

# ATTACHMENT BOOKLET

**EXTRAORDINARY NORTHERN BEACHES  
COUNCIL MEETING**

**TUESDAY 8 OCTOBER 2024**

## TABLE OF CONTENTS

| Item No     | Subject   |     |
|-------------|---|-----|
| <b>3.1</b>  | <b>ELECTION OF MAYOR</b>  |     |
|             | Attachment 1: Nomination Form - Mayor .....   | 2   |
| <b>3.2</b>  | <b>ELECTION OF DEPUTY MAYOR</b>   |     |
|             | Attachment 1: Deputy Mayor Nomination Form.....   | 3   |
| <b>8.2</b>  | <b>REVIEW OF DELEGATION OF AUTHORITY TO CHIEF EXECUTIVE OFFICER</b>                               |     |
|             | Attachment 1: Signed Delegation of Authority to CEO - 2022 .....                                  | 4   |
|             | Attachment 2: Draft Delegation of Authority to CEO - 2024 with tracking .....                     | 5   |
|             | Attachment 3: Draft Delegation of Authority to CEO - 2024 no tracking .....                       | 6   |
| <b>8.3</b>  | <b>ESTABLISHMENT OF THE PERFORMANCE REVIEW PANEL - CHIEF EXECUTIVE OFFICER</b>                    |     |
|             | Attachment 1: Guidelines for the Appointment and Oversight of General Managers.....               | 7   |
| <b>8.5</b>  | <b>COUNCILLOR FEES</b>  |     |
|             | Attachment 1: Local Government Remuneration Tribunal Determination 2024 .....                     | 27  |
| <b>8.6</b>  | <b>PUBLIC EXHIBITION - COUNCILLOR EXPENSES AND FACILITIES POLICY</b>                              |     |
|             | Attachment 1: Draft Councillor Expenses and Facilities Policy 2024 .....                          | 66  |
| <b>8.8</b>  | <b>APPOINTMENT OF COMMITTEE MEMBERS</b>   |     |
|             | Attachment 1: Council's Committee Framework.....  | 87  |
|             | Attachment 2: Draft Terms of Reference - Community Safety Advisory Committee - October 2024 ..... | 89  |
|             | Attachment 3: Draft Terms of Reference - Business and Industry Stakeholder Committee .....        | 96  |
| <b>8.10</b> | <b>OUTCOME OF PUBLIC EXHIBITION - CODE OF MEETING PRACTICE</b>                                    |     |
|             | Attachment 1: Draft Code of Meeting Practice 2024 .....   | 103 |
|             | Attachment 2: Community Engagement Report .....   | 154 |
| <b>8.11</b> | <b>TABLING OF DESIGNATED PERSONS RETURNS 2023/24</b>  |     |
|             | Attachment 1: Final Designated Positions List 2024/25.....  | 164 |
|             | Attachment 2: Change in Designated Positions for 2024/25 .....                                    | 177 |



## Nomination Form

### Office of Mayor

In accordance with section 394 and Schedule 7 of the Local Government (General) Regulation 2021,

Councillor ..... is hereby nominated for  
(name of nominee)

the office of **MAYOR** of the Northern Beaches local government area for 2 years, subject to the Local Government Act 1993.

#### **Nominators**

1. Councillor .....  
(name) (signature)

2. Councillor .....  
(name) (signature)

#### **Nominee**

I, Councillor ....., consent to this nomination.  
(name)

.....  
(signature) (date)

---

The returning officer is: **Scott Phillips, Chief Executive Officer**. Nominations may be provided to the returning officer via email at: **scott.phillips@northernbeaches.nsw.gov.au**

Clause 2 of Schedule 7 of the Local Government (General) Regulation 2021 contains the statutory provisions for the nomination of candidates for election of **Mayor** by Councillors as follows:

#### **Nomination**

- (1) A Councillor may be nominated without notice for election as Mayor or Deputy mayor
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.



## Nomination Form

### Office of Deputy Mayor

In accordance with section 394 and Schedule 7 of the Local Government (General) Regulation 2021,

Councillor ..... is hereby nominated for  
(name of nominee)

the office of **DEPUTY MAYOR** of the Northern Beaches local government area for a term as determined by Council.

#### **Nominators**

1. Councillor .....  
(name) (signature)

2. Councillor .....  
(name) (signature)

#### **Nominee**

I, Councillor ....., consent to this nomination.  
(name)

.....  
(Signature) (date)

---

The returning officer is: **Scott Phillips, Chief Executive Officer**. Nominations may be provided to the returning officer via email at: **scott.phillips@northernbeaches.nsw.gov.au**.

Clause 2 of schedule 7 of the Local Government (General) Regulation 2021 contains the statutory provisions for the nomination of candidates for election of **Deputy Mayor** by Councillors as follows:

#### **Nomination**

- (1) A Councillor may be nominated without notice for election as Mayor or Deputy Mayor
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.





### **Delegation of Authority from Council to Chief Executive Officer**

Pursuant to sections 377 and 381 of the Local Government Act 1993 (NSW) (the Act) Council delegates to the Chief Executive Officer (being the statutory general manager) of Northern Beaches Council, and to the person acting in the position of Chief Executive Officer during any period of vacancy in the office or absence from duty of the Chief Executive Officer, the functions set out in A, B and C below, subject to the limitations, conditions and restrictions set out in paragraph D:

- A. All those functions of the Council under the Act and the Regulations made thereunder, and under any other Act, statutory instrument and law, except those functions that are declared to be non-delegable pursuant to section 377(1) of the Act
- B. Subject to compliance with the provisions of clause 213 of the Local Government (General) Regulation 2021, to write off, by order in writing, debts to the Council up to an amount of \$20,000 being the amount hereby fixed for the purpose of clause 213
- C. Subject to compliance with the provisions of clause 131 of the Local Government (General) Regulation 2021, to write off, by order in writing, rates and charges and interest accrued on unpaid rates and charges owing to the Council up to an amount of \$20,000 being the amount hereby fixed for the purpose of clause 131
- D. The exercise of any function under paragraph A, B or C above is subject to the following:
  - I. The Chief Executive Officer or holder of any sub-delegation from the Chief Executive Officer, exercising such delegations in accordance with the requirements of the relevant legislation and having regard to, and not inconsistent with, policies of the Council as may be adopted by the Council from time to time
  - II. Any restrictions or conditions imposed upon any delegation by a policy or decision of the Council, being similarly restricted and/or imposed by the Chief Executive Officer in any sub-delegation under section 378(2) of the Act.

**Council resolution: 252/22**

**Date: 23 August 2022**

**Signature:**

A handwritten signature in black ink, appearing to be "Michael", written over a horizontal line.



### **Delegation of Authority from Council to Chief Executive Officer**

Pursuant to sections 377 and 381 of the Local Government Act 1993 (NSW) (the Act) Council delegates to the Chief Executive Officer (being the statutory general manager) of Northern Beaches Council, and to the person acting in the position of Chief Executive Officer during any period of vacancy in the office or absence from duty of the Chief Executive Officer, the functions set out in A, B and C below, subject to the limitations, conditions and restrictions set out in paragraph D:

- A. All those functions of the Council under the Act and the Regulations made thereunder, and under any other Act, statutory instrument and law, except those functions that are declared to be non-delegable pursuant to section 377(1) of the Act
- B. Subject to compliance with the provisions of clause 213 of the Local Government (General) Regulation 2021, to write off, by order in writing, debts to the Council up to an amount of \$20,000 being the amount hereby fixed for the purpose of clause 213
- C. Subject to compliance with the provisions of clause 131 of the Local Government (General) Regulation 2021, to write off, by order in writing, rates and charges and interest accrued on unpaid rates and charges owing to the Council up to an amount of \$20,000 being the amount hereby fixed for the purpose of clause 131
- D. The exercise of any function under paragraph A, B or C above is subject to the following:
  - I. The Chief Executive Officer or holder of any sub-delegation from the Chief Executive Officer, exercising such delegations in accordance with the requirements of the relevant legislation. ~~and having regard to, and not inconsistent with, policies of the Council as may be adopted by the Council from time to time~~
  - II. Any restrictions or conditions imposed upon any delegation by a policy or decision of the Council, being similarly restricted and/or imposed by the Chief Executive Officer in any sub-delegation under section 378(2) of the Act.

**Council resolution:**

**Date:**

**Signature:**



### **Delegation of Authority from Council to Chief Executive Officer**

Pursuant to sections 377 and 381 of the Local Government Act 1993 (NSW) (the Act) Council delegates to the Chief Executive Officer (being the statutory general manager) of Northern Beaches Council, and to the person acting in the position of Chief Executive Officer during any period of vacancy in the office or absence from duty of the Chief Executive Officer, the functions set out in A, B and C below, subject to the limitations, conditions and restrictions set out in paragraph D:

- A. All those functions of the Council under the Act and the Regulations made thereunder, and under any other Act, statutory instrument and law, except those functions that are declared to be non-delegable pursuant to section 377(1) of the Act
- B. Subject to compliance with the provisions of clause 213 of the Local Government (General) Regulation 2021, to write off, by order in writing, debts to the Council up to an amount of \$20,000 being the amount hereby fixed for the purpose of clause 213
- C. Subject to compliance with the provisions of clause 131 of the Local Government (General) Regulation 2021, to write off, by order in writing, rates and charges and interest accrued on unpaid rates and charges owing to the Council up to an amount of \$20,000 being the amount hereby fixed for the purpose of clause 131
- D. The exercise of any function under paragraph A, B or C above is subject to the following:
  - I. The Chief Executive Officer or holder of any sub-delegation from the Chief Executive Officer, exercising such delegations in accordance with the requirements of the relevant legislation.
  - II. Any restrictions or conditions imposed upon any delegation by a policy or decision of the Council, being similarly restricted and/or imposed by the Chief Executive Officer in any sub-delegation under section 378(2) of the Act.

**Council resolution:**

**Date:**

**Signature:**

# Guidelines for the Appointment and Oversight of General Managers

---

2022

---

Office of Local Government, Department of Planning and Environment

|                  |                 |                    |  |
|------------------|-----------------|--------------------|--|
| 5 O'Keefe Avenue | Locked Bag 3015 | Phone 02 4428 4100 | <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a> |
| NOWRA NSW 2541   | NOWRA NSW 2541  | TTY 02 4428 4209   | <a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a> |

Special arrangements can be made for our publications to be provided in large print or an alternative media format. If you need this service, please contact Client Services on 02 4428 4100.

#### DISCLAIMER

While every effort has been made to ensure the accuracy of the information in this publication, the Department of Planning, Industry and Environment expressly disclaims any liability to any person in respect of anything done or not done as a result of the contents of the publication or the data provided.

