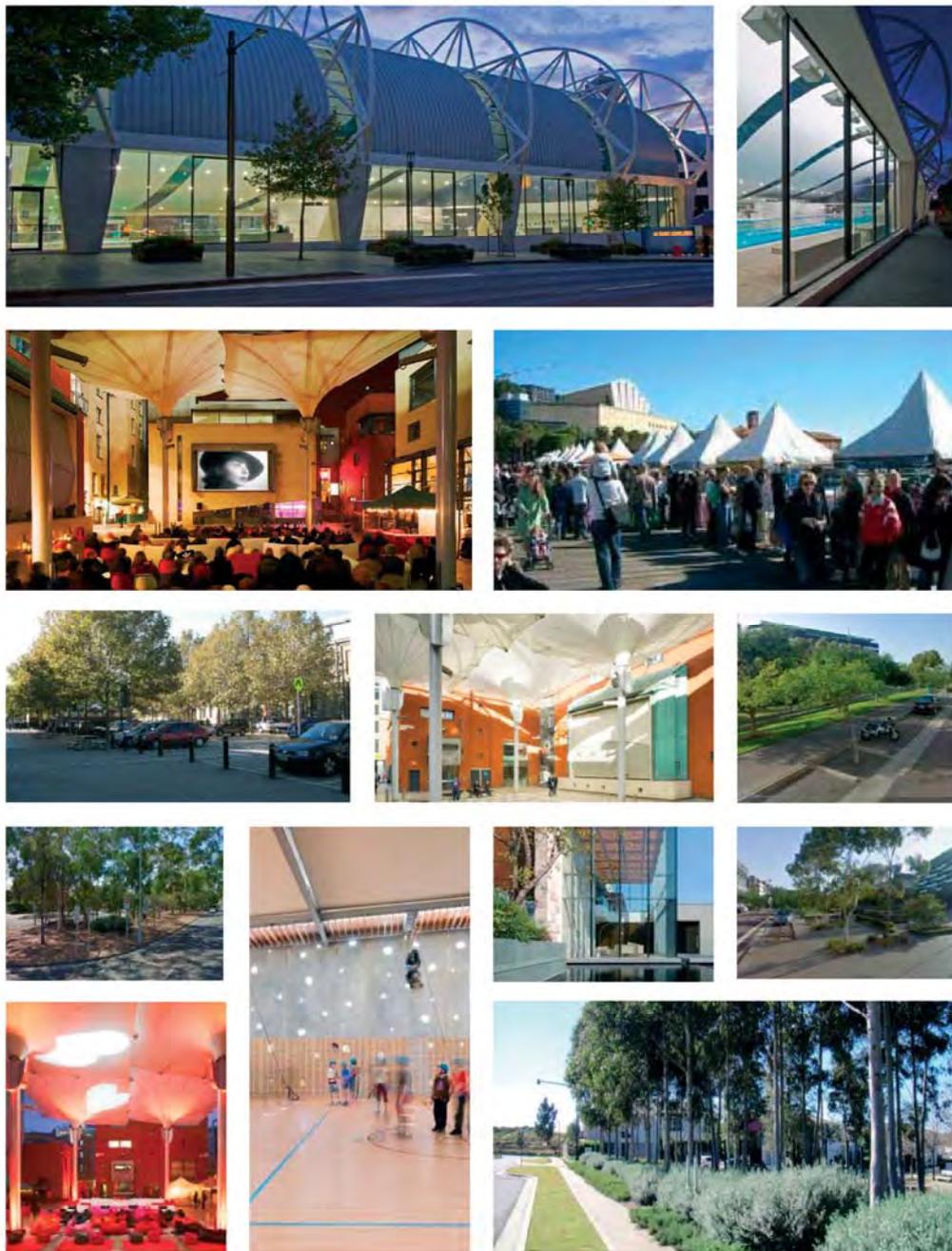


ORD06

Attachment 3

ORAN PARK CIVIC PRECINCT

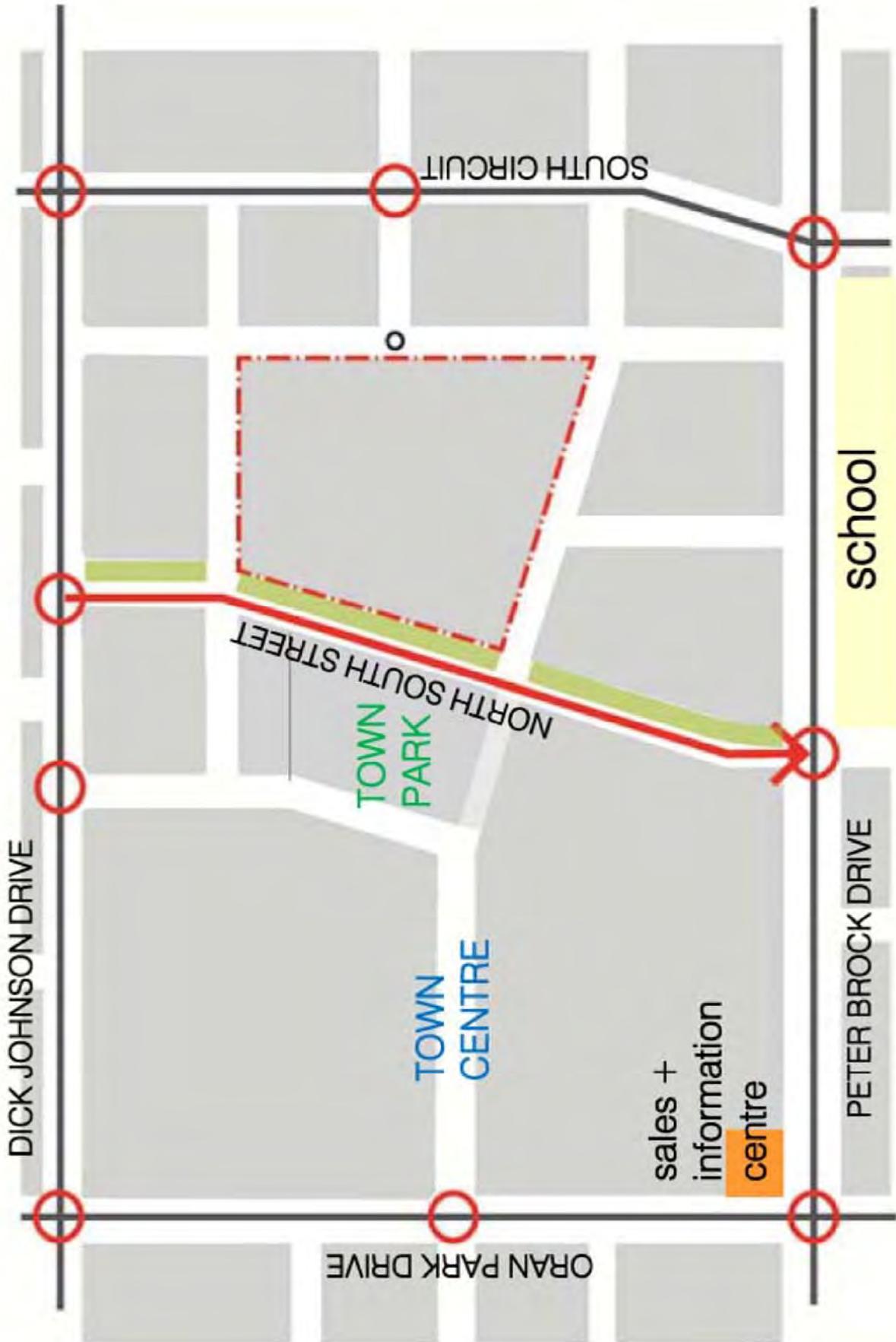
Presentation to Camden Councillors_17 September 2013



Oran Park Civic Precinct

IR_003_11 October 2013





ORD06

Attachment 4



ORD07

ORDINARY COUNCIL

ORD07

SUBJECT: CREATION OF AN EASEMENT FOR UNDERGROUND CABLES OVER COUNCIL OWNED LAND.

FROM: Director Governance

TRIM #: 13/44055

PURPOSE OF REPORT

To obtain a resolution to execute a transfer granting easement and relevant documentation for the creation of an easement over Council owned land.

MAIN REPORT

Council is the owner of Lot 434 DP 1129749 Anderson Road, Smeaton Grange and Lot 987 DP 1010343 Turner Road, Currans Hill.

Endeavour Energy is undertaking a project to improve the reliability of electricity to customers in this area and as part of the project, a new 11kV distribution feeder is being developed to service the customers.

The new underground cable feeder is proposed to connect the existing padmount substation in Anderson Road with the Narellan zone substation. The conduits are to be installed through the Council land using the underbore construction method to ensure that there is no disturbance of the natural environment of the drainage system on the land.

Council staff met with Endeavour Energy representatives on site to determine the exact location and to ensure that there will be minimal impact on the reserve. As the underbore method is being used, there will be no impact on the land.

The work is being carried out under the provision of the *Electricity Supply Act 1995*, whereby approval under the *Local Government Act 1993* is exempt.

The easement will be created as a stratum easement to only use under the surface of the land. Under section 62(1) of the *Land Acquisition (Just Terms Compensation) Act 1991*, no compensation is payable for stratum easements, however in recognition of the good working relationship between Endeavour Energy and Camden Council, Endeavour is prepared to pay compensation of \$2,000 plus GST for the grant of the easement.

FINANCIAL IMPLICATIONS

Council is receiving compensation of \$2,000 (excluding GST). Endeavour Energy will be responsible for all costs associated with the creation of the easement.