© NSW Department of Planning and Environment 2022  
Produced by the Department of Planning and Environment

---

---

## TABLE OF CONTENTS

|  |    |
|--|----|
| TABLE OF CONTENTS.....   | 3  |
| INTRODUCTION .....   | 4  |
| ROLE OF THE GENERAL MANAGER.....                               | 5  |
| RECRUITMENT AND SELECTION .....                                | 7  |
| DAY-TO-DAY OVERSIGHT AND LIAISON WITH THE GENERAL MANAGER..... | 10 |
| PERFORMANCE MANAGEMENT .....                                   | 11 |
| REMUNERATION AND REWARD.....                                   | 14 |
| SEPARATION .....   | 15 |
| RENEWING THE GENERAL MANAGER’S CONTRACT.....                   | 18 |
| Appendix 1 – Performance management timelines .....            | 19 |
| Appendix 2 – Stages of performance management.....             | 20 |

---

## INTRODUCTION

The *Local Government Act 1993* (the Act) requires councils to appoint a person to be the council's general manager (section 334).

One of the prescribed functions of the governing body of a council is to determine the process for the appointment of the general manager and to monitor their performance (section 223).

These Guidelines have been developed to assist councillors when performing their functions under the Act relating to the appointment of general managers and overseeing their performance. They provide guidance on:

- the role of the general manager and the importance of a good working relationship between councillors and the general manager
- the recruitment process and the appointment of a general manager
- day to day oversight of and liaison with the general manager
- the performance review process
- separation, and
- renewal of the general manager's contract.

These Guidelines are issued under section 23A of the Act and must be taken into consideration by councils when exercising their functions in relation to the recruitment and oversight of general managers. They should be read in conjunction with the relevant provisions of the Act and the *Local Government (General) Regulation 2021* (the Regulation) and the standard contract of employment for general managers approved by the Departmental Chief Executive of the Office of Local Government under section 338 of the Act (the approved standard contract).

---

## ROLE OF THE GENERAL MANAGER

Councillors comprise the governing body of a council and make decisions by passing resolutions. It is the general manager's role to implement the lawful decisions of the council and to carry out the functions conferred on them by the Act and Regulation and other legislation.

General managers also perform other functions delegated to them by the governing body.

The governing body monitors the implementation of its decisions through the general manager's reports to council meetings.

### Key functions of the general manager

The Act confers certain functions on general managers of councils (section 335). Key aspects of the general manager's role are set out below:

#### Management of the council

The general manager is responsible for conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies approved by the governing body of the council and implementing without undue delay, lawful decisions of the governing body.

#### Assisting the governing body to set the strategic direction

The general manager also plays a key role in assisting the governing body to develop the council's strategic direction. The general manager is responsible for guiding the preparation of the community strategic plan and the council's response to it via the delivery program and operational plans. The general manager is also responsible for implementing the delivery program and operational plans and reports to the governing body on their

implementation. More information on this is available on the Office of Local Government's [website](#).

#### Determining the organisation structure

The general manager is responsible for determining the organisation structure of the council (other than senior staff positions) following consultation with the governing body and in accordance with the budget approved by the governing body (section 332). The positions within the organisation structure of the council must be determined to give effect to the priorities set out in the council's strategic plans, including the community strategic plan and delivery program.

#### Appointment and direction of staff

The general manager is responsible for the appointment and direction of staff and their dismissal. The general manager must consult with the governing body before appointing or dismissing senior staff.

#### Supporting councillors

The general manager is also responsible for ensuring councillors are provided with the information and the advice they require to make informed decisions and to carry out their civic duties.

The general manager should ensure that council meeting business papers contain sufficient information to allow councillors to make informed decisions and to allow them to effectively monitor and review the council's operations and performance. This will assist councils in ensuring they are complying with statutory requirements, keeping within the budget approved by the council, and achieving the strategic goals set by the council in its delivery program and operational Plan.

The governing body may direct the general manager to provide councillors with advice but



cannot direct them as to the content of that advice.

Requests by councillors for assistance or information outside of meetings should be made to the general manager unless the general manager has authorised another staff member to receive such requests. The *Model Code of Conduct for Local Councils in NSW* contemplates that councils should adopt a policy to provide guidance on interactions between councillors and staff. The policy should be agreed to by both the governing body and the general manager. To assist councils, the Office of Local Government has prepared a model councillor and staff interaction policy which reflects best practice. This is available on the Office of Local Government's [website](#).

## The delegation of functions to the general manager

A governing body may delegate certain functions of the council to the general manager but cannot delegate the functions set out in section 377(1) of the Act. The delegation of a council's functions must be made by resolution and be evidenced in writing. Delegations must be reviewed during the first 12 months of each term of the council (section 380).

The general manager may sub-delegate a function delegated to them by the governing body (section 378). However, the general manager still retains responsibility to ensure that any sub-delegated function is carried out appropriately.

## The importance of a good working relationship with the general manager

The position of general manager is pivotal in a council. It is the interface between the governing body which sets the strategic

direction of the council and monitors its performance, and the administrative body of the council, headed by the general manager, which implements the decisions of the governing body. A good working relationship between the general manager and the councillors is therefore critical for good governance and a well-functioning council. Where this relationship breaks down, this can quickly lead to dysfunction.

The Centre for Local Government at the University of Technology in Sydney has identified the following as key components of a good working relationship between councillors and the general manager:

- mutual trust and respect
- councillors publicly supporting the work of the general manager
- councillors dealing with any performance concerns through appropriate channels e.g., not the media or council meetings
- councillors not getting involved in the day-to-day operational matters of the council (which makes it difficult for the general manager to do their job)
- councillors having a clear understanding of how and when to approach the general manager or other staff for information or support and following agreed protocols
- regular meetings between the general manager, mayor and councillors to ask questions and share information and advice
- respect of confidentiality, and
- any conflict is dealt with professionally and quickly and where it can't be addressed informally, proper processes are followed.

---

## RECRUITMENT AND SELECTION

### Requirements of the *Local Government Act 1993*

One of the prescribed functions of the governing body of a council is to determine the process for the appointment of the general manager (section 223).

When recruiting a new general manager, the position must be advertised in a manner sufficient to enable suitably qualified persons to apply for the position (section 348).

As with the appointment of all council staff, councils must ensure that the appointment of the general manager is made using merit selection principles (section 349). Recruitment using merit selection is a competitive process where the applicant who demonstrates that they have the best qualifications and experience relevant to the role is appointed. Equal employment opportunity principles also apply to the recruitment of general managers (sections 349 and 344).

The recruitment process must be open and transparent, but the confidentiality of individual applicants must be maintained. A failure to maintain appropriate confidentiality may constitute a breach of the Act, the council's code of conduct and the *Privacy and Personal Information Protection Act 1998*.

Councils should engage an external recruitment consultant to assist them with the recruitment process and that person should have a role in verifying that proper processes and procedures are followed in the appointment of the general manager.

There are a range of possible approaches to undertaking the recruitment of the general manager. The guidance contained in these Guidelines reflects what the Office of Local Government considers to be best practice.

### The pre-interview phase

As noted above, the council's governing body is responsible for determining the process for recruiting the general manager.

The governing body should delegate the task of recruitment to a selection panel led by the mayor and approve the recruitment process. The panel will report back to the governing body on the process and recommend the most meritorious applicant for appointment by the council.

The selection panel should consist of at least the mayor, the deputy mayor, another councillor and a suitably qualified person independent of the council. Where practicable, the selection panel membership should remain the same throughout the entire recruitment process.

Selection panels should, where possible, have a mix of genders.

The council's governing body should delegate to one person (generally the mayor) the task of ensuring:

- the selection panel is established
- the general manager's position description is current and evaluated in terms of salary to reflect the responsibilities of the position
- the proposed salary range reflects the responsibilities and duties of the position
- the position is advertised according to the requirements of the Act
- information packages are prepared, and
- applicants selected for interview are notified.

The mayor, or another person independent of council staff, should be the contact person for the position and should maintain confidentiality with respect to contact by potential applicants.

## Interview phase

Interviews should be held as soon as possible after candidates are short listed.

Questions should be designed to reflect the selection criteria for the position and assist the selection panel to assess the suitability of the candidate for the position.

Interviews should be kept confidential.

All written references must be checked. The selection panel must delegate the task of contacting referees to one panel member. Other panel members should not contact referees.

If contact with someone other than a nominated referee is required, the applicant's permission must be sought.

At least 2 referees must be contacted and asked questions about the candidate relevant to the selection criteria.

Where tertiary qualifications are relied on, they should be produced for inspection and if necessary, for verification.

Appropriate background checks must be undertaken, for example, bankruptcy and criminal records checks and whether the candidate has been disqualified from managing a corporation by the Australian Securities and Investments Commission. For guidance on better practice recruitment background checks, see the Australian Standard AS 4811:2022 [Workforce Screening](#) and the Independent Commission Against Corruption's publication, *Strengthening employment screening practices in the NSW public sector* which is available on its [website](#).

## Selection panel report

The selection panel is responsible for preparing a report to the council's governing body that:

- outlines the selection process

- recommends the most meritorious applicant with reasons
- recommends an eligibility list if appropriate
- recommends that no appointment is made if the outcome of interviews is that there are no suitable applicants.

This report should be confidential and reported to a closed meeting of the council.

The appointment of a general manager is a non-delegable function of the council under section 377 of the Act and a general manager cannot be appointed without a formal resolution of the council.

The council's governing body must by resolution approve the position of the general manager being offered to the successful candidate before the position is offered to the candidate.

## Finalising the appointment

The mayor makes the offer of employment after the governing body has resolved to appoint the successful candidate. The initial offer can be made by telephone.

Conditions such as term of the contract (1-5 years) and remuneration package (within the range approved by the governing body of the council) can be discussed by telephone but must be confirmed in writing.

The standard contract of employment for general managers approved by the Departmental Chief Executive of the Office of Local Government under section 338 of the Act must be used. The approved standard contract is available on the Office's [website](#). The terms of the approved standard contract must not be varied. Only the term of the contract and the schedules to the approved standard contract can be adapted by councils.

General managers must be employed for 1-5 years.

The contract governs:

- the duties and functions of general managers
- performance agreements
- the process for renewal of employment contracts
- termination of employment and termination payments
- salary increases, and
- leave entitlements.

It should be noted that the Departmental Chief Executive of the Office of Local Government cannot approve individual variations to the standard terms of the contract.

Candidates who are placed on the eligibility list and unsuccessful applicants should be advised of the outcome of the recruitment process before the successful applicant's details are made public.

## Record keeping

Councils should retain all records created as part of the recruitment process including the advertisement, position description, selection criteria, questions asked at interview, interview panel notes, selection panel reports and notes of any discussions with the selected candidate. These records are required to be stored and disposed of in accordance with the *State Records Act 1998*.

---

## DAY-TO-DAY OVERSIGHT AND LIAISON WITH THE GENERAL MANAGER

While one of the prescribed functions of the governing body is to monitor the general manager's performance, day-to-day oversight of and liaison with the general manager should be undertaken by the mayor.

The mayor's role in the day-to-day management of the general manager should include:

- approving leave
- approving expenses incurred, and
- receiving and managing complaints about the general manager in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*.

The council's governing body should ensure there are adequate and appropriate policies in place to guide the mayor in the day-to-day oversight of and liaison with the general manager and keep those policies under regular review.

Some of the key policies the governing body should ensure are in place are those relating to:

- leave
- travel
- credit cards
- purchasing and procurement
- expenses and facilities
- petty cash, and
- financial and non-financial delegations of authority.