RECOMMENDED

That Council:

- i. approve the grant of the stratum easement and accept the compensation of \$2,000 (excluding GST) for the underbore work to be carried out through Lot 434 DP 1129749 Anderson Road, Smeaton Grange and Lot 987 DP 1010343 Turner Road, Currans Hill; and**
- ii. execute the Transfer Granting Easement and other relevant documentation pursuant to Council's Power of Attorney granted on 27 August 2013, Minute Number ORD215/13, or by affixing the Common Seal of Council.**

ATTACHMENTS

- 1. Location Plan**

ORD07

Attachment 1



ORDINARY COUNCIL

ORD08

ORD08

SUBJECT: PUBLIC INTEREST DISCLOSURES ACT INTERNAL POLICY
FROM: Director Governance
TRIM #: 13/42974

PURPOSE OF REPORT

Under section 6D of the *Public Interest Disclosures Act 1994* (NSW) ("PID Act"), Camden Council is required to have a policy and procedure for receiving, assessing and dealing with public interest disclosures. The policy should be based on the NSW Ombudsman's model policy. The Council is also required to review this policy annually to ensure compliance with current objectives of the legislation.

The purpose of this report is to advise Council of recent amendments to the NSW Ombudsman's model policy and to adopt a revised Public Interest Disclosures Act Internal Policy.

MAIN REPORT

The *Public Interest Disclosures Act 1994* provides for a comprehensive framework for protecting public officials who disclose wrongdoing in accordance with the Act. The PID Act sets out the system under which people working within the NSW public sector (including Councils) can make complaints about the functioning of the public sector in a way that minimises the risk of reprisal. Disclosures may be made about such things as serious maladministration, corrupt conduct, serious and substantial waste and a failure to properly fulfil functions under the *Government Information (Public Access) Act 2009*.

Since the last Public Interest Disclosures Act Internal Procedure was adopted by the Council on 13 November 2012, there have been some amendments to the NSW Ombudsman's model policy which are summarised below:

- Clearly defined Roles & Responsibilities.
- Inclusion of an additional category of 'serious wrongdoing' - Local Government Pecuniary Interest Contravention.
- Procedures for making a report and who can receive reports under the PID Act.
- A list of various external agencies that can receive public interest disclosures.
- Protection and support available to a person making a report including feedback about the progress of the investigation.

The above changes have been incorporated in the revised Public Interest Disclosures Act Internal Policy (highlighted in yellow) which is **attached to this report**.

CONCLUSION

As a result of the amendments to the model policy, a compliant Public Interest Disclosures Act Internal Policy has been developed for adoption by Council.

Council is committed to the continuous improvement of the integrity of its administrative systems, as well as supporting Councillors and members of staff who make disclosures about wrongdoing. The Public Interest Disclosures Act Internal Policy is designed to assist in this process.

Once adopted, the Public Interest Disclosures Act Internal Policy will be made readily available to all Council staff in order to increase awareness of the procedures available for making a public interest disclosure, and of the protections provided by the PID Act.

RECOMMENDED

That Council adopt the Public Interest Disclosures Act Internal Policy attached to this report.

ATTACHMENTS

1. Draft Public Interest Disclosure Internal Policy - 2013



PUBLIC INTEREST DISCLOSURES ACT INTERNAL POLICY POLICY 5.25

ORD08

Attachment 1

PUBLIC INTEREST DISCLOSURES ACT INTERNAL POLICY

DIVISION: GOVERNANCE

PILLAR: GOVERNANCE

FILE / BINDER:

1. POLICY STATEMENT

- 1.1 To provide a policy and procedure under the *Public Interest Disclosures Act 1994* ("PID Act") for Councillors, members of staff or any other stakeholder that aims to encourage and facilitate the disclosure, in the public interest, of corrupt conduct, maladministration, serious and substantial waste, government information contravention and Local Government pecuniary interest contravention within Camden Council and to ensure any disclosure is used to achieve efficiency and effectiveness of Council's operations.
- 1.2 Camden Council is committed to ensuring the highest ethical and accountable conduct and will support staff, Councillors and stakeholders who report wrongdoing.

2. ROLES AND RESPONSIBILITIES

- 2.1 This policy will apply to:
- both Council staff and Councillors;
 - permanent employees, whether full-time or part time;
 - temporary or casual employees;
 - consultants; and
 - individual contractors working for the Council.
- 2.2 This policy may also apply to other people who perform public official functions where their conduct and activities could be investigated by an investigating authority. This can include volunteers and those contracted to work for the Council.
- 2.3 Staff and Councillors are encouraged to report known and suspected wrongdoing within Council. This policy is also only one in a suite of Council's complaint handling policies, including Council's Code of Conduct.
- 2.4 Staff and Councillors are also encouraged to support those who have made reports of wrongdoing, as well as protect and maintain their confidentiality. Staff and Councillors must not victimise or harass anyone who has made a report.
- 2.5 Disclosure officers and coordinators must keep the identity of the reporter and anyone who is subject of a report confidential, where this is practical and appropriate.

2.6 The General Manager must establish and maintain a work environment that encourages staff to report wrongdoing.

2.7 Managers and supervisors play a key role in establishing and maintaining a working environment that encourages staff to report wrongdoing and supports those that do.

3. WHAT SHOULD BE REPORTED

3.1 You should report any suspected wrongdoing you see within the Camden Council. Reports about the five categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, government information contravention, and local government pecuniary interest contravention – will be dealt with under the PID Act as public interest disclosures and according to this policy.

Corrupt Conduct – is defined as the dishonest or partial exercise of official functions by a Councillor or Council officer. For example, this could include:

- The improper use of knowledge, power or position for personal gain or the advantage of others;
- Acting dishonestly or unfairly, or breaching public trust;
- A member of the public influencing a public official to use their position in a way that is dishonest, biased or breaches public trust.

Maladministration – is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

Examples of maladministration could include:

- Making a decision and/or taking action that is unlawful;
- Making a decision not related to the merits of an application.

Serious and substantial waste – Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in the loss or wastage of local government money. This includes all revenue, loans and other money collected, received or held by, for or on account of the Council. Examples of this could include:

- Poor project management practices leading to projects running significantly over time and/or budget;
- Having poor or no process in place for a system involving large amounts of public funds.

Types of serious and substantial waste include:

Absolute – serious and substantial waste might be regarded in absolute terms where the waste is regarded as significant, for example \$500,000.

Systemic – the waste indicates a pattern which results from a system weakness within the public authority.

Material – the serious and substantial waste is/was material in terms of the public authority's expenditure or a particular item of expenditure

or is/was material to such an extent so as to effect a public authority's capacity to perform its primary functions.

Material by nature, not amount – the serious and substantial waste may not be material in financial terms but may be significant by nature. That is, it may be improper or inappropriate.

Government Information Contravention – A government information contravention is a failure to properly fulfil functions under the *Government Information (Public Access) Act 2009* ("GIPA Act"). Examples could include:

- Destroying, concealing or altering records to prevent them from being released;
- Knowingly making decisions that are contrary to the legislation;
- Directing another person to make a decision that is contrary to the legislation.

Local Government Pecuniary Interest Contravention - A local government pecuniary interest contravention is a failure to fulfil certain functions under the *Local Government Act 1993* relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, lodge written declarations and disclose pecuniary interests at council and council committee meetings. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. This could include:

- a senior council staff member recommending a family member for a council contract and not declaring the relationship;
- a general manager holding an undisclosed shareholding in a company competing for a council contract.

3.2 For more information about the five categories, see the NSW Ombudsman's Guideline on what can be reported at <http://www.ombo.nsw.gov.au/news-andpublications/guidelines/public-interest-disclosures>.

3.3 **Other Wrongdoing** – Although reports about the previous five categories of conduct can attract the specific protections of the PID Act, staff, Councillors and stakeholders should report all activities or incidents that they believe may be wrong. For example, harassment, unlawful discrimination, reprisal action against a person who has reported wrongdoing, or practices that endanger the health and safety of staff or the public.

Even if these reports are not dealt with as public interest disclosures under the PID Act, Camden Council will consider each matter and make every attempt to protect the relevant person making the report from any form of reprisal.

4. WHEN WILL A REPORT BE PROTECTED

4.1 Camden Council will support any member of staff, Councillor or stakeholder who reports wrongdoing. For a report to be considered a public interest disclosure under the PID Act, it must meet the following requirements:

- The person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing.
 - The report also has to be made to a person nominated in this policy, the General Manager (or Mayor in the case of a report against the General Manager), or one of the investigating authorities nominated in the PID Act.
- 4.2 Reports by staff and Councillors will not be considered to be public interest disclosures if they:
- Mostly question the merits of government policy, including the policy of the governing body of the Council; or
 - Are made with the sole or substantial motive of avoiding dismissal or other disciplinary action.

5. HOW TO MAKE A REPORT

- 5.1 Disclosures can be made verbally or in writing. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation. If a report is made verbally, the person receiving the report must make a comprehensive record of the disclosure and ask the person making the disclosure to sign this record. The individual making the report should keep a copy of this record.