The governing body should also ensure there are appropriate policies in place with respect to the expenditure of council funds and reporting requirements in relation to that expenditure.

The council's governing body should satisfy itself that any policy governing the conferral of a benefit on the general manager, such as use of a motor vehicle, allows the actual dollar value of that benefit to be quantified so it can be accurately reflected in the general manager's salary package in Schedule C to the approved standard contract.

---

## PERFORMANCE MANAGEMENT

### Managing the performance of the general manager

The general manager is made accountable to the council for their performance principally through their contract of employment.

The role of the governing body is to monitor the general manager's performance in accordance with their contract of employment.

The performance of the general manager must be reviewed at least annually against the agreed performance criteria for the position. Councils may also choose to undertake more frequent interim reviews of the general manager's performance.

The agreed performance criteria must be set out in an agreement that is signed within three months of the commencement of the contract. Development of the performance agreement is discussed below.

### Establishing a performance review panel

The governing body must establish a performance review panel led by the mayor, and delegate the task of undertaking the general manager's performance reviews to the panel. The extent of the delegation should be clear.

It is recommended that full responsibility for performance management be delegated to the performance review panel, including discussions about performance, any actions that should be taken and the determination of the new performance agreement.

Performance review panels should comprise of the mayor, the deputy mayor, another councillor nominated by council and a councillor nominated by the general manager.

The council's governing body may also consider including an independent observer on the panel. Panel members should be trained in the performance management of general managers.

The role of the review panel includes:

- conducting performance reviews
- reporting the findings and recommendations of reviews to the council, and
- development of the performance agreement.

The governing body and the general manager may agree on the involvement of a suitably qualified external facilitator such as a human resources professional to assist with the performance review process and the development of a new performance agreement. That person may be selected by the governing body or the performance review panel.

Councillors who are not members of the performance review panel may be invited to contribute to the performance review process by providing feedback to the mayor on the general manager's performance relevant to the agreed performance criteria.

All councillors should be notified of relevant dates in the performance review cycle and be kept advised of the panel's findings and recommendations.

The panel should report back to the governing body of the council in a closed session on the findings and recommendations of performance reviews as soon as practicable following any performance review. This should not be an opportunity to debate the results or revisit the general manager's performance review. The general manager should not be present when the matter is considered.

The performance agreement, action plan and any associated records that contain specific information about the work performance or conduct of the general manager are to remain confidential unless otherwise agreed to by the general manager or are required to be disclosed by law. The unauthorised disclosure of this information may constitute a breach of the Act, the council's code of conduct and the *Privacy and Personal Information Protection Act 1998*.

## Establishing the performance agreement

The performance agreement is the most important component of successful performance management. The performance agreement should include clearly defined and measurable performance indicators against which the general manager's performance can be measured.

As one of the general manager's key responsibilities is to oversee the implementation of the council's strategic direction, it is important to align the general manager's performance criteria to the goals contained in the community strategic plan, and the council's delivery program and operational plans.

The performance agreement should also include indicators relevant to the general manager's personal contribution to the council's key achievements and their core capabilities, including leadership qualities.

The performance agreement should also include indicators related to promoting and maintaining an ethical culture within the council. These could include the conduct and measurement of the outcomes from staff surveys and the promotion of whistleblowing procedures under the *Public Interest Disclosures Act 1994* and the reporting of suspected wrongdoing to appropriate oversight agencies including the Independent Commission Against Corruption and the Office of Local Government.

The performance agreement should contain but not be limited to key indicators that measure how well the general manager has met the council's expectations with respect to:

- service delivery targets in the council's delivery program and operational plans
- budget compliance
- organisational capability
- timeliness and accuracy of information and advice to councillors
- timely implementation of council resolutions
- management of organisational risks
- promotion of an ethical culture
- ensuring a safe workplace and facilitating compliance with the *Work Health and Safety Act 2011*, and
- leadership and providing a consultative and supportive working environment for staff etc.

## Performance review process

The approved standard contract requires that the performance of the general manager must be formally reviewed at least annually. The governing body of the council may also undertake interim performance reviews as appropriate.

The assessment should include:

- a self-assessment by the general manager, and
- an assessment by the review panel of the general manager's performance against the performance agreement.

The performance review meeting should be scheduled with sufficient notice to all parties in accordance with clauses 7.6 and 7.7 of the approved standard contract. These require:

- the general manager to give the council 21 days' written notice that an annual performance review is due, and
- the council to give the general manager at least 10 days' written notice that the performance review is to be conducted.

The meeting should concentrate on constructive dialogue about the general manager's performance against all sections of the performance agreement.

The meeting should identify any areas of concern and agreed actions to address those concerns.

In undertaking the performance review, care must be taken to ensure that the review is conducted fairly and in accordance with the principles of natural justice. The appointment by the council, in agreement with the general manager, of a suitably qualified external facilitator to advise on the process (see above) should assist councils to comply with these requirements.

The council's governing body must advise the general manager, in writing, in clear terms, the outcome of any performance review.

The new performance agreement for the next period should be prepared as soon as possible after the completion of the previous period. The agreement should be presented to the governing body of the council for discussion in a closed meeting together with the outcomes of the previous review period.



---

## REMUNERATION AND REWARD

Under the approved standard contract, general managers are entitled to an annual increase in their salary package on each anniversary of the contract, equivalent to the latest percentage increase in remuneration for NSW public sector senior executive office holders as determined by the Statutory and Other Offices Remuneration Tribunal.

Councils may also approve discretionary increases to the general manager's total remuneration package under the approved standard contract as a reward for good performance. Discretionary increases may only be approved after a formal review of the general manager's performance has been undertaken and the general manager's performance has been assessed as being better than satisfactory.

Any discretionary increases should be modest and in line with community expectations and only apply for one year unless the council determines that it is to apply for the balance of the contract. All discretionary increases in remuneration, together with the reasons for the increase, must be reported to an open meeting of the council.

Councils may also on one occasion during the term of the contract approve the payment of a retention bonus to the general manager as an incentive for them to serve out their contract. If approved, the retention bonus is to be accrued on an annual, pro-rata basis for the remainder of the contract and is to be paid at the end of the contract period.

---

## SEPARATION

### Termination of the general manager's employment

The approved standard contract sets out how the general manager's employment contract can be terminated before its expiry date by either the governing body or the general manager (see clause 10 of the approved standard contract). The circumstances in which the general manager's employment contract may be terminated are set out below:

#### By agreement

The contract may be terminated at any time by written agreement between the council and the general manager.

#### Resignation

The general manager may terminate the contract by giving 4 weeks written notice to the governing body of the council.

#### Incapacity

A council may terminate the general manager's contract by giving them 4 weeks written notice or by paying the equivalent of 4 weeks' remuneration calculated in accordance with Schedule C of the approved standard contract where:

- the general manager has become incapacitated for 12 weeks or more
- they have exhausted their sick leave, and
- the duration of the incapacity is either indefinite or for a period that would make it unreasonable for the contract to be continued.

#### Poor performance

A council may terminate the general manager's contract by giving them 13 weeks written notice or by paying the equivalent of 13 weeks' remuneration calculated in accordance with Schedule C of the approved

standard contract on grounds of poor performance.

A council may only terminate the general manager's contract on the grounds of poor performance where:

- a performance review has been conducted, and
- the council has concluded that the general manager's performance falls short of the performance criteria or the terms of their performance agreement, and
- the general manager has been afforded a reasonable opportunity to utilise dispute resolution under clause 17 of the contract (see below).

#### No fault termination

A council may terminate the general manager's contract at any time by giving them 38 weeks written notice or paying the equivalent of 38 weeks remuneration calculated in accordance with Schedule C of the approved standard contract. If there are less than 38 weeks left to run in the term of the general manager's contract, the council can pay out the balance of the contract in lieu of notice.

Where the council proposes to terminate the general manager's contract on these grounds, if either party requests it and both parties agree, they may participate in mediation in relation to the proposed decision to terminate the contract. If the council does not agree to participate in mediation, it must give the general manager reasons for its decision where the general manager requests them.

Where a council terminates the contract on these grounds, it must give the general manager reasons for its decision to terminate their employment where the general manager requests it.

### Summary dismissal

Councils may summarily dismiss the general manager on the grounds set out under clause 10.4 of the approved standard contract. These include:

- serious or persistent breach of the employment contract
- serious and wilful disobedience of any reasonable and lawful instruction or direction given by the council,
- serious and wilful misconduct, dishonesty, insubordination or neglect in the discharge of the general manager's duties and functions under their contract,
- failure to comply with any law or council policy concerning sexual harassment or racial or religious vilification
- serious or persistent breach of the council's code of conduct
- commission of a crime, resulting in conviction and sentencing (whether or not by way of periodic detention), which affects the general manager's ability to perform their duties and functions satisfactorily, or that brings the council into disrepute
- absence without approval for a period of 3 or more consecutive business days.

### Automatic termination

The general manager's contract of employment is automatically terminated where the general manager becomes bankrupt, or they are disqualified from managing a corporation under Part 2D.6 of the *Corporations Act 2001*.

Where this occurs, the general manager's employment with the council automatically ends without the need for a decision by the council to terminate their contract of employment.

## Suspension of the general manager

Councils may suspend the general manager, for example while allegations against them are

being investigated. Suspension should be on full pay for a clearly defined period.

Councils should not suspend a general manager's employment without first seeking expert legal advice. It would not be appropriate to seek advice from council human resources staff on the proposed suspension of the general manager.

Any decision to suspend a general manager should be made at a closed council meeting, having first carefully considered the expert legal advice received in relation to the specific matter.

The principals of procedural fairness apply to any decision to suspend a general manager, i.e., the general manager must be advised of the circumstances leading to their suspension, the reasons for the suspension, the period of the suspension and be given a right to respond to the decision to suspend.

## Dispute resolution

The approved standard contract contains a dispute resolution clause at clause 17. These provisions are designed to encourage councils and general managers to attempt to resolve disputes when they arise.

Councils are required to offer the general manager an opportunity to utilise dispute resolution before they can terminate their employment for poor performance.

Where it is proposed to terminate the contract on the "no fault" grounds (clause 10.3.1(e)), if either party requests it and both parties agree, they may participate in mediation under clause 17 in relation to the proposed decision to terminate. If the council does not agree to participate in mediation, it must give the general manager reasons for its decision where the general manager requests them.

The governing body of the council should ideally resolve to delegate this function to the mayor or a panel of 3 councillors including the mayor.

If the dispute involves the mayor, then the deputy mayor should take the mayor's place. If there is no deputy mayor then the governing body should resolve to appoint another councillor to take the mayor's place.

The governing body of the council and the general manager should agree on an independent mediator to mediate the dispute. The approved standard contract allows the Departmental Chief Executive of the Office of Local Government to appoint a mediator where the parties cannot agree on one.

Councils and general managers may also agree on a mediator when the contract is made.

---

## RENEWING THE GENERAL MANAGER'S CONTRACT

Clause 5 of the approved standard contract sets out the process for renewing the general manager's contract of employment. The key steps in the process are as follows:

- At least 9 months before the contract expires (or 6 months if the term of employment is for less than 3 years), the general manager must apply to the council in writing if seeking re-appointment to the position
- At least 6 months before the contract expires (or 3 months if the term of employment is for less than 3 years), the council must respond to the general manager's application by notifying the general manager in writing of its decision to either offer the general manager a new contract of employment (and on what terms) or to decline their application for re-appointment
- At least 3 months before the contract expires (or 1 month if the term of employment is for less than 3 years) the general manager must notify the council in writing of their decision to either accept or decline the offer made by the council.

Approval may be sought from the Departmental Chief Executive of the Office of Local Government to vary these timeframes in exceptional or unforeseen circumstances.

The terms of the new contract of employment, and in particular the schedules to the new contract, should be set out in the letter of offer. Before offering a new contract, the council should carefully review the terms of the schedules to the new contract.

The governing body should ensure that the performance criteria of the new performance agreement adequately reflect its expectations of the general manager's performance.

The governing body should also consider previous performance reviews conducted under previous contracts.

The process of deciding whether to offer the general manager a new contract should be as follows:

- a performance review is conducted
- findings and recommendations are reported to a closed council meeting in the absence of the general manager
- the closed meeting considers and decides whether to offer a new contract of employment to the general manager and on what terms as set out in the schedules to the contract
- the mayor informs the general manager of the council's decision.

Details of the decision to offer a new contract and a salary package should be reported to an open council meeting.

## Appendix 1 – Performance management timelines

| Timeline  | Activity  | Responsibility                              |
|---|---|---|
| At commencement of each new council                         | Provide induction training on performance management of the general manager   | Council                                     |
| Within 3 months of the commencement date of the contract    | A performance agreement setting out agreed performance criteria must be signed between the general manager and the council  | Council or council panel<br>General Manager |
| Within 2 months of the signing of the performance agreement | The general manager must prepare and submit to the council an action plan which sets out how the performance criteria are to be met   | General Manager                             |
| 21 days' notice (before annual review)                      | The general manager gives the council written notice that an annual performance review is due   | General Manager                             |
| At least 10 days' notice                                    | The council must give the general manager written notice that the performance review is to be conducted   | Council or council panel                    |
| After 6 months  | The council may also decide, with the agreement of the general manager, to provide interim feedback to the general manager midway through the annual review period            | Council or council panel<br>General Manager |
| Prior to the annual review                                  | Ensure all councillors on the review panel have been trained in performance management of general managers  | Council                                     |
| Prior to the annual performance review                      | The general manager may submit to council a self-assessment of their performance  | General Manager                             |
| Annually  | The general manager's performance must be reviewed having regard to the performance criteria in the agreement   | Council or council panel<br>General Manager |
| Annually  | The performance agreement must be reviewed and varied by agreement  | Council or council panel<br>General Manager |
| Within 6 weeks of the conclusion of the performance review  | Council will prepare and send to the general manager a written statement with council's conclusions on the general manager's performance during the performance review period | Council or council panel                    |
| As soon as possible after receipt of the statement          | The general manager and the council will agree on any variation to the performance agreement for the next period of review  | Council or council panel<br>General Manager |

## Appendix 2 – Stages of performance management

| STAGE   | ACTION  | PROCESS   |
|---|---|---|
| 1. Developing performance agreement                                 | <ul style="list-style-type: none"> <li>Examine the position description and contract</li> <li>List all position responsibilities from the position description</li> <li>Identify stakeholder expectations</li> <li>List the key strategic objectives from the delivery program and operational plans</li> <li>Develop performance measures (identify indicators - set standards)</li> </ul> | <ul style="list-style-type: none"> <li>Good planning</li> <li>Direct and effective communication</li> <li>Open negotiation</li> <li>Joint goal setting</li> </ul>   |
| 2. Action planning  | <ul style="list-style-type: none"> <li>Develop specific strategies to meet strategic objectives</li> <li>Identify resources</li> <li>Delegate tasks (e.g., put these delegated tasks into the performance agreements for other senior staff)</li> </ul>   | <ul style="list-style-type: none"> <li>Detailed analysis</li> <li>Two-way communication</li> <li>Detailed documentation</li> </ul>  |
| 3. Monitoring progress (feedback halfway through the review period) | <ul style="list-style-type: none"> <li>Assess performance</li> <li>Give constructive feedback</li> <li>Adjust priorities and reset performance measures if appropriate</li> </ul>   | <ul style="list-style-type: none"> <li>Communication</li> <li>Avoid bias</li> <li>Counselling</li> <li>Coaching</li> <li>Joint problem solving</li> </ul>   |
| 4. Annual   | <ul style="list-style-type: none"> <li>Assess performance against measures</li> <li>Give constructive feedback</li> <li>Identify poor performance and necessary corrective action</li> <li>Identify outstanding performance and show appreciation</li> </ul>  | <ul style="list-style-type: none"> <li>Evaluation of the reasons behind performance being as assessed</li> <li>Open, straightforward communication (as bias free as possible)</li> <li>negotiation</li> <li>Counselling, support, training</li> <li>Documenting</li> <li>Decision making</li> </ul> |
| 5. Developing revised agreement                                     | See stage 1   | See Stage 1   |

**Local Government  
Remuneration Tribunal**

# Annual Determination

Report and determination under sections  
239 and 241 of the Local Government Act  
1993

29 April 2024





# Contents

|   |           |
|---|-----------|
| <b>Executive Summary</b>  | <b>3</b>  |
| <b>Categories</b>   | <b>3</b>  |
| <b>Fees</b>   | <b>3</b>  |
| <b>Section 1 – Introduction</b>   | <b>4</b>  |
| <b>Section 2 – 2023 Determination</b>   | <b>5</b>  |
| <b>Section 3 – 2024 Review</b>  | <b>6</b>  |
| <b>2024 Process</b>   | <b>6</b>  |
| <b>Submissions Received – Request for recategorisation</b>  | <b>6</b>  |
| <b>Categories – movement of Councils within the framework</b>   | <b>10</b> |
| <b>Submissions Received – Remuneration Structure</b>  | <b>11</b> |
| <b>Section 4 – 2024 Fees</b>  | <b>16</b> |
| <b>Submissions - 2024 Fees</b>  | <b>16</b> |
| <b>Conclusion</b>   | <b>20</b> |
| <b>Section 5 – Determinations</b>   | <b>21</b> |
| Determination No. 1 – Allocation of councils into each of the categories as per section 239 of the LG Act effective 1 July 2024 | 21        |
| Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2024               | 25        |
| <b>Appendices</b>   | <b>28</b> |
| Appendix 1 Criteria that apply to categories  | 28        |

# Executive Summary

The *Local Government Act 1993* (LG Act) requires the Local Government Remuneration Tribunal (the Tribunal) to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

## Categories

Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. A review of categories was last carried out by the Tribunal in 2023.

The Tribunal will next consider the model, criteria for each group, and the allocation of councils in the 2026 review.

The criteria for each category is published in Appendix 1 of the Determination and remains unchanged from 2023.

Two (2) councils have been recategorised from Rural Large to Regional Rural as a result of meeting the criteria at Appendix 1.

## Fees

The Tribunal has determined a 3.75 per cent per annum increase in the minimum and maximum fees applicable to each category from 1 July 2024.

# Section 1 – Introduction

1. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a significant review of the categories and the allocation of councils into each of those categories in 2023.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A(1) of the LG Act requires:

*“In making a determination, the Remuneration Tribunal is to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the [Industrial Relations Act 1996](#) when making or varying awards or orders relating to the conditions of employment of public sector employees.”*
4. The Industrial Relations Amendment Act 2023, assented on 5 December 2023, repealed section 146C of the *Industrial Relations Act 1996*, resulting in changes to wages policy and removal of the cap on remuneration increases.
5. The Tribunal can also determine that a council can be placed in another existing or new category with a higher range of fees.
6. The Tribunal's determination takes effect from 1 July each year.

## Section 2 – 2023 Determination

7. In 2023, the Tribunal received 18 written submissions.
8. An extensive review of the categories, criteria, and allocation of councils into each of the categories was undertaken by the Tribunal as required by Section 239 of the LG Act.
9. The review resulted in the Tribunal determining the creation of two new categories, being Metropolitan Major and Rural Large.
10. The categories of general purpose councils were determined as follows:

| Metropolitan        | Non-Metropolitan        |
|---------------------|-------------------------|
| Principal CBD       | Major Regional City     |
| Major CBD           | Major Strategic Area    |
| Metropolitan Major  | Regional Strategic Area |
| Metropolitan Large  | Regional Centre         |
| Metropolitan Medium | Regional Rural          |
| Metropolitan Small  | Rural Large             |
|                     | Rural                   |

11. The Tribunal was of the view that improving consistency of criteria in categories was paramount. The Tribunal therefore determined to include the non-resident population criteria in Major Strategic, Regional Strategic, Regional Centre, and Regional Rural categories.
12. A total of 26 councils were recategorised as a result of changes in the 2023 Determination.
13. The Tribunal determined that fees would increase by 3 per cent in the minimum and maximum fees applicable to each category from 1 July 2023.

# Section 3 – 2024 Review

## 2024 Process

14. The Tribunal's annual review commenced in October when it wrote to all councils inviting submissions regarding fees. The Tribunal outlined that it is only required to review the categories every three years and will next consider the model, the criteria applicable to each category and the allocation of councils in the 2026 review. The invitation noted that it is expected that submissions are endorsed by respective councils.
15. The Tribunal also wrote to the President of Local Government NSW (LGNSW) inviting a submission.
16. The Tribunal received 19 written submissions, of which 18 were from individual councils and 1 submission from LGNSW.
17. The Tribunal notes that 17 of the 18 council submissions were endorsed by their representative councils.
18. The Tribunal acknowledges and thanks all parties for their submissions.


## Submissions Received – Request for recategorisation

19. Two council submissions received requested recategorisation, with Paramatta City Council and Lake Macquarie putting forward individual cases for the Tribunal's consideration.

20. Paramatta City Council requested recategorisation from its current classification of Major CBD to Principal CBD. Paramatta City Council's case to be included in Principal CBD category is based on the following:
- Paramatta being critical to the success of the Greater Sydney Region Plan
  - The LGA expecting an estimated 186,000 new residents between 2022 and 2041
  - An increase in the number of government services, corporations, and private enterprises relocating into Paramatta CBD
  - A local economy that generates approximately \$32.88 billion in gross regional product and 33,000 businesses that generated over 202,000 jobs
  - The Council's Local Strategic Planning Statement covers seven priority growth areas and precincts identified by the NSW Government in order to give effect to their Housing strategy
  - Paramatta City Council has a 2023/24 capital works budget of \$613m and it provides a number of significant services within the local government area, including two aquatic centres, redevelopment to key community centres, and funding for local parks, roads, cycleways, and footpaths.
21. The Tribunal last considered the criteria for Principal CBD in the 2023 Annual Determination process. The Tribunal's view at the time was that

the criteria characteristics for Principal CBD category was appropriate, therefore no changes were required.