6. ANONYMOUS REPORTING AND CONFIDENTIALITY

- 6.1 There will be some situations where a person may not want to identify themselves in making a report. Although these reports will be dealt with by Camden Council, it is best to identify yourself. This allows the Council to provide the necessary protection and support, as well as feedback about the outcome of any investigation into the allegations.
- 6.2 Camden Council realises that many staff, Councillors and stakeholders may wish their report to remain confidential. Council is committed to keeping a reporter's identity, and the fact a report has been made, confidential. However there may be situations where this may not be possible or appropriate. The General Manager (or Mayor, in the case of a claim against the General Manager) will discuss with the reporter of the wrongdoing whether it is possible to keep a report confidential.
- 6.3 If confidentiality cannot be maintained, the General Manager (or Mayor, in the case of a claim against the General Manager) will develop a plan to support and protect a reporter from risks of reprisal. The reporter of wrongdoing will also be involved in developing this plan. You will also be told if your report will be dealt with under the Council's Code of Conduct, as this may mean certain information will have to be tabled at a Council meeting.
- 6.4 If a person reports wrongdoing, they should only discuss the report with those dealing with it. This includes the Disclosures Coordinator, the General Manager or the Mayor. If a person discusses the report more broadly with others, this may affect the outcome of any investigation.

7. WHO CAN RECEIVE A REPORT WITHIN CAMDEN COUNCIL

- 7.1 You are encouraged to report general wrongdoing to your supervisor. However the PID Act requires that for a report to be a public interest disclosure, it must be made to a public official in accordance with the Council's disclosure procedures - this means this policy and any supporting procedures.
- 7.2 Any supervisor who receives a report that they believe may be a public interest disclosure must refer the individual making the report to one of the positions listed below.
- 7.3 If you are council staff member and your report involves a councillor, you should make it to the General Manager or the Mayor. If you are a Councillor and your report is about another Councillor, you should make it to the General Manager or the Mayor.
- 7.4 The following positions are the only staff within Camden Council who can receive a public interest disclosure.

General Manager

You can report wrongdoing directly to the General Manager. The General Manager is responsible for:

- deciding if a report is a public interest disclosure;
- determining what needs to be done next, including referring it to other authorities;
- deciding what needs to be done to correct the problem that has been identified;
- ensuring there are systems in place to support and protect people who report wrongdoing; and
- referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

Mayor

If you are making a report about the General Manager, you should make your report to the Mayor. The Mayor is responsible for:

- deciding if a report is a public interest disclosure;
- determining what needs to be done next, including referring it to other authorities;
- deciding what needs to be done to correct the problem that has been identified; and
- ensuring there are systems in place in the Council to support and protect people who report wrongdoing.

If the report is about the General Manager, the Mayor is also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

Disclosures Coordinator – Senior Governance Officer/Manager of Corporate Services

The Disclosures Coordinator is responsible for receiving reports in accordance with this Policy.

Disclosures Officers – General Manager, Mayor and Director of Governance

Disclosures Officers are responsible for receiving, and determining reports made in accordance with this policy.

8. WHO CAN RECEIVE A REPORT OUTSIDE OF THE CAMDEN COUNCIL

- 8.1 Staff and Councillors are encouraged to report wrongdoing within Camden Council, but internal reporting is not the only option available.
- 8.2 Staff, Councillors and stakeholders can choose to make a report to an investigating authority. Reporters can do this first, or at any stage after the initial report to Camden Council. If a report concerns the General Manager or the Mayor, a staff member or Councillor may consider making a report to an investigating authority.
- 8.3 It is also possible to make a report to a Member of Parliament or a journalist, however only in limited circumstances. To have the protections of the PID Act, staff and Councillors reporting wrongdoing to a Member of Parliament or a journalist must have already made substantially the same report to either the General Manager, the Mayor (in the case of a claim against the General Manager), the Disclosure Coordinator or an investigating authority and the Council or the investigating authority that received the report decided not to investigate the matter; did not complete the investigation within six months of the report; investigated the matter but did not recommend any action as a result; or not told the reporter within six months whether an investigation would be completed. **Most importantly, to be protected under the PID Act, if you report wrongdoing to an MP or a journalist you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true.**
- 8.4 The PID Act lists a number of investigating authorities in NSW that staff and Councillors can report wrongdoing to and the categories of wrongdoing each authority can deal with. In relation to Council, these authorities are:

Investigating Authority	What they investigate
The Independent Commission Against Corruption (ICAC)	Corrupt Conduct
The Ombudsman	Maladministration
The Police Integrity Commission (PIC)	Police misconduct
The Division of Local Government, Department of Premier and Cabinet (DLG)	The Chief Executive may receive disclosures relating to a wider range of wrongdoing including serious and substantial waste in local government, corrupt conduct, maladministration, breaches of pecuniary interest obligations, or a failure to exercise functions properly in accordance with the <i>Government Information (Public Access) Act 2009</i> .
The ICAC Inspector	For disclosures about ICAC or its staff.

The Information Commissioner	For disclosures about a government information contravention.
The Inspector of the Crime Commission	For disclosures about the NSW Crime Commission or its staff.

8.5 In making a report to an investigating authority, staff and Councillors should contact them directly for advice about how to make a disclosure. Contact details for each investigating authority are provided at the end of this policy.

8.6 It is also noted that it is very likely the investigating authority will discuss the case with Camden Council. Council will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. Council will also provide appropriate support and assistance to staff and Councillors who report wrongdoing to an investigating authority.

8.7 If you report wrongdoing to a person or an organisation that is not listed above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or our Code of Conduct – by, for example, disclosing confidential information.

9. FEEDBACK TO THE INDIVIDUAL WHO REPORTED WRONGDOING

9.1 The individual who reported wrongdoing will be told what is happening to their report. When you make a report, you will be given:

- an acknowledgment letter and copy of this policy;
- the timeframe for when you will receive further updates; and
- the name and contact details of the people who can tell you what is happening.

9.2 After a decision is made about how the report will be dealt with, you will be given:

- information about the action that will be taken in response to your report;
- likely timeframes for any investigation;
- information about the resources available within Camden Council to handle any concerns you may have;
- information about external agencies and services you can access for support.

Although the PID Act requires that this process is required to be completed within 45 days after receipt of a report, Camden Council will endeavour to provide this information within 10 working days from the date of the report (as recommended by the NSW Ombudsman).

9.3 During an investigation, you will be given:

- information on the ongoing nature of the investigation;
- information about the progress of the investigation and reasons for any delay;
- advice if your identity needs to be disclosed for the purposes of investigating the matter, and an opportunity to talk about this.

9.4 At the end of any investigation, you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified;
- advice about whether you will be involved as a witness in any further matters, such as disciplinary or criminal proceedings.

10. PROTECTION AGAINST REPRISALS

10.1 Disclosures are protected under the PID Act if they are made in accordance with the requirements of the PID Act as outlined above and made to the Mayor, the General Manager or to the Disclosure Coordinator in accordance with this policy. Camden Council will support any member of staff or Councillor who makes a report under this process.

10.2 Camden Council will not tolerate any reprisal action against a person who reports wrongdoing. The criminal penalties that can be imposed include imprisonment or fines. Detrimental action is also misconduct that justifies disciplinary action. People who take detrimental action against someone who has made a disclosure can also be required to pay damages for any loss suffered by that person.

10.3 Detrimental action means an action causing, comprising or involving any of the following:

- injury, damage or loss;
- intimidation or harassment;
- discrimination, disadvantage or adverse treatment in relation to employment;
- dismissal from, or prejudice in employment;
- disciplinary proceedings.

10.4 If a staff member or Councillor believes that detrimental action has been or is being taken against them or someone who has reported wrongdoing in reprisal for making a report, a disclosure should be made to the Disclosure Coordinator, the General Manager, or the Mayor (in the case of a claim against the General Manager).

10.5 If the General Manager, Mayor or Disclosure Coordinator becomes aware of reprisal action against a person who has made a disclosure, they will:

- ensure a senior and experienced member of staff, who has not been involved in dealing with the initial disclosure, will investigate the suspected reprisal;
- give the results of that investigation to the General Manager for a decision;
- give the results of that investigation to the Mayor for a decision if the allegation of reprisal action is about the General Manager;
- if it has been established that reprisal action is occurring against someone who has made a disclosure, take all steps possible to stop that activity and protect the member of staff who made the disclosure;
- take appropriate disciplinary or criminal action against anyone proven to have taken or threatened any action in reprisal for making a disclosure;

- anyone who reports reprisal action will also be kept informed of the progress of any investigation and outcome.
- 10.6 The General Manager may issue specific directions to help protect against reprisals. If the allegation of reprisal action is about the General Manager, the Mayor may issue similar directions, including:
- issuing warnings to those alleged to have taken reprisal action against the member of staff who made the disclosure;
 - relocating the person who made the disclosure or the subject officer within the workplace;
 - transferring the person who made the disclosure or the person who is subject of the allegation to another position for which they are qualified;
 - granting the person who made the disclosure or the subject officer leave of absence during the investigation of the disclosure.
- 10.7 Such directions above will only be taken if the person who made the disclosure agrees to it. It will also be made clear to others that the action was taken in consultation with the relevant person and with management support – and is not a punishment.
- 10.8 If a person who has reported wrongdoing feels that any reprisal action is not dealt with effectively, they can contact the Ombudsman or ICAC, depending on the type of wrongdoing reported. Contact details for all investigating authorities are included at the end of this policy.

11. PROTECTION AGAINST LEGAL ACTION

- 11.1 If you make a disclosure in accordance with the PID Act, you will not be subject to any liability and no action, claim or demand can be taken against you for making the disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

12. SUPPORT FOR THE SUBJECT OF A REPORT OF WRONGDOING

- 12.1 Camden Council is committed to ensuring staff who are the subject of a report of wrongdoing are treated fairly and reasonably.
- 12.2 The person who is the subject of a report will be:
- treated impartially, fairly and reasonably ;
 - be advised of their rights and obligations under the policy;
 - be kept informed during any investigation;
 - be given the opportunity to respond to any allegation; and
 - be advised of the result of any investigation.