22. Paramatta City Council does not meet the criteria for Principal CBD. Accordingly, the Tribunal is not persuaded to include Paramatta Council in Principal CBD category.
23. Lake Macquarie City Council requested that it be recategorised from a Regional Strategic Area to a Major Strategic Area. Reasons include:
  - The LGA having a resident population of 216,603, and a non-resident working population of 24,769 (for a total of 241,372)
  - Connection to Greater Sydney via the M1, rail and a regional airport that supports the community
  - 99 towns, villages and nine economic centres across an area of 757 square kilometres
  - An annual economic output of \$26.1 billion (which is approximately 20 per cent of the Hunter economy)
  - 1.3 million tourists per year
  - 14,081 active businesses, 73,233 jobs and a total workforce across the LGA of 102,029
  - Community facilities that include a Regional Gallery – Museum of Art and Culture, one University, two TAFE campuses and a regional centre for health care
  - Operating revenue exceeding \$290 million.

- 
24. As stated in Council's own submission, currently it does not meet the population threshold criteria for Major Strategic Area. Accordingly, the Tribunal is not persuaded to include Lake Macquarie Council in Major Strategic Area category.
  25. The council also advocated for the population threshold for Major Strategic Area to be reviewed from its current threshold of 300,000 to 200,000 to restore incremental balance between Major Strategic Area and Regional Strategic Area categories.
  26. Lake Macquarie Council provided late supplementary information to support their argument for the population threshold of Regional Strategic Area being adjusted. Council submitted that five precincts in the Lake Macquarie LGA have been identified for inclusion in the New South Wales Government Transport Oriented Development Program, which aims to encourage housing development near transport hubs.
  27. The Council argues this increase in housing will lead to population growth in the selected centres, especially those with a large number of identified precincts.
  28. Consistent with section 239 and 240 of the LG Act, the Tribunal carefully considered the population threshold for all categories, as part of the 2023 Annual Determination. It was determined at that time, on extensive evidence examined and considered by the Tribunal, that the population threshold for Major Strategic Area was appropriate.
  29. The Tribunal is not persuaded at this time to change the population threshold for Major Strategic Area. Should further evidence become available to support a change in the population threshold for this category,




it can be considered by the Tribunal as part of the three yearly review of categories in 2026.

30. The Tribunal will monitor, as data becomes available, the impact of the New South Wales Government Transport Oriented Development Program on population thresholds.
31. One submission received from Wollondilly Shire Council advised that Council resolved to write to the Premier and appropriate Ministers, requesting Wollondilly Shire Council be considered as a regional Council.
32. The Tribunal has previously determined that Wollondilly Shire Council, for the purpose of setting the minimum and maximum fees payable to Councillors and Mayors, be classified as Regional Centre.
33. The Tribunal notes Wollondilly's submission and proposed course of action.

## **Categories – movement of Councils within the framework**

34. The Tribunal reviewed population and data relating to Council operations to determine if the categorisations of Councils was consistent with the current criteria.
35. Population data was sourced from the Australian Bureau of Statistics (ABS), released 26 March 2024 for the period 2022 – 2023 financial year, the most recent data available at the time of writing this determination.


- 
36. Data relating to Council operations was sourced from the Office of Local Government (OLG).
  37. These sources provide a consistent, and complete overview of all councils in NSW. These data sources are consistent with those used in previous LGRT determinations.
  38. Each Council was also assessed against the relevant criteria at Appendix 1.
  39. As a result, it was identified that two Rural Large councils, Hilltops Council and Muswellbrook Shire Council, each had a combined resident and non-residential working population above 20,000 each. This population figure exceeds the population threshold for a Regional Rural council classification.
  40. For this reason, the Tribunal has reclassified both Hilltops Council and Muswellbrook Shire Council as Regional Rural councils.

## **Submissions Received – Remuneration Structure**

41. A significant number of submissions commented on the remuneration structure, advocating for major changes to be made, including the need for a full comprehensive review. These issues are addressed below.
42. One submission advocated for a new remuneration structure to be established that:
  - Is benchmarked in a more transparent way

- Recognises workload
- Encourages participation by a cohort that is more representative of the community
- Recognises skills and experience that is relevant to the roles.

43. Several submissions argued that the current remuneration structure does not adequately compensate elected Councillors and Mayors for the complex requirements of the role, significant workload, time requirements, responsibilities, and changes in the role over recent years.
44. A number of submissions provided comparison data that included remuneration paid to: Queensland and Victorian local government Councillors and Mayors, Federal, State, and Territory Parliamentary Members, Audit Risk and Improvement Committee members, and average remuneration for chairs/directors of not-for-profit organisations.
45. The basis of providing this data was to support arguments that NSW Councillors and Mayors are paid below these organisations and the work of Councillors and Mayors is being undervalued.
46. Some submissions outlined that low levels of remuneration can have a detrimental impact on the quality and diversity of candidates standing for election.
47. The LG Act is clear that Councillors and Mayors receive an annual fee, not a wage, with section 251 clearly stating that fees paid do not constitute a salary.

- 
48. Whilst the Tribunal acknowledges these issues, as previously explained in the 2023 Annual Determination at paragraph 97 they are not currently within the Tribunal's remit.
49. One submission advocated for fees of rural councils to be commensurate with those of regional and metropolitan councils, arguing that the skills and knowledge required for the role is the same regardless of the council location.
50. Others advocated for significant increases to rural and regional fees in order to address low candidate numbers while others asserted that the current remuneration fails to take into account significant stressors facing regional and rural councils.
51. The Act requires that the Tribunal must determine categories at least once every three years and places each council into a category. The determination of categories by the Tribunal is for the purpose of determining the minimum and maximum fees to be paid for councillors and Mayors in each category. When determining categories, the Tribunal is required to take into account matters prescribed in Section 240 of the LG Act:
- *the size of areas;*
  - *the physical terrain of areas;*
  - *the population of areas and the distribution of the population;*
  - *the nature and volume of business dealt with by each council;*
  - *the nature and extent of the development of areas;*

- *the diversity of communities served;*
- *the regional, national and international significance of the council;*
- *such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government; and*
- *such other matters as may be prescribed by the regulations.*

52. The Determination of minimum and maximum fees for 2024 is dealt with below at section 4.


53. Two submissions asserted that the current remuneration structure fails to recognise the role, responsibilities, and contribution of the Deputy Mayor position. It was suggested that a distinct independent fee be included for the position of Deputy Mayor.

54. Section 249 (5) of the LG act states:

*“A council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor’s annual fee.”*

55. Accordingly, the Tribunal lacks the power to implement changes to the fee structure that would include a distinct independent fee for the position of Deputy Mayor.


56. One argument put forward is that the impact of the current superannuation arrangements has a negative impact on female participation.

- 
57. Section 254B of the Act sets out the circumstances with respect to the payment of superannuation for Mayors and Councillors. The payment of superannuation is not automatic or mandatory, pursuant to 254B (4)(a) of the Act a council must pass a resolution prior to making superannuation contribution payments.
  58. Any changes to superannuation contribution payments for Councillors and Mayors to assist in eliminating barriers to participation would require changes to the legislation.

# Section 4 – 2024 Fees

## Submissions - 2024 Fees

59. The LGNSW submission requested the Tribunal increase fees by at least 10% in order to:
- Reverse the fee erosion which occurred under the NSW Public Sector Wages Policy
  - Mitigate economic pressures and the rising cost of living
  - Ensure that Councillors and Mayors receive fair and reasonable remuneration for the work they perform
  - Address the historic undervaluation of the work performed by elected representatives in local government in New South Wales.
60. LGNSW used economic and wage data to support their argument that included:
- Consumer Price Index
  - Wage Price Index
  - National and State Wage cases
  - Market comparability
61. LGNSW in its meeting with the Tribunal and Assessors asserted that fees paid to Councillors and Mayors have reduced in real terms over recent years, further advocating for an increase of 10% being fair and reasonable.

- 
62. In meeting with LGNSW, the question of Government policies (State and Federal) on housing reform was discussed. The Tribunal is mindful of the additional workload associated with policies such as the NSW Government's Transport Oriented Development Program place on affected Councils. Similar considerations arise from the infrastructure requirements related to Renewable Energy Zones.
63. The role of a Councillor as a member of the governing body of the council is outlined under s232 of the LG Act and the Tribunal has addressed this matter generally in the 2023 Determination at paragraph 97.
64. Four submissions received from individual councils addressed the issue of fees quantum increase. These submissions sought an increase ranging from 3% to 5.57%.
65. Other submissions advocated for remuneration to be set at a level to:
- Reflect the role, commitment required, complexity of the role, workload, and responsibilities required to perform the role successfully
  - Ensure no one is out of pocket for the work they do for council
  - Attract a diverse range of potential candidates.
66. Five submissions advocated for the Tribunal to change the determination in regard to the remuneration structure. Some submissions suggested setting a fixed mandatory fee for Councillors and Mayors, whilst others argued that individual councils should not determine their own



remuneration, due to potential conflict of interest, instead the decision should be left to State Government or an independent decision maker.

67. It has been suggested that such an approach could:

- Remove potential conflict of interest
- Facilitate good governance
- Create equity amongst councils in the same category
- Assist in fostering good relationships with the community
- Alleviate public perception that increases are unjust.

68. Currently the Tribunal, consistent with its obligations set out in the LG Act, section 248 and section 249, determines a minimum and maximum remuneration range for Councillors and Mayors. It is then up to individual councils, to fix the annual fee for councillors and Mayors.

69. Furthermore, the tribunal does not have the authority to determine a fixed mandatory fee, section 241 of the LG Act states:

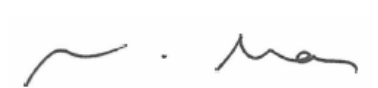
*“The Remuneration Tribunal must, not later than 1 May in each year, determine, in each of the categories determined under section 239, the maximum and minimum amounts of fees to be paid during the following year to councillors (other than mayors) and mayors.”*

## **Fee Increase.**

70. The Tribunal considered a range of factors in determining the amount to increase minimum and maximum fees payable to Councillors and Mayors. This included economic data, including the Consumer Price Index, Wage Price Index, full-time adult average weekly ordinary time earnings, NSW Public Sector increases, and Local Government State Award increases. It also considered the Base Cost Change model used by IPART in setting the rate peg for 2024-25.
71. On this occasion the Tribunal has determined that a 3.75% per cent increase will apply to the minimum and maximum fees applicable to existing categories.

## Conclusion

72. The Tribunal's determination has been made with the assistance of the Assessors, Ms Kylie Yates, Mr Brett Whitworth and Mr Douglas Walther.
73. Determination 1 sets out the allocation of councils into each of the categories as per section 239 of the LG Act.
74. Determination 2 sets out the minimum and maximum fees paid to councillors and mayors and chairpersons of county councils as per section 241 of the LG Act.
75. The Tribunal acknowledges and thanks the secretariat for their excellent research and support in completing the 2024 determination.



Viv May PSM

**Local Government Remuneration Tribunal**

Dated 29 April 2024

# Section 5 – Determinations

Determination No. 1 – Allocation of councils into each of the categories as per section 239 of the LG Act effective 1 July 2024

## General Purpose Councils – Metropolitan

### Principal CBD (1)

- Sydney

### Major CBD (1)

- Parramatta

### Metropolitan Major (2)

- Blacktown
- Canterbury-Bankstown

### Metropolitan Large (10)

- Bayside
- Cumberland
- Fairfield
- Inner West
- Liverpool
- Northern Beaches
- Penrith
- Ryde
- Sutherland
- The Hills

### Metropolitan Medium (8)

- Campbelltown
- Camden
- Georges River
- Hornsby
- Ku-ring-gai
- North Sydney
- Randwick
- Willoughby

### Metropolitan Small (8)

- Burwood
- Canada Bay
- Hunters Hill
- Lane Cove
- Mosman
- Strathfield
- Waverley
- Woollahra

## General Purpose Councils - Non-Metropolitan

### Major Regional City (2)

- Newcastle
- Wollongong

### Major Strategic Area (1)

- Central Coast

### Regional Centre (23)

- Albury
- Armidale
- Ballina
- Bathurst
- Blue Mountains
- Byron
- Cessnock
- Clarence Valley
- Coffs Harbour
- Dubbo
- Eurobodella
- Hawkesbury

### Regional Strategic Area(4)

- Lake Macquarie
- Maitland
- Shoalhaven
- Tweed

- Lismore
- Mid-Coast
- Orange
- Port Macquarie-Hastings
- Port Stephens
- Queanbeyan-Palerang
- Shellharbour
- Tamworth
- Wagga Wagga
- Wingecaribee
- Wollondilly

### Regional Rural (14)

- Bega
- Broken Hill
- Goulburn Mulwaree
- Griffith
- Hilltops
- Kempsey
- Kiama
- Lithgow
- Mid-Western
- Muswellbrook
- Nambucca
- Richmond Valleys
- Singleton
- Snowy Monaro

### Rural Large (16)

- Bellingen
- Cabonne
- Cootamundra-Gundagai
- Cowra
- Federation
- Greater Hume
- Gunnedah
- Inverell
- Leeton
- Moree Plains
- Murray River
- Narrabri
- Parkes
- Snowy Valleys
- Upper Hunter
- Yass

### Rural (38)

- Balranald
- Berrigan
- Bland
- Blayney
- Bogan
- Bourke
- Brewarrina
- Carrathool
- Central Darling
- Cobar
- Coolamon
- Coonamble
- Dungog
- Edward River
- Forbes
- Gilgandra

- Glen Innes Severn
- Gwydir
- Hay
- Junee
- Kyogle
- Lachlan
- Liverpool Plains
- Lockhart
- Murrumbidgee
- Narrandera
- Narromine
- Oberon
- Temora
- Tenterfield
- Upper Lachlan
- Uralla
- Walcha
- Walgett
- Warren
- Warrumbungle
- Weddin
- Wentworth

## County Councils

### Water (4)

- Central Tablelands
- Goldenfields Water
- Riverina Water
- Rous

### Other (6)

- Castlereagh-Macquarie
- Central Murray
- Hawkesbury River
- New England Tablelands
- Upper Hunter
- Upper Macquarie

## Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2024

The annual fees to be paid in each of the categories to Councillors, Mayors, Members, and Chairpersons of County Councils effective on and from 1 July 2024 as per section 241 of the *Local Government Act 1993* are determined as follows:

**Table 4: Fees for General Purpose and County Councils**

### General Purpose Councils – Metropolitan

#### Councillor/Member Annual Fee (\$) effective 1 July 2024

| Category            | Minimum | Maximum |
|---------------------|---------|---------|
| Principal CBD       | 30,720  | 45,070  |
| Major CBD           | 20,500  | 37,960  |
| Metropolitan Major  | 20,500  | 35,890  |
| Metropolitan Large  | 20,500  | 33,810  |
| Metropolitan Medium | 15,370  | 28,690  |
| Metropolitan Small  | 10,220  | 22,540  |

#### Mayor/Chairperson Additional Fee\* (\$) effective 1 July 2024

| Category            | Minimum | Maximum |
|---------------------|---------|---------|
| Principal CBD       | 188,010 | 247,390 |
| Major CBD           | 43,530  | 122,640 |
| Metropolitan Major  | 43,530  | 110,970 |
| Metropolitan Large  | 43,530  | 98,510  |
| Metropolitan Medium | 32,650  | 76,190  |
| Metropolitan Small  | 21,770  | 49,170  |



## **General Purpose Councils - Non-Metropolitan**

### **Councillor/Member Annual Fee (\$) effective 1 July 2024**

| <b>Category</b>         | <b>Minimum</b> | <b>Maximum</b> |
|-------------------------|----------------|----------------|
| Major Regional City     | 20,500         | 35,620         |
| Major Strategic Area    | 20,500         | 35,620         |
| Regional Strategic Area | 20,500         | 33,810         |
| Regional Centre         | 15,370         | 27,050         |
| Regional Rural          | 10,220         | 22,540         |
| Rural Large             | 10,220         | 18,340         |
| Rural                   | 10,220         | 13,520         |

### **Mayor/Chairperson Additional Fee\* (\$) effective 1 July 2024**

| <b>Category</b>         | <b>Minimum</b> | <b>Maximum</b> |
|-------------------------|----------------|----------------|
| Major Regional City     | 43,530         | 110,970        |
| Major Strategic Area    | 43,530         | 110,970        |
| Regional Strategic Area | 43,530         | 98,510         |
| Regional Centre         | 31,980         | 66,800         |
| Regional Rural          | 21,770         | 49,200         |
| Rural Large             | 16,330         | 39,350         |
| Rural                   | 10,880         | 29,500         |

## County Councils

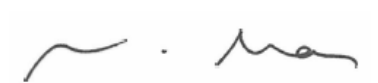
### Councillor/Member Annual Fee (\$) effective 1 July 2024

| Category | Minimum | Maximum |
|----------|---------|---------|
| Water    | 2,030   | 11,280  |
| Other    | 2,030   | 6,730   |

### Mayor/Chairperson Additional Fee\* (\$) effective 1 July 2024

| Category | Minimum | Maximum |
|----------|---------|---------|
| Water    | 4,360   | 18,520  |
| Other    | 4,360   | 12,300  |

\*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).



Viv May PSM

**Local Government Remuneration Tribunal**

Dated 29 April 2024

# Appendices

## Appendix 1 Criteria that apply to categories

### Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

## Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

## **Metropolitan Major**

Councils categorised Metropolitan Major will typically have a minimum residential population of 400,000.

Councils may also be categorised Metropolitan Major if their residential population combined with their non-resident working population exceeds 400,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$300M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Major will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

## **Metropolitan Large**

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

### **Metropolitan Medium**

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

## Metropolitan Small

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

## Major Regional City

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development
- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region



- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

### **Major Strategic Area**

Councils categorised as Major Strategic Area will have a minimum population of 300,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

### **Regional Strategic Area**

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 100,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

### **Regional Centre**

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

### **Regional Rural**

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.

Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

## Rural Large

Councils categorised as Rural Large will have a residential population greater than 10,000, and a councillor to resident ratio of at least 1 to 1200.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

## **Rural**

Councils categorised as Rural will typically have a residential population less than 10,000.

## **County Councils - Water**

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

## **County Councils - Other**

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the Biosecurity Act 2015.



## **Council Policy**

# **Councillor Expenses and Facilities**

|  |           |
|--|-----------|
| <b>POLICY SUMMARY .....</b>  | <b>4</b>  |
| <b>PART A – INTRODUCTION .....</b>   | <b>5</b>  |
| 1. Introduction .....  | 5         |
| 2 Policy objectives .....  | 5         |
| 3 Principles .....   | 6         |
| 4 Private or political benefit .....   | 6         |
| <b>PART B – EXPENSES .....</b>   | <b>7</b>  |
| 5 General expenses .....   | 7         |
| 6 Specific expenses.....   | 7         |
| Expenses related to civic duties including travel, attendance at events.....             | 7         |
| Use of private vehicle.....  | 7         |
| Interstate, overseas and long distance intrastate travel expenses.....                   | 7         |
| Travel expenses not paid by Council.....   | 8         |
| Representing Council at non-Council functions/events .....                               | 8         |
| Professional development .....   | 9         |
| Conferences and seminars .....   | 10        |
| Accommodation and meals while attending conferences, seminars and training courses ..... | 10        |
| Subscriptions .....  | 11        |
| Technology, telecommunications and other related expenses .....                          | 11        |
| Special requirements and child care and/or family member care .....                      | 12        |
| Off-site office expenses .....   | 12        |
| Health and wellbeing services .....  | 12        |
| 7 Insurances .....   | 12        |
| 8 Legal assistance .....   | 13        |
| <b>PART C – FACILITIES .....</b>   | <b>14</b> |
| 9 General facilities for all Councillors .....   | 14        |
| Facilities .....   | 14        |
| Stationery .....   | 14        |
| Administrative support .....   | 14        |
| Glen Street Theatre Complimentary Tickets.....   | 15        |
| 10 Additional facilities and/or expenses for the Mayor .....                             | 15        |
| Provision and use of a mayoral vehicle .....   | 15        |



|  |    |
|--|----|
| Accommodation and office support .....                                       | 16 |
| Industry conferences.....  | 17 |
| Expenses related to civic duties including travel, attendance at events..... | 17 |

**PART D – PROCESSES .....17**

|  |           |
|--|-----------|
| <b>11 Approval, payment and reimbursement arrangements .....</b> | <b>17</b> |
| Direct payment.....  | 17        |
| Reimbursement.....   | 17        |
| Advance payment .....  | 18        |
| Notification .....   | 18        |
| Reimbursement to Council .....                                   | 18        |
| Timeframe for reimbursement .....                                | 18        |
| <b>12 Disputes .....</b>   | <b>19</b> |
| <b>13 Return or retention of facilities .....</b>                | <b>19</b> |
| <b>14 Publication.....</b>                                       | <b>19</b> |
| <b>15 Reporting.....</b>   | <b>19</b> |
| <b>16 Auditing .....</b>   | <b>19</b> |
| <b>17 Breaches .....</b>   | <b>19</b> |

**PART E – APPENDICES.....20**

|   |           |
|---|-----------|
| <b>Appendix I: Related legislation, guidance and policies .....</b> | <b>20</b> |
| Relevant legislation and guidance: .....                            | 20        |
| Related Council policies: .....                                     | 20        |
| <b>Appendix II: Definitions.....</b>                                | <b>20</b> |

## **Policy Summary**

Council is required to adopt a policy concerning the payment of expenses incurred by, and the provision of facilities to, the mayor, deputy mayor and councillors. These supports assist the mayor and councillors to undertake their respective roles under the *Local Government Act 1993* (the Act) and provide reasonable recompense for expenses they incur in undertaking their civic duties.

The policy ensures accountability and transparency and seeks to align councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the [Local Government Act 1993](#) and [Local Government \(General\) Regulation 2021](#), and complies with the Office of Local Government's [Guidelines for the payment of expenses and provision of facilities to mayors and councillors in NSW](#).