13. SUPPORT AND FEEDBACK TO THOSE WHO REPORT WRONGDOING

- 13.1 Camden Council will make sure that staff and Councillors who have reported wrongdoing, regardless of whether they have made a public interest disclosure, are provided with access to appropriate professional

support they may need as a result of the reporting process – such as stress management, counselling services, legal or career advice.

14. SANCTIONS FOR MAKING FALSE OR MISLEADING DISCLOSURES

14.1 It is important that all staff are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing.

15. REVIEW

15.1 This policy will be reviewed by Council annually to ensure compliance with current objectives of the legislation.

16. REPORTING REQUIREMENTS

16.1 The Council will prepare an annual report on its obligations under the PID Act within four months after the end of a reporting year.

16.2 The Council will provide the Ombudsman with statistical information regarding its compliance with its obligations under the PID Act on a six monthly basis.

16.3 Such report will be provided to the Ombudsman within 30 days after the end of the relevant six month period or by such later time as the Ombudsman may approve.

17. RESOURCES AVAILABLE

17.1 The contact details for external investigating authorities that staff, stakeholders and Councillors can make a public interest disclosure to or seek advice from are listed below.

For disclosures about corrupt conduct:
Independent Commission Against Corruption (ICAC)
Phone: 02 8281 5999
Toll free: 1800 463 909
Email: icac@icac.nsw.gov.au
Web: www.icac.nsw.gov.au
Address: Level 21, 133 Castlereagh Street, Sydney NSW 2000

For disclosures about maladministration:
NSW Ombudsman
Phone: 02 9286 1000
Toll free: 1800 451 524
Email: nswombo@ombo.nsw.gov.au
Web: www.ombo.nsw.gov.au
Address: Level 24, 580 George Street, Sydney NSW 2000

For disclosures about serious and substantial waste:
Auditor-General of the NSW Audit Office
Phone: 02 9275 7100
Email: mail@audit.nsw.gov.au
Web: www.audit.nsw.gov.au
Address: Level 15, 1 Margaret Street, Sydney NSW 2000

For disclosures about breaches of the GIPA Act:
Information Commissioner
Phone: 1800 463 626
Email: ocinfo@oic.nsw.gov.au
Web: www.oic.nsw.gov.au
Address: Level 11, 1 Castlereagh Street Sydney NSW 2000

For disclosures about local government agencies concerning serious and substantial waste, corrupt conduct, maladministration, breaches of pecuniary interest obligations and a failure to exercise functions properly in accordance with the GIPA Act or Local Government Act:

Chief Executive, Division of Local Government in the Department of Premier & Cabinet
Phone: 02 4428 4100
Email: dlg@dlg.nsw.gov.au
Web: www.dlg.nsw.gov.au
Address: 5 O'Keefe Avenue, Nowra, NSW 2541

The following is a list of the current Disclosure Coordinators:

Megan Roberts
Senior Governance Officer
Telephone: 02 4645 5125
Email: megan.roberts@camden.nsw.gov.au

Paul Rofe
Corporate Services Manager
Telephone: 02 4645 5121
Email: paul.rofe@camden.nsw.gov.au

The following is a list of the current Disclosure Officers:

General Manager
Ron Moore
Telephone: 02 4645 7820

Mayor
Mayor Lara Symkowiak
Telephone: 04 13 485 142
Email: larasym@gmail.com

Steve Kludass
Director Governance
Telephone: 02 4645 5122
Email: steve.kludass@camden.nsw.gov.au

* * *

RELEVANT LEGISLATION:

*Public Interest Disclosures Act 1994
Government Information (Public Access)
Act 2009
Local Government Act 1993*

NEXT REVIEW DATE: 13 November 2014

ADOPTED: 13 November 2012
MINUTE: ORD275/12

ORDINARY COUNCIL

ORD09

ORD09

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

FROM: Director Governance

TRIM #: 13/43837

PURPOSE OF REPORT

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

BACKGROUND

The *Local Government Act 1993* requires that Council annually review and submit its policy to the Director-General of the Division of Local Government by 30 November each year. Prior to submitting the annual policy, Council must give public notice of its intention to adopt or amend the policy and must allow at least 28 days for public exhibition.

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

MAIN REPORT

At this time each year, staff and Council review the "Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy".

A copy of the proposed policy is attached to this report (changes highlighted in yellow).

The amendments proposed to be made to this policy include:

1. Clarification of the authorisation process and who is an "Authorised Officer" for the purpose of completing the Expense Claim Form (see clause 6). In accordance with the current policy, authorisation from the General Manager and Mayor (or the Deputy Mayor in the case of a claim by the Mayor) is required for conferences in NSW/ACT, spouse and partner expenses, incidental expenses, advance payments, travel, accommodation, childcare and carer expenses. For all other categories, the expense claims may be authorised by two of the Authorised Officers. The proposed Authorised Officers are listed in clause 6.5 as the General Manager, Mayor, Director of Governance, Manager of Corporate Services, Senior Governance Officer and Executive Services Coordinator.
2. The wording has been amended to clarify the distinction between conferences and other Council related meetings. The definition of "Council related meetings" has been expanded to include "community group events and Chamber of Commerce meetings which relate to the interests of the local government area". The definition of other Council related meetings still include the previous examples of external committee meetings, MACROC meetings, civic and

ceremonial functions, citizenship ceremonies, Australia Day ceremonies and ceremonial functions.

3. Clause 8.6 now lists the types of conferences attended by Councillors. The previous text stated:

“Examples of “conferences” for the purpose of this clause include the Local Government Association Conference, the Urban Development Institute of Australia and the Planning Institute of Australia conferences. Generally conferences will be held outside of the local government area.”

The new definition at clause 8.6 is in line with other Councils definition of conferences and provides greater clarity. The proposed clause 8.6 is set out below:

“The conferences and training and development that Councillors will generally attend are:

- (a) Local Government NSW Annual Conference;*
- (b) Special “one-off” conferences called by Local Government NSW;*
- (c) Annual conferences and seminars of the major professions in Local Government; and seminars which assist Councillors in increasing their awareness and improving their understanding of their legal and other obligations and responsibilities as elected representatives.”*

4. Throughout the policy document the wording that conference costs are to be paid by the Councillor out of their annual allowance has been amended to read *“to be personally funded (or paid out of the Councillor’s annual allowance).”* This amendment allows for greater flexibility in how Councillor’s fund personal expenses.

5. Travel to civic events, ceremonial functions and Council related meetings remains largely the same, however a sentence has been added to state that *“Councillors using private vehicles will be paid the mileage allowance at the then current rate set by the appropriate Local Government State Award, but subject to any such payment not exceeding economy air fares to and from the particular destination”* (see clause 12.3).

6. Clause 17, relating to accommodation has been amendment at clause 17.2 to provide:

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

This statement is made in the context that Councillors are to personally fund any accommodation costs incurred as a result of conference attendance. It is noted that accommodation for civic, ceremonial or other Council related meetings will only be required in exceptional circumstances, however this clause does permit an expense claim subject to approval by the General Manager and Mayor (or Deputy Mayor in the case of a claim by the Mayor) in the rare instance that it is required. This is a departure from the current policy.

7. General housekeeping matters including removal of duplicated areas.

CONCLUSION

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

Following approval by the Council of the proposed policy, it must be publicly exhibited for a period of 28 days. A report will then be brought back to Council at the 26 November 2013 Ordinary Council meeting.

RECOMMENDED

That Council:

- i. submit the draft “Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy” as attached to this report for public exhibition for 28 days as required by the *Local Government Act 1993*; and**
- ii. consider any public submissions and formally adopt a revised “Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy” at its ordinary council meeting on 26 November 2013.**

ATTACHMENTS

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

ORD09

Attachment 1



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

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PAYMENT OF EXPENSES & PROVISION OF FACILITIES

DIVISION: GOVERNANCE

PILLAR: GOVERNANCE

FILE / BINDER:

PART 1 - INTRODUCTION

This document is to be referred to as the "Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy".

The policy will commence from **[INSERT DATE OF COUNCIL MEETING]**.

1. Purpose of Policy

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

2. Objectives and coverage of the Policy

- 2.1 The objectives of the policy are to:
 - (a) Ensure there is consistency in the application of reimbursement of expenses and provision of facilities to Councillors in an equitable and non-discriminatory manner.

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

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

3. Making and Adoption of the Policy

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

4. Reporting Requirements

- 4.1 Section 428 of the Act requires councils to include in their annual report:
 - (a) The Council's policy on the provision of facilities for, and the payment of expenses to, Mayors and Councillors.
 - (b) The total amount of money expended during the year on providing those facilities and payment of those expenses.
 - (c) Additional information as required by the *Local Government (General) Regulations 2005*.

5. Relevant Legislation and Policies

- Sections 252-254 *Local Government Act 1993* - Payment of expenses and provision of facilities;
- Section 428 *Local Government Act 1993* – Annual reports;
- Clause 217 *Local Government (General) Regulations 2005* - Additional information for inclusion in annual reports;
- Clause 403 *Local Government (General) Regulations 2005* – Payment of expenses and provision of facilities;
- Camden Council's Code of Conduct;

- Department of Local Government Guidelines (May 2009) issued under section 23A of the *Local Government Act 1993*;
- Department of Local Government Circulars to Councils;
- Circular 05/08 *Legal assistance for Councillors and Council employees*;
- Circular 08/24 *Misuse of Council resources*;
- Circular 08/37 *Council decision making prior to elections*;
- Circular 11/27 *Findings for review of Councillor expenses and facilities policies*;
- ICAC Publication – *No Excuse for Misuse, preventing the misuse of council resources*.

6. Approval and Support Arrangements

- 6.1 Various approval arrangements are indicated throughout the Policy and vary from full Council resolution approval to Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager approval.
- 6.2 The Executive Services Coordinator will assist Councillors with respect to seeking reimbursement of expenses incurred in their role as a Councillor, assisting with travel and accommodation arrangements, attendance at civic events, training and education, and the provision of facilities under this Policy.
- 6.3 All claims for reimbursement must be made within one month of the date of the receipt and on the appropriate "Councillor Travel and/or Expense Claim Form" (Appendix A), together with production of relevant receipts.
- 6.4 Any claim will be reconciled with the receipts and authorised as follows:
- (a) authorised by the General Manager and Mayor (or Deputy Mayor where the claim is made by the Mayor) for conferences in NSW/ACT, spouse and partner expenses, incidental expenses, advance payments, travel, accommodation, childcare and carer fees;
 - (b) authorised by two of the "Authorised Officers" as set out in clause 6.5 if the particular expense category does not require General Manager and Mayor (or Deputy Mayor in the case of a claim by the Mayor) approval.
- 6.5 The General Manager, Mayor, Director of Governance, Manager of Corporate Services, Senior Governance Officer and Executive Services Coordinator are "Authorised Officers" for the purpose of completing the "Councillor Travel and/or Expense Form".

PART 2 - PAYMENT OF EXPENSES

7. Payment of Expenses Generally

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

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

8. Attendance at Conferences

- 8.1 Councillors are encouraged to attend conferences as a formal representative of Council as part of discharging their functions of civic office.
- 8.2 Requests to attend conferences, interstate or overseas, must be approved by a Council resolution prior to attendance. The report to Council should outline the benefits of attendance by the Councillor.
- 8.3 The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager may approve attendance by Councillors at conferences within the State (ACT is taken to be included as part of NSW due to the proximity and ease of travel) without the need for Council resolution.
- 8.4 Any costs incurred relating to conference attendance, including registration fees, transport to and from the conference, accommodation, official lunches and dinners relevant to the conference and incidental expenses are to be personally funded (or paid from the Councillor's annual allowance) and is not reimbursable under this Policy.
- 8.5 For the purpose of clarity, the definition of a "conference" relates to a formal meeting designed for consultation, exchange of information or discussion. Typically, conferences will involve registration costs, accommodation, travel to and from the conference, sustenance and incidental costs such as taxi fares, telephone calls etc.
- 8.6 The conferences and training and development that Councillors will generally attend are:
- (a) Local Government NSW Annual Conference;
 - (b) Special "one-off" conferences called by Local Government NSW;
 - (c) Annual conferences and seminars of the major professions in Local Government; and seminars which assist Councillors in increasing their awareness and improving their understanding of their legal and other obligations and responsibilities as elected representatives.
- 8.7 Any Councillor who does attend a conference must report back to Council with a full written report on the beneficial aspects of the conference.
- 8.8 It is noted that this restriction on reimbursement for conferences does not apply to other Council related meetings. Examples of such other meetings may include external Committee meetings, MACROC meetings, civic and ceremonial functions, citizenship ceremonies, Australia Day ceremonies, ceremonial functions, community group events and Chamber of Commerce meetings relating to the interests of the local government area.

9. Spouse and Partner Expenses

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

10. Incidental Expenses

- 10.1 Out of pocket expenses or incidental expenses associated with attending civic events, ceremonial functions or Council related meetings will be reimbursed on presentation of receipts and completion of a claim form as provided above.
- 10.2 Examples of incidental expenses include telephone or facsimile calls, taxi fares, parking fees or meals, where not part of the Council related meeting or function. Councillors may claim such expenses by completing the "Councillor Travel and/or Expense Claim Form" (Appendix A) and attaching the relevant receipts. The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager will authorise payment of incidental expenses.
- 10.3 For the purpose of clarification under this paragraph, incidental expenses incurred for and during Councillor attended conferences are not reimbursable under this policy. Any incidental expenses incurred by a Councillor regarding conference fees and incidental charges are to be personally funded (or be paid out of the Councillor's annual allowance).

11. Advance Payments

- 11.1 Councillors may request payment in advance in anticipation of expenses being incurred for such matters as attending civic events, ceremonial functions and Council related meetings.
- 11.2 On return Councillors must produce all receipts for the expenditure of those funds, with a full reconciliation to be completed and be authorised by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.
- 11.3 Councillors are to produce the receipts and complete the reconciliation within one month of the expenditure being incurred.

12. Travel to Civic Events, Ceremonial Functions and Council Related Meetings

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

13. Travel to Conferences

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

14. Interstate Travel

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

15. Overseas Travel

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

16. Extending Travel Arrangements

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

17. Accommodation

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

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

18. Training and Educational Expenses

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

19. Mobile Phones, Ipad and other Telecommunication Related Expenses

- 19.1 Council will provide a mobile phone for use in order to carry out the Councillor's civic functions and responsibilities as provided in this policy under "Provision of Equipment" below. Call charges incurred for Council related business will be covered up to \$285 per month (inclusive of GST). Councillors are responsible for disclosing any personal calls made on their monthly statement and are to reimburse the Council for such personal calls accordingly.
- 19.2 If a Councillor decides to use their own personal mobile phone for Council related business, Council will reimburse an amount up to \$285 per month (inclusive of GST) for Council related business call costs. Call charges associated with private use must be met by the Councillor.
- 19.3 Council provides three options for Councillors to use iPads for Council related business (as per the Council's Usage of Ipad Policy) as follows:
- (a) A Council issued iPad;
 - (b) Bring your own iPad device where Councillors wish to use their own personal iPad for Council related business; and
 - (c) Provision of a SIM card where Councillors chose to use their own personal iPad for Council related business.
- 19.4 It is expected that where Councillors use Council issued iPads or Council issued SIM cards, that the iPads are used primarily for Council related business.
- 19.5 In the case of a Councillor using their own personal iPad for Council related business, Council will reimburse a percentage of the iPad usage costs relevant to Council business, up to a maximum of \$40 per month (inclusive of GST).
- 19.6 If an individual landline is installed to the Councillor's premises, Council will reimburse an amount up to \$115 per month (inclusive of GST) to cover rental as well as call charges for Council related business. Call charges associated with private business must be met by the Councillor.

- 19.7 Council will reimburse an amount up to \$40 per month (inclusive of GST) to Councillors for internet usage incurred primarily for Council related business. It is noted that where the same internet plan is used for internet and iPad connection, the Council will only reimburse up to the value of \$40 per month (inclusive of GST) in total.
- 19.8 Councillors must complete a "Councillor Travel and/or Expense Claim Form" for each billing period in relation to telecommunication charges associated with Council related business. All claims for reimbursement for telephone, iPad and internet costs must be made within one month of the date of the providers' invoice. Any amounts exceeding the limit must be approved for payment by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.

20. Child care and care of elderly, disabled and/or sick immediate family members

- 20.1 Councillors will be reimbursed fees for the reasonable cost of care arrangements including child care expenses and the care of immediate family members who are elderly, disabled and/or sick in order to allow Councillors to attend Council and other official meetings/functions or to attend to their responsibilities and duties as a Councillor. Carer costs will be paid to cover the period 30 minutes prior to the scheduled commencement time of the meeting/function and one hour after the conclusion of the meeting/function.
- 20.2 The rate of reimbursement for care will be to a maximum of \$15 per hour or as varied by Council from time to time, payable on the provision of receipts or a declaration by the Councillor for such payments (Councillor Travel and/or Expense Claim Form"), within 1 month of the period being claimed. The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager will authorise payment of care and other related expenses.

21. Legal Expenses and Obligations

- 21.1 Council may, by way of resolution specifying the amount involved, indemnify or reimburse the reasonable legal expenses:
- (a) of a Councillor defending an action arising from the performance in good faith of a function under the *Local Government Act 1993* or any other Act for and on behalf of Council; or
 - (b) of a Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the *Local Government Act 1993*; or
 - (c) of a Councillor for proceedings before the Local Government Pecuniary Interest Tribunal, the Independent Commission Against Corruption, Office of Ombudsman, Division of Local Government, Department of Premier and Cabinet, NSW Police Force, Director of Public Prosecutions or Council's Conduct Review

Committee/Reviewer, provided, the subject of the proceedings arises from the performance in good faith by the Councillor of a function under the *Local Government Act 1993*; and

- 21.2 If points 21.1(a), (b) or (c) have been satisfied, Council will reimburse the reasonable legal expenses only if the enquiry, investigation, hearing or proceedings taken against a Councillor results in a finding substantially favorable to the Councillor.
- 21.3 In addition, the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis.
- 21.4 Legal costs will not be met for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 21.5 The Council must not meet the legal costs of legal proceedings initiated by a Councillor under any circumstance.
- 21.6 The Council must not meet the legal costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
- 21.7 No legal expenses may be incurred by a Councillor without the express resolution of the Council prior to the expense being incurred.