The maximum amounts Council will provide for specific expenses and facilities is set out in the policy. Expenses not explicitly addressed in this policy will not be paid or reimbursed. The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST, **subject to increases in the Consumer Price Index (CPI) (Sydney All Groups) figures for the full year to 30 June:**

| Clause                                       | Expense or facility  | Maximum amount (per councillor)  | Frequency          |
|--|--|--|--------------------|
| 6.2<br>6.16<br>6.17<br>6.19<br>6.34<br>10.23 | Expenses relating to civic duties including attendance at non-Council functions and events and travel (excluding private use vehicle) – includes local, long distance and interstate | \$10,000 (councillor)<br>\$15,000 (mayor)  | Per financial year |
| 6.3  | Vehicle – private use (includes mileage claims for private vehicle use for official business)  | Allowances for the use of a private vehicle will be reimbursed at the rate contained in the <a href="#">Local Government (State) Award</a>                               |                    |
| 6.23   | Training, educational and professional body memberships as relevant to councillor duties and functions   | \$2,000  | Per financial year |
| 6.28   | Seminars and conferences, including registration costs and accommodation and other related out of pocket expenses (note: travel expenses and meals are excluded)                     | \$6,500  | Per financial year |
| 6.34.3<br>6.36                               | Meals and refreshments while attending council events, meetings and conferences  | Of a standard and level as set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009 (adjusted annually) | Per Award          |
| 6.21   | Professional development   | \$10,000   | Per term           |
| 6.21   | Professional development – specific allocation to undertake directors course   | \$10,000   | Per term           |
| 6.38   | Subscriptions, publications and access to resource material  | \$1,200  | Per year           |
| 6.54   | Off-site or home office and stationery   | \$1,500  | Per year           |

| Clause | Expense or facility   | Maximum amount (per councillor)                | Frequency  |
|--------|---|--|--|
| 6.51   | Child care and/or family member care  | \$9,000  | Per year   |
| 6.41   | Technology and telecommunications equipment, including a mobile phone, tablet and/or laptop | \$6,500  | Provided and maintained upon election for duration of term |
| 6.43   | Download applications (apps) to devices above   | \$100  | Per year   |
| 6.46   | International data roaming  | \$500  | Maximum of 30 days per year                                |
| 6.39   | Home internet   | \$80 per month – internet service              | Total of \$960   |
| 6.39   | Mobile phone (if mobile not supplied by Council – BYOD)                                     | \$75 per month – standard mobile phone service | Total of \$900   |

Additional costs incurred by a councillor in excess of these limits are considered a personal expense and the responsibility of the councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred. The reimbursement of claims made after this time must be considered and approved by the Chief Executive Officer.

A report on the provision of expenses and facilities to councillors will be publicly tabled at a Council meeting every twelve months and published on Council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

## **Part A – Introduction**

### **1. Introduction**

- 1.1 The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Northern Beaches Council.
- 1.2 The community is entitled to know the extent of expenses paid to councillors, as well as the facilities provided.
- 1.3 The purpose of this policy is to clearly state the facilities and support that is available to councillors to assist them in fulfilling their civic duties.
- 1.4 Expenses and facilities provided by this policy are in addition to fees paid to councillors. The minimum and maximum fee range a council may pay each councillor is set by the Local Government Remuneration Tribunal in accordance with section 241 of the [Local Government Act 1993](#) and reviewed annually. Council must adopt its annual fees within this set range.
- 1.5 The Chief Executive Officer or their delegate is empowered to question or refuse a request for payment from a councillor when it does not accord with this policy.

### **2 Policy objectives**

The objectives of this policy are to:

- 2.1 enable the reasonable and appropriate reimbursement of expenses incurred by councillors while undertaking their civic duties
- 2.2 enable facilities of a reasonable and appropriate standard to be provided to councillors to support them in undertaking their civic duties

- 2.3 ensure accountability and transparency in reimbursement of expenses and provision of facilities to councillors
- 2.4 ensure facilities and expenses provided to councillors meet community expectations
- 2.5 support a diversity of representation
- 2.6 fulfil Council's statutory responsibilities.

### 3 Principles

Council commits to the following principles:

- 3.1 **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
- 3.2 **Reasonable expenses:** Providing for councillors to be reimbursed for expenses reasonably incurred as part of their role as councillor
- 3.3 **Participation and access:** Enabling people from diverse backgrounds, under-represented groups, those in carer roles and those with special needs to serve as councillors
- 3.4 **Equity:** There must be equitable access to expenses and facilities for all councillors
- 3.5 **Appropriate use of resources:** Providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations
- 3.6 **Accountability and transparency:** Clearly stating and reporting on the expenses and facilities provided to councillors.

### 4 Private or political benefit

- 4.1 Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2 Private use of Council equipment and facilities by councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected is acceptable under the policy.
- 4.3 Such incidental private use does not require a compensatory payment back to Council.
- 4.4 Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, councillors must reimburse Council.
- 4.5 Campaigns for re-election are considered to be a private interest. The following are examples of what is considered to be a private interest during a re-election campaign:
  - production of election material
  - use of Council resources for campaigning
  - use of official Council letterhead, publications, websites or services for political benefit
  - fundraising activities of political parties or individuals, including political fundraising events.

---

## Part B – Expenses

---

### 5 General expenses

- 5.1 All expenses provided under this policy will be for a purpose specific to the functions of holding civic office.
- 5.2 Expenses not explicitly addressed in this policy will not be paid or reimbursed.

### 6 Specific expenses

#### **Expenses related to civic duties including travel, attendance at events**

- 6.1 All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2 Each councillor may be reimbursed up to a total of \$10,000 per year for expenses (excluding private use vehicle reimbursements which are outlined below) incurred in association with undertaking professional development, attending approved conferences and seminars within NSW and interstate, representing Council at official meetings, and attending to matters related to the fulfilment of a councillor's civic duties. This includes:
- public transport fares
  - parking costs for Council and other meetings
  - tolls incurred on private E-tags
  - documented ride-share programs, such as Uber
  - the provision of a Cabcharge card (or an equivalent) if required.

#### **Use of private vehicle**

- 6.3 In addition to the above clause 6.2, allowances for the use of a private vehicle to attend meetings on official business will be reimbursed at the rate contained in the [Local Government \(State\) Award](#). This rate shall be deemed to cover and include any claims for accidental damage or repairs to the councillor's own vehicle and any loss of no claim bonus and any excess not covered by any insurance.
- 6.4 Councillors seeking to be reimbursed for use of a private vehicle under clause 6.3 must keep a log book recording the date, distance and purpose of travel being claimed. The relevant Council claim form (*Councillor Private Vehicle for Official Events Claim*) must be completed and submitted for reimbursement to the Councillor Services Office. **To ensure prompt reimbursement, claims cannot be processed unless on the relevant Council claim form.**
- 6.5 **Councillors will be provided with a VIP parking permit to affix to their private vehicles. The parking permit will provide access to relevant Council car parking spaces and locations throughout the local government area to assist with attendance at official functions and events.**
- 6.6 **Councillors personal licence plate numbers will be recorded in Council's parking system to provide access to Council's Dee Why PCYC carpark and Whistler Street Manly carpark.**

#### **Interstate, overseas and long distance intrastate travel expenses**

- 6.7 This section includes reference to long distance intrastate travel. At Northern Beaches Council long distance intrastate travel is travel that is estimated to take more than two hours from the councillor's residence.

- 6.8 In accordance with Section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to cities where diplomatic ties exist.
- 6.9 Councillors seeking approval for any interstate and long distance intrastate travel must submit a business case to, and obtain the approval of, the Chief Executive Officer, **or their delegate**, prior to travel.
- 6.10 Councillors seeking approval for any overseas travel must submit a request to, and obtain the approval of, Council at a Council meeting prior to travel.
- 6.11 The request should include:
  - 6.11.1 objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result and its relevance to the exercise of the councillor's civic duties
  - 6.11.2 who is to take part in the travel
  - 6.11.3 duration and itinerary of travel
  - 6.11.4 a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.12 For interstate and long distance intrastate journeys by air of less than two hours the class of air travel is to be economy class.
- 6.13 For interstate journeys by air of more than two hours, the class of air travel may be premium economy where it is available.
- 6.14 For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.15 Bookings for approved air travel are to be made by the Mayor's Office on behalf of the mayor or the Councillor Services team on behalf of a councillor.
- 6.16 Councillors shall not be entitled to claim frequent flyer or other loyalty points relating to air travel or other expenses incurred by them under this policy. In circumstances where the mayor or a councillor has no option but to incur any expenditure for which loyalty points accrue to his/her personal account, the mayor or councillor must surrender the points to the airline or service provider before reimbursement of the expense by the Council.

**Travel expenses not paid by Council**

- 6.17 Council will not pay any traffic or parking fines or administrative charges for toll road accounts.

**Representing Council at non-Council functions/events**

- 6.18 The reasonable cost for councillors who have been invited to officially attend events/functions to represent the Council may be met within the allocated expenses cap of \$10,000 for expenses related to civic duties.
- 6.19 Council will pay the entry fee/ticket cost associated with the attendance of a councillor for events and functions which may include lunches/dinners, non-council functions and community, corporate or industry events where councillor attendance would be expected, such as award nights.
- 6.20 The Chief Executive Officer or their delegate is to approve the cost of such an event/function where it exceeds \$500.

- 6.21 Where a mayor's/councillor's spouse, partner or accompanying person accompanies them to a non-Council function or event, the expenses of the spouse/partner/accompanying person shall be met by Council within the allocated expenses cap of \$10,000 for expenses related to civic duties in the following circumstances:
- 6.19.1 The mayor's/councillor's spouse/partner/ accompanying person has been officially invited to and has accompanied the mayor/councillor to a function/event
- 6.19.2 The function/event relates to the discharge of the civic functions of the mayor/councillor
- 6.19.3 The attendance of the spouse/partner/accompanying person at the function is considered reasonably necessary or appropriate in order for the mayor/councillor to fulfil his/her statutory role.
- 6.22 This reimbursement does not extend to functions where the attendance of the councillor's spouse, partner or accompanying person may be convenient, but could not be properly seen as relating to the discharge of functions of civic office. Examples of the types of functions that could be reimbursed under this clause include charitable functions to which the mayor/councillors have been invited and award ceremonies and other functions to which the mayor/councillors are invited to represent the Council. The payment for spouses, partners and accompanying persons for attending appropriate functions will be confined specifically to the ticket, meal and/or the direct cost of attending the function. Peripheral expenses incurred by spouse, partners or accompanying persons such as grooming, special clothing and transport are not considered reimbursable expenses.