22. Insurance Expenses and Obligations

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

23. Additional Mayoral Expenses

Nil

Part 3 – PROVISION OF FACILITIES

24. General Provisions

- 24.1 Council will provide facilities, equipment and services that are appropriate to support the Mayor and Councillors in undertaking the role of elected members.
- 24.2 Council facilities, equipment and services are not to be used to produce election material or for any other political purposes. Councillors should not generally obtain private benefit from the provision of equipment or facilities, nor from any travel bonus or other such loyalty scheme.
- 24.3 It is acknowledged that incidental use of council equipment and facilities may occur from time to time. Such incidental private use is not subject to compensatory payment.
- 24.4 Where more substantial private use occurs, Councillors will be expected to make a payment to cover the level of private use. This payment will be made on a full cost recovery basis.
- 24.5 Councillors must be scrupulous in their use of Council property, including intellectual property, official services and facilities and should not permit misuse by any other person or body.
- 24.6 Councillors should avoid any action or situation, which could create the appearance that Council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 24.7 The interests of a Councillor in their re-election is considered to be a personal interest and as such the reimbursement of travel expenses incurred on election matters is not appropriate. Council letterhead, council crests and other information that could give the impression it is official council material must not be used for these purposes.
- 24.8 Councillors must not convert any property of the Council to their own use unless properly authorised.

25. Provision of Equipment

- 25.1 Council will provide the following equipment to Councillors, if requested, subject to the reimbursement of expenses limitations mentioned elsewhere in this policy:
- (a) Mobile telephone (standard as provided to staff) or Blackberry mobile phone with internet and email capability.
 - (b) Computer equipment (standard as provided to staff) or laptop and a wireless capable printer/fax multi-function machine with router, together with printer cartridges and replacements.
 - (c) When requested, iPads will be provided to Councillors and are the preferred mechanism for distribution of the Council's Business Paper.

- (d) Internet and ipad usage for Council related business up to the value of \$40 per month (inclusive of GST).

26. Provision of Facilities

26.1 The following facilities are provided:

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

27. Provision of Additional Equipment and Facilities for Mayor

27.1 The role of the Mayor is:

- (a) To exercise, in the case of necessity, the policy making functions of the governing body of the Council between meetings;
- (b) To exercise such other functions of the Council as the Council determines;
- (c) To preside at meetings of the Council; and
- (d) To carry out the civic and ceremonial functions of the mayoral office.

27.2 In order to reflect the additional time and commitment required to carry out the responsibilities of the Mayor, in addition to the support provided to Councillors, the following is provided to the Mayor:

- (a) Mayoral Office provided to assist in carrying out the Mayoral functions;
- (b) Secretarial support is provided by the General Manager's secretary;
- (c) Mayoral carparking space in the Council carpark adjacent to the Council Offices;
- (d) A dedicated Mayoral vehicle is currently not provided for private or Council use, however the Mayor may request the use of a Council pool vehicle or, if a Council pool vehicle is unavailable, a hire vehicle, similar to the current Council fleet vehicles, for official Council business, if a vehicle is required.

Part 4 – OTHER MATTERS**28. Personal Benefit**

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

29. Acquisition and Returning of Facilities and Equipment by Councillors

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

30. General Dispute Resolution

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

* * *

RELEVANT LEGISLATION:

Division of Local Government Circulars to Councils – 2005/08, 2008/24, 2008/37, 2008/38 and 2009/36;
Division of Local Government Guidelines for payment of expenses and provision of facilities - October 2009;
Sections 252-254, 428 - Local Government Act, 1993
Clauses 217 and 403 – Local Government (General) Regulations 2005

RELEVANT COUNCIL RESOLUTIONS:

ORD250/12 from 9 October 2012 Council Meeting.
ORD261/12 from 23 October 2012 Council Meeting
ORD 296/12 from 27 November 2012 Council Meeting

ORD09

Attachment 1

RELATED POLICIES: Policy 5.3 - Code of Conduct.
Ipad Usage Policy

DELEGATIONS: **No**

SUSTAINABILITY ELEMENT: **No**

STAFF TRAINING REQUIRED? **No**

Reviewed Cnl Mtg – 11/9/2007
Reviewed Cnl Mtg - 25/11/2008 ORD302/09
Reviewed Cnl Mtg – 27/10/2009 ORD252/09
Reviewed Cnl Mtg – 23/11/2010 ORD262/10
Reviewed Cnl Mtg – 8/11/2011 ORD 270/11
Reviewed Cnl Mtg – 27/11/2012 ORD296/12

NEXT REVIEW DATE: 27 November 2013

PREVIOUS POLICY

ADOPTED: 12 February 2007 (initial adoption date)

MINUTE: ORD25/07



**ANNEXURE A -
COUNCILLOR TRAVEL &/OR EXPENSE CLAIM
SECTION 252 LOCAL GOVERNMENT ACT 1993
COUNCIL POLICY 5.57**

COUNCILLOR:	
MONTH:	

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

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

OTHER EXPENSES	
DETAILS	VALUE
	SUB TOTAL: \$

If additional space is required, please include attachment.

Note: For amounts over \$75.00 (exclusive of GST) a Tax Invoice must be provided.

TOTAL VALUE FOR REIMBURSEMENT: \$

CERTIFICATION

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

SIGNATURE OF CLAIMANT:	
DATE:	

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

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

ORD09

Attachment 1

ORD09

Attachment 1

ANNEXURE B – Monetary Limits to Expenses

EXPENSES	MAYOR & COUNCILLORS INDICATIVE EXPENSE LIMITS	CLAUSE OF POLICY
In House Training	N/A – Budget allocation	
Local Travel	Private vehicle use - rates set out in Local Government State Award	14 and 15
Interstate Travel	N/A – Council resolution required to approve travel and all expenses to be personally funded (or paid from the Councillor's annual allowance).	16
Overseas Travel	N/A – Council resolution required to approve travel and all expenses to be personally funded (or paid from the Councillor's annual allowance).	17
Mobile phone call costs	\$285 per month	22
Telephone line rental and call costs	\$115 per month	22
Internet/iPad Usage Costs	\$40 per month	22
Carer / Childcare	Up to \$15 per hour	23

PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY NO 5.57
Reviewed by Council:
Minute No:

ANNEXURE C – Available Facilities

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

PAYMENT OF EXPENSES & PROVISION OF FACILITIES POLICY NO 5.57
Reviewed by Council:
Minute No:



ORD10

ORDINARY COUNCIL

ORD10

SUBJECT: INVESTMENT MONIES - SEPTEMBER 2013
FROM: Manager Corporate Services
TRIM #: 13/43999

PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the Local Government (General) Regulation 2005, a list of investments held by Council as at 30 September 2013 is provided.

MAIN REPORT

The weighted average return on all investments was 4.14% p.a. for the month of September 2013.

It is certified that all investments have been made in accordance with Section 625 of the *Local Government Act 1993*, the relevant regulations and Council's Investment Policy.

The Principal Accounting Officer is the Manager Corporate Services.

Council's Investment Report is an **attachment to this report**.

RECOMMENDED

That Council:

- i note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act*, Regulations, and Council's Investment Policy;**
- ii. note the list of investments for September 2013; and**
- iii. note the weighted average interest rate return of 4.14% p.a. for the month of September 2013.**

ATTACHMENTS

1. September 2013 Investment Report



As at 30 September 2013



The Council of Camden Investment Summary										
IBD No.	Purchase Date	Institution	Rating	Purchase Price	Type	Term in days	Maturity Date	Interest Rate	Accrued Interest	
2518	3/05/2012	CUA	A2	\$ 1,000,000	TD	728	1/05/2014	5.95%	\$24,615.07	
2519	10/05/2012	CUA	A2	\$ 1,000,000	TD	728	8/05/2014	5.95%	\$23,473.97	
2536	27/07/2012	Suncorp Metway	A1	\$ 1,000,000	TD	734	31/07/2014	5.14%	\$9,012.60	
2571	24/01/2013	CBA	A1+	\$ 1,500,000	TD	371	30/01/2014	4.40%	\$45,205.48	
2572	24/01/2013	CBA	A1+	\$ 1,000,000	TD	371	30/01/2014	4.40%	\$30,136.99	
2575	7/02/2013	CBA	A1+	\$ 1,000,000	TD	364	6/02/2014	4.40%	\$28,449.31	
2576	7/02/2013	NAB	AA-	\$ 500,000	TD	728	5/02/2015	4.50%	\$14,547.94	
2583	8/03/2013	CBA	A1+	\$ 500,000	TD	214	8/10/2013	4.30%	\$12,193.15	
2588	31/03/2013	CBA	A1+	\$ 1,400,000	TD	214	31/10/2013	4.30%	\$31,758.90	
2593	1/05/2013	Westpac	AA-	\$ 700,000	TD	736	7/05/2015	4.35%	\$12,763.97	
2594	1/05/2013	CBA	A1+	\$ 1,000,000	TD	213	30/11/2013	4.40%	\$18,443.83	
2597	6/05/2013	Westpac	AA-	\$ 2,000,000	TD	738	14/05/2015	4.35%	\$35,276.71	
2598	9/05/2013	CBA	A1+	\$ 1,500,000	TD	214	9/12/2013	4.40%	\$26,219.17	
2600	16/05/2013	BOQ	A2	\$ 1,500,000	TD	175	7/11/2013	4.25%	\$24,102.74	
2601	17/05/2013	Westpac	AA-	\$ 500,000	TD	734	21/05/2015	4.35%	\$8,163.70	
2602	17/05/2013	Westpac	AA-	\$ 500,000	TD	1098	19/05/2016	4.55%	\$8,539.04	
2603	17/05/2013	CBA	A1+	\$ 800,000	TD	214	17/12/2013	4.25%	\$12,761.64	
2605	24/05/2013	CBA	A1+	\$ 1,000,000	TD	214	24/12/2013	4.25%	\$15,136.99	
2606	27/05/2013	Suncorp Metway	A1	\$ 1,000,000	TD	129	3/10/2013	4.10%	\$14,265.75	
2607	30/05/2013	NAB	A1+	\$ 1,500,000	TD	133	10/10/2013	4.10%	\$20,893.15	
2608	31/05/2013	NAB	A1+	\$ 1,500,000	TD	139	17/10/2013	4.10%	\$20,724.66	
2609	4/06/2013	Rural Bank	A2	\$ 1,000,000	TD	142	24/10/2013	4.30%	\$14,019.18	
2610	6/06/2013	BOQ	A2	\$ 1,500,000	TD	140	24/10/2013	4.30%	\$20,675.34	
2611	6/06/2013	Westpac	A1+	\$ 1,500,000	TD	161	14/11/2013	4.07%	\$19,569.45	
2612	6/06/2013	NAB	A1+	\$ 1,500,000	TD	168	21/11/2013	4.07%	\$19,569.45	
2613	7/06/2013	NAB	A1+	\$ 1,000,000	TD	181	5/12/2013	4.06%	\$12,903.01	
2614	11/06/2013	CBA	A1+	\$ 500,000	TD	213	10/01/2014	4.10%	\$6,290.41	
2616	13/06/2013	ME Bank	A2	\$ 1,500,000	TD	182	12/12/2013	4.25%	\$19,212.33	
2617	13/06/2013	NAB	A1+	\$ 1,000,000	TD	189	19/12/2013	4.11%	\$12,386.30	



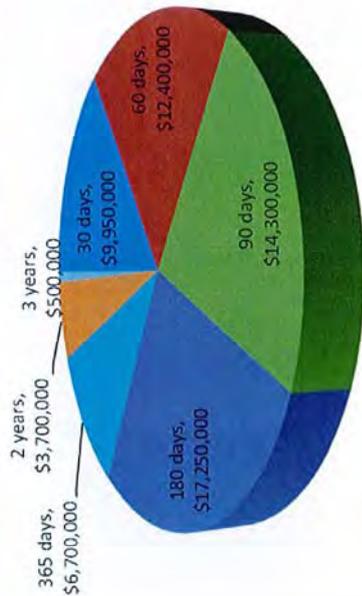
The Council of Camden Investment Summary										
IBD No.	Purchase Date	Institution	Rating	Purchase Price	Type	Term in days	Maturity Date	Interest Rate	Accrued Interest	
2618	17/06/2013	NAB	A1+	\$ 1,500,000	TD	199	2/01/2014	4.06%	\$17,686.03	
2619	20/06/2013	ME Bank	A2	\$ 500,000	TD	182	19/12/2013	4.25%	\$5,996.58	
2620	27/06/2013	BOQ	A2	\$ 1,000,000	TD	154	28/11/2013	4.30%	\$11,309.59	
2621	4/07/2013	ME Bank	A2	\$ 500,000	TD	189	9/01/2014	4.20%	\$5,120.55	
2623	12/07/2013	NAB	A1+	\$ 500,000	TD	188	16/01/2014	4.10%	\$4,549.32	
2624	19/07/2013	NAB	A1+	\$ 1,500,000	TD	181	16/01/2014	4.02%	\$12,225.21	
2625	22/07/2013	Macquarie Bank	A1	\$ 1,000,000	TD	185	23/01/2014	4.00%	\$7,780.82	
2626	25/07/2013	ME Bank	A2	\$ 1,500,000	TD	273	24/04/2014	4.20%	\$11,736.99	
2627	25/07/2013	Heritage Bank	A3	\$ 1,000,000	TD	189	30/01/2014	4.10%	\$7,638.36	
2628	30/07/2013	ME Bank	A2	\$ 750,000	TD	184	30/01/2014	4.15%	\$5,372.26	
2629	30/07/2013	BOQ	A2	\$ 500,000	TD	184	30/01/2014	4.05%	\$3,495.21	
2630	2/08/2013	CBA	A1+	\$ 1,200,000	TD	365	2/08/2014	4.00%	\$7,890.41	
2631	7/08/2013	NAB	A1+	\$ 1,000,000	TD	351	24/07/2014	3.91%	\$5,891.78	
2632	9/08/2013	NAB	A1+	\$ 1,000,000	TD	90	7/11/2013	3.82%	\$5,546.85	
2633	15/08/2013	Suncorp Metway	A1	\$ 900,000	TD	105	28/11/2013	3.77%	\$4,369.07	
2634	22/08/2013	NAB	A1+	\$ 1,000,000	TD	77	7/11/2013	3.82%	\$4,186.30	
2635	26/08/2013	CBA	A1+	\$ 1,000,000	TD	73	7/11/2013	3.90%	\$3,846.58	
2636	27/08/2013	Westpac	A1+	\$ 2,000,000	TD	93	28/11/2013	3.65%	\$7,000.00	
2637	29/08/2013	Westpac	A1+	\$ 1,000,000	TD	101	12/12/2013	3.64%	\$3,290.96	
2638	2/09/2013	Suncorp Metway	A1	\$ 1,500,000	TD	101	12/12/2013	3.76%	\$4,481.10	
2639	5/09/2013	Westpac	A1+	\$ 1,500,000	TD	105	19/12/2013	3.70%	\$3,953.42	
2640	10/09/2013	NAB	A1+	\$ 1,000,000	TD	100	19/12/2013	3.75%	\$2,157.53	
2641	12/09/2013	Westpac	A1+	\$ 2,000,000	TD	119	9/01/2014	3.71%	\$3,862.47	
2642	12/09/2013	CBA	A1+	\$ 1,000,000	TD	91	12/12/2013	3.90%	\$2,030.14	
2643	19/09/2013	Westpac	A1+	\$ 1,000,000	TD	112	9/01/2014	3.65%	\$1,200.00	
2644	24/09/2013	Westpac	A1+	\$ 2,000,000	TD	107	9/01/2014	3.68%	\$1,411.51	
2645	26/09/2013	Macquarie Bank	A1	\$ 1,000,000	TD	84	19/12/2013	3.75%	\$513.70	
2646	26/09/2013	NAB	A1+	\$ 1,000,000	TD	105	9/01/2014	3.75%	\$513.70	
At Call		CBA	A1+	\$ 63,250,000	Call Account			2.80%	\$716,366.67	
			Total Value	\$ 64,800,000						



The Council of Camden Investment Summary						
Compliance with Council's adopted investment policy						
Distribution of Funds by Financial Institution						
Financial Institution	Investment Balance	Current Weighting	Investment Policy Limit	Investment Policy	Short/Long Term Rating	
Commonwealth Bank of Australia	\$ 14,950,000	22%	25%	Yes	A1+	AA-
National Australia Bank	\$ 15,500,000	24%	25%	Yes	A1+	AA-
Westpac Banking Corporation	\$ 14,700,000	23%	25%	Yes	A1+	AA-
Suncorp Bank	\$ 4,400,000	7%	15%	Yes	A1	A+
Macquarie Bank Limited	\$ 2,000,000	3%	15%	Yes	A1	A
Bank of Queensland	\$ 4,500,000	7%	10%	Yes	A2	A-
Credit Union Australia	\$ 2,000,000	3%	10%	Yes	A2	A-
Members Equity Bank	\$ 4,750,000	7%	10%	Yes	A2	BBB+
Rural Bank	\$ 1,000,000	2%	5%	Yes	A2	A-
Heritage Bank	\$ 1,000,000	2%	10%	Yes	A3	BBB-
Total Investment	\$ 64,800,000	100%				
Exposure to Categories						
AAA/A1+ Category	\$ 40,950,000	63%	100%	Yes		
AA/A1 Category	\$ 10,600,000	16%	75%	Yes		
A/A2 Category	\$ 12,250,000	19%	30%	Yes		
BBB/A3 Category	\$ 1,000,000	2%	10%	Yes		
Total Investment	\$ 64,800,000	100%				
Term to Maturity Limits						
Portfolio % ≤ 1 yr	\$ 60,600,000	94%	100%	Yes		
Portfolio % > 1 yr ≤ 3 yrs	\$ 4,200,000	6%	60%	Yes		
Portfolio % > 3 yr ≤ 5 yrs	\$ -	0%	30%	Yes		
Total Investment	\$ 64,800,000	100%				



The Council of Camden
Investment Summary



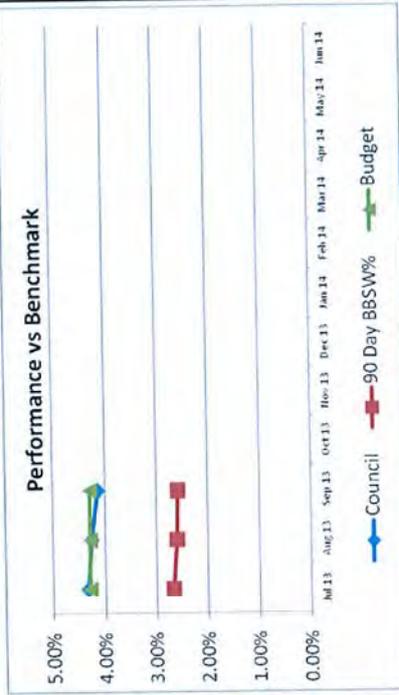
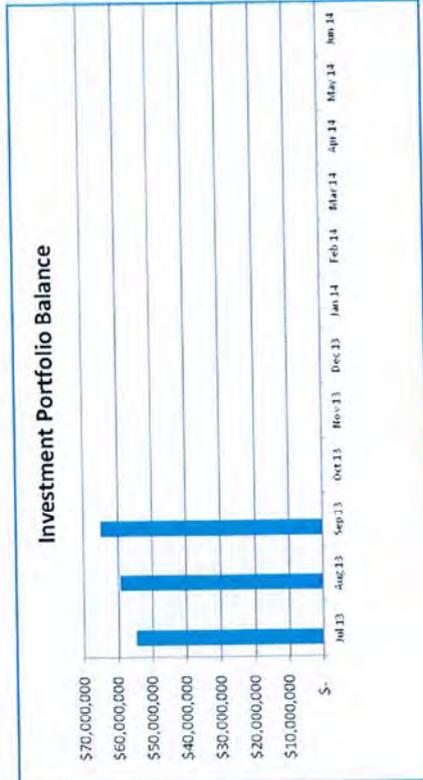
Maturity Profile	Investment	Percentage
less than 30 days Total	\$ 9,950,000	15%
Between 30 days and 60 days Total	\$ 12,400,000	19%
Between 60 days and 90 days Total	\$ 14,300,000	22%
Between 90 days and 180 days Total	\$ 17,250,000	27%
Between 180 days and 365 days Total	\$ 6,700,000	10%
Between 365 days and 2 years Total	\$ 3,700,000	6%
Between 2 years and 3 years Total	\$ 500,000	1%
Total Investment	\$ 64,800,000	100%

NUMBER OF INVESTMENTS	57
AVERAGE DAYS HELD	264
AVERAGE PERCENTAGE	4.17%
WEIGHTED PORTFOLIO RETURN	4.14%
CBA CALL ACCOUNT*	2.80%
HIGHEST RATE	5.95%
LOWEST RATE	3.64%
BUDGET RATE	4.30%
OFFICIAL CASH RATE	2.50%
AVERAGE BBSW (30 Day)	2.57%
AVERAGE BBSW (90 Day)	2.58%
AVERAGE BBSW (180 Day)	2.59%

SOURCE OF FUNDS INVESTED (indicative)	
SEC 94 DEVELOPER CONTRIBUTIONS	\$27,656,500
RESTRICTED GRANT INCOME	\$1,255,600
EXTERNALLY RESTRICTED RESERVES	\$7,700,600
INTERNALLY RESTRICTED RESERVES	\$19,973,000
GENERAL FUND	\$8,214,300
TOTAL	\$64,800,000



The Council of Camden
Investment Summary



Council's investment portfolio has increased by \$5.6 million since the August reporting period. The increase primarily relates to the receipt of the first instalment of rate payments for the 2013/14 financial year, the receipt of \$1.3 million in loan borrowings and significant developer contributions cash receipts for development in the Spring Farm and Elderslie area. The source of funds are indicative only, due to Council's annual financial reports still being finalised for 30 June 2013

Council's portfolio had a weighted average yield of 4.14% pa for the month of September strongly outperforming the UBS 90 day Bank Bill Swap Rate of 2.58%

INTEREST RECEIVED DURING 2013/14 FINANCIAL YEAR			
	September	Cumulative (since 1 July)	Projected interest
General Fund	\$ 102,738	\$ 268,777	\$ 981,800
Restricted	\$ 110,675	\$ 337,459	\$ 751,800
TOTAL	\$ 213,413	\$ 606,236	\$ 1,733,600

The Council of Camden Investment Summary

Standard & Poor's Ratings Description

Standard & Poor's (S&P) is a professional organisation that provides analytical services. An S&P rating is an opinion of the general credit worthiness of an obligor with respect to particular debt security or other financial obligation – based on relevant risk factors.

Credit ratings are based, in varying degrees, on the following considerations:

Likelihood of payment

Nature and provisions of the obligation

Protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights

The issue rating definitions are expressed in terms of default risk.

S&P Short-Term Obligation Ratings are:

A-1: This is the highest short-term category used by S&P. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign(+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.

A-2: A short-term obligation rated A-2 is somewhat more susceptible to the adverse changes in circumstances and economic conditions than obligations in higher rating categories. However the obligor's capacity to meet its financial commitment on the obligation is satisfactory.

A-3: A short-term obligation rated A-3 exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

S&P Long-Term Obligations Ratings are:

AAA: An obligation/obligor rated AAA has the highest rating assigned by S&P. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.

AA: An obligation/obligor rated AA differs from the highest rated obligations only in small degree. The obligor's capacity to meet its financial commitment on the obligations is very strong.

A: An obligation/obligor rated A is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations/obligors in higher rated categories. However the obligor's capacity to meet its financial commitment on the obligation is strong.

BBB: A short-term obligation rated BBB exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

Unrated: Financial Institutions do not necessarily require a credit rating from the various ratings agencies such as Standard & Poor's and these institutions are classed as "Unrated". Most Credit Unions and Building societies fall into this category. These institutions nonetheless must adhere to the capital maintenance requirements of the Australian Prudential Regulatory Authority (APRA) in line with all authorised Deposit Taking Institutions (Banks, Building societies and Credit Unions).

Plus (+) or Minus(-): The ratings from "AA" to "BBB" may be modified by the addition of a plus or minus sign to show relative standing within the major rating categories



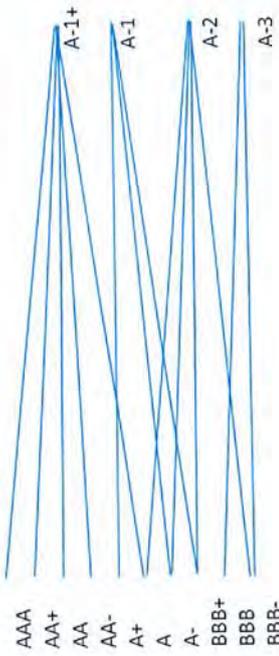
The Council of Camden
Investment Summary

CreditWatch highlights an emerging situation, which may materially affect the profile of a rated corporation and can be designed as positive, developing or negative. Following a full review the rating may either be affirmed or changed in the direction indicated.

A Rating Outlook assesses the potential direction of an issuer's long-term debt rating over the intermediate-to-long term. In determining a Rating Outlook, consideration is given to possible changes in the economic and/or fundamental business conditions. An outlook is not necessarily a precursor of a ratings change or future CreditWatch action. A "Rating Outlook – Positive" indicates that rating may be raised. "Negative" means a rating may be lowered. "Stable" indicates that ratings are not likely to change. "Developing" means ratings may be raised or lowered.

S&P Ratings Correlations

The standard correlation of short-term ratings with long-term ratings is shown below



Profile of Recently Invested Institutions
CUA (S&P: AZ/ BBB) – CUA is Australia's largest credit union with over \$9b in assets. CUA relies on customer deposits for about 70% of its funding, while securitisation makes up 25% of its funding requirements. Its latest profit was \$24m (6 months to Dec 2011) and its Tier 1 Capital Adequacy Ratio was 14.6% (Dec 2012).

ME Bank: (S&P: AZ/ BBB) - ME Bank is owned by industry super funds and has assets of around \$12b. ME Bank has a heavy reliance on securitisation (57% of funding as of Jun 2012) however it is planning to reduce this to 25% by increasing its customer deposits (which make up only 30% of its funding). Its latest profit was \$4.7m (12 months to June 2012) and its Tier 1 Capital Adequacy Ratio was 11.3% (Dec 2012).

Bank of Queensland: (S&P: AZ/ A-) – BoQ is a nationwide bank that is listed on the Australian stock exchange with around \$40b in assets. Deposits make up 59% of total funding, wholesale funds 28%, and securitisation 12%. Its latest profit was -\$17m (12 months to Aug 2012), however this included a \$401m impairment on loans and its Tier 1 Capital Adequacy Ratio was 9.4% (Nov 2012).

Heritage Bank (Moody's: P2/A3) – Queensland based bank that has over \$8b in assets. Heritage relies on customer deposits for about 50% of its funding, securitisation makes up 23% and wholesale funds around 20%. Its latest profit was \$19.6m (6 months to Dec 2012) and its Tier 1 Capital Adequacy Ratio was 10.2% (Dec 2012).



ORDINARY COUNCIL

ORD11

ORD11

SUBJECT: CLOSURE OF THE MEETING TO THE PUBLIC
FROM: Director Governance
TRIM #: 13/43376

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act and should be dealt with in a part of the meeting closed to the media and public.

- Purchase of land for road purposes – Lot 211 DP 1189158 Richardson Road, Spring Farm – A report dealing with commercial information of a confidential nature under sections 10A(2)(c) and (d).

Council may, by resolution, allow members of the public to make representations as to whether the meeting should be closed before any part of the meeting is closed to the public. A representation by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded. That period would be limited to four minutes, in line with Council's Public Address Policy.

The meeting will only be closed during discussion of the matters directly the subject of the report and no other matters will be discussed in the closed section of the meeting.

Members of the public will be readmitted to the meeting immediately after the closed section is completed and if the Council passes a resolution during that part of the meeting that is closed to the public, the Chairperson will make the resolution public as soon as practicable after that closed part of the meeting has ended.

RECOMMENDED

That Council:

- now close the meeting to the media and public to discuss a report concerning commercial information of a confidential nature dealing with the purchase of land for road purposes, in accordance with the provisions of Section 10A(2)(c) and (d) of the Local Government Act, 1993; and**
- now hear any objections or submissions as to the closure of the meeting and that time be limited to a period of four minutes.**