#### **Professional development**

- 6.23 Council will set aside \$10,000 per councillor per term in its budget to facilitate the relevant professional development of councillors, with an additional \$10,000 set aside for the term for councillors to specifically undertake a director's course.
- 6.24 Within the first 12 months of a new Council term, Council will provide a comprehensive induction program for all councillors which considers any guidelines issued by the Office of Local Government (OLG). Council will cover the cost of the induction program and it will be in addition to ongoing professional development funding allocated to councillors.
- 6.25 Annual membership of professional bodies will be covered to a maximum limit of \$2,000 per year where the membership is relevant to the exercise of the councillor's civic duties, the councillor actively participates in the body and the cost of membership is likely to be substantially offset by savings from attending events or the membership provides information of relevance and value to the role of councillors.
- 6.26 Approval for professional development activities is subject to a prior written request to the Chief Executive Officer **or their delegate** outlining the:
- details of the proposed professional development
  - relevance to Council priorities and business
  - relevance to the exercise of the councillor's civic duties.
- 6.27 In assessing a councillor request for a professional development activity, the Chief Executive Officer **or their delegate** must consider the factors set out in clauses 6.21 and 6.24 of this policy, as well as the cost of the professional development in relation to the councillor's remaining budget.
- 6.28 In-house program expenses, including a councillor induction program will be borne by Council outside of the allocated budget for councillors outlined in this Policy.

- 6.29 On occasion Council will engage external providers (as appropriate) to undertake specific training in-house as part of the ongoing professional development program for councillors. Councillors will be invited to attend and the cost of engaging the provider will be covered by Council outside of the allocated budget for councillors outlined in this policy.

#### **Conferences and seminars**

- 6.30 Council is committed to ensuring its councillors are up to date with contemporary issues facing Council, the community and local government in NSW and will provide up to \$6,500 annually to facilitate councillor attendance at conferences and seminars.
- 6.31 Approval to attend a conference or seminar is subject to a written request to the Chief Executive Officer **or their delegate** by way of the *Councillor Request to Attend Conference or Professional Development Form*. In assessing a councillor request, the Chief Executive Officer **or their delegate** must consider factors including the:
- relevance of the topics and presenters to current Council priorities and business and the exercise of the councillor's civic duties
  - cost of the conference or seminar in relation to the total remaining budget.
- 6.32 Council will meet the reasonable cost of registration fees, transportation, out of pocket expenses and accommodation associated with attendance at conferences approved by the Chief Executive Officer or their delegate.
- 6.33 Where a councillor is accompanied at a conference all costs for, or incurred by, the accompanying person, including travel, any additional accommodation costs, breakfast, meals, registration and/or participation in any conference programs, are to be borne by the councillor/accompanying person and not by the Council. Council may by resolution, and in exceptional circumstances, pay the expenses of a spouse/partner/carer while travelling on Council business. Exceptional circumstances would only be where the councillor is prevented by health reasons from travelling alone.
- 6.34 The registration and program fees of the accompanying person are to be paid directly to the conference organiser and paid at time of registration. The Council is prepared to receive reimbursement for such registration and payments and to forward them on to the conference organiser, etc. with any Council delegates' registration.
- 6.35 Where the Council meets, on account, any expenditure or cost on behalf of an accompanying person attending a conference, such expenditure must be repaid to the Council by the councillor/accompanying person within seven (7) days of being invoiced for such expenditure following the conclusion of the conference.

#### **Accommodation and meals while attending conferences, seminars and training courses**

- 6.36 Reasonable out-of-pocket or incidental expenses incurred by councillors associated with attendance at a conference, seminars, training courses shall be reimbursed for the following:
- 6.36.1 any hotel/motel conference related charges associated with conferences/seminars, other than accommodation
  - 6.36.2 all telephone, internet or data related to Council business
  - 6.36.3 reasonable lunches, dinners and other meals incurred whilst travelling to or from the conferences, seminars, training courses and other lunches, dinners or meals occurring during the conference but not included in the



- conference registration fee, as set out in Part B *Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award, 2009*, as adjusted annually
- 6.36.4 incidental expenses including taxi fares, parking fees, bridge tolls, refreshments, newspapers, laundry and dry cleaning
- 6.36.5 any optional activity in a conference program, excluding any pre or post conference activities.
- 6.37 Where requested by a councillor, consideration will be given to the provision of an advance payment of up to \$200 to cover anticipated out-of-pocket expenses. Following attendance at a conference (and no more than one [1] month after the conference concludes) the advance payment must be fully reconciled with receipts for costs associated as above.

#### **Refreshments for Council related meetings**

- 6.38 Appropriate refreshments will be available for Council meetings, Council committee meetings, councillor briefings, approved meetings and engagements, and official Council functions as approved by the Chief Executive Officer or their delegate.
- 6.39 As an indicative guide for the standard of refreshments to be provided at Council related meetings, the Chief Executive Officer **or their delegate** must be mindful of Part B *Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009*, as adjusted annually.

#### **Subscriptions**

- 6.40 Councillors are entitled to subscriptions and publications and any resource material related to the exercise of civic duties for which a fee is required up to an amount of \$1,200 per year.

#### **Technology, telecommunications and other related expenses**

- 6.41 Council will provide or reimburse councillors for expenses associated with appropriate technology and telecommunications devices and services up to \$1,860 per financial year. This includes:
- \$75 per month –mobile service (provided by Council or reimbursed BYOD)
  - \$80 per month – internet service
- 6.42 In addition, Council will provide a mobile phone, tablet/iPad and/or a lap-top or equivalent which will be provided on a standard monthly plan as arranged by Council for the purposes of receiving communications and business papers from Council by electronic means and carrying out civic duties.
- 6.43 Council may provide appropriate technology equipment up to a limit of \$6,500 per councillor upon the commencement of the term of office (this is inclusive of tablets/iPads and accessories issued under 6.39/6.40. The determination as to what equipment will be provided will be made by the Chief Executive Officer or their delegate based upon Council's general technology and telecommunications program and identified business needs.
- 6.44 Reimbursements will be made only for communications devices and services used for councillors to undertake their civic duties, such as receiving and reading Council business papers and relevant phone calls and correspondence.
- 6.45 Councillors may seek reimbursement for applications (apps) on their Council issued mobile or electronic devices that are directly related to their duties as a councillor, within the maximum limit of \$100 per year.
- 6.46 Council may from time to time provide councillors with upgraded equipment or new facilities, where doing so will result in efficiencies and aligns to Council's general technology and telecommunications program.

- 6.47 All equipment provided to councillors by Council shall remain in the possession of the councillor during their term of office and shall remain the property of Council and returned in good operational order and condition upon ceasing to be an elected member of Northern Beaches Council.
- 6.48 Council will provide international roaming packages on a Council provided mobile phone plan, to the maximum value of \$500 for data, voice and messaging for up to 30 days per year. This amount is in addition to the maximum monthly usage limits outlined in clause 6.39.
- 6.49 Where the councillor uses their own mobile phone plan, a reimbursement to the maximum value of \$500 for data, voice and messaging for up to 30 days per year will only be provided for international roaming where the reconciliation is supported by a detailed account itemising Council usage.

#### **Special requirements and child care and/or family member care**

- 6.50 Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing impaired councillors and those with other disabilities.
- 6.51 Transportation provisions as outlined in this policy, such as access to Cabcharge and Uber will also assist councillors who may be unable or unwilling to drive a vehicle.
- 6.52 In addition to the provisions above, the Chief Executive Officer or their delegate may authorise the provision of reasonable additional facilities and expenses in order to allow a councillor with disability to perform their civic duties.
- 6.53 Councillors who are the principal carer of a child or other immediate family member who is an older adult, has disability and/or is sick will be entitled to re-imbursment of carer's expenses up to a maximum of \$9,000 per annum for attendance to official business, plus reasonable travel from the principal place of residence.
- 6.54 Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not the children's parent.
- 6.55 In the event of caring for an adult person, councillors will need to provide suitable evidence to the Chief Executive Officer or their delegate that reimbursement is applicable. This may take the form of advice from a medical practitioner.

#### **Off-site office expenses**

- 6.56 Each councillor may be reimbursed up to \$1,500 per year for costs associated with the maintenance of a home or off-site office, such as minor items of consumable stationery and printer ink cartridges and furniture.

#### **Health and wellbeing services**

- 6.55 Council aims to provide a working environment that promotes and supports the health and wellbeing of both staff and councillors.
- 6.56 Councillors will have access to Council's relevant employee Assistance Program.
- 6.57 Councillors will have free entry to Council's Aquatic Centres.

### **7 Insurances**

- 7.1 In accordance with section 382 of the [Local Government Act 1993](#), Council has in place public liability and professional indemnity insurance. Council also obtains Councillors and Officers insurance in the course of its annual insurance renewal program.

- 7.2 Insurance protection is only provided if a claim arises out of, or in connection with, the councillor's performance of their civic duties, or exercise of his or her functions as a councillor. All insurances are subject to any limitations or conditions set out in Council's policies of insurance.
- 7.3 Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.
- 7.4 Appropriate travel insurances are to be included for any councillors travelling on approved interstate and overseas travel on Council business.

## 8 Legal assistance

- 8.1 Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
  - 8.1.1 a councillor defending an action arising from the performance in good faith of a function under the [Local Government Act 1993](#);
  - 8.1.2 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 Act; and
  - 8.1.3 a councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the [Local Government Act 1993](#) and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the councillor.
- 8.2 In the case of a conduct complaint made against a councillor, legal costs will only be made available where the matter has been referred by the Chief Executive Officer or their delegate to a conduct reviewer or conduct review panel and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the councillor.
- 8.3 Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of their functions under the [Local Government Act 1993](#) are distinguished from expenses incurred in relation to proceedings arising merely from something that a councillor has done during their term in office. For example, expenses arising from an investigation as to whether a councillor acted corruptly would not be covered by this section.
- 8.4 Council will not meet the legal costs:
  - 8.4.1 of legal proceedings initiated by a councillor under any circumstances
  - 8.4.2 of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
  - 8.4.3 for legal proceedings that do not involve a councillor performing their role as a councillor.
- 8.5 Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

---

## **Part C – Facilities**

---

### **9 General facilities for all Councillors**

#### **Facilities**

- 9.1 Council will provide the following facilities to councillors to assist them to effectively discharge their civic duties:
- 9.1.1 A councillor common room appropriately furnished which includes photocopier, printer, meeting space, letterboxes and appropriate refreshments
  - 9.1.2 Each councillor will receive a security card to access the three central administration offices of Mona Vale, Dee Why and Manly, allowing them appropriate access as determined by the Chief Executive Officer or their delegate
  - 9.1.3 Free parking access to shared car parking spaces while attending Council offices on official business at both the Manly and Dee Why administration offices
  - 9.1.4 A name badge which may be worn at official functions, indicating that the wearer holds the office of a councillor and/or mayor or deputy mayor
  - 9.1.5 Appropriate meeting spaces to allow councillors to meet with community members as determined by the Chief Executive Officer or their delegate. Meeting rooms can be booked through the Office of the Mayor or the Councillor Services team.
  - 9.1.6 Daily media reports and updates on media releases issued by Council by email.
- 9.2 The provision of facilities will be of a standard deemed by the Chief Executive Officer or their delegate as appropriate for the purpose.
- 9.3 Council may from time to time provide additional facilities for councillor use such as protective equipment for use during site visits.

#### **Stationery**

- 9.4 Council will provide the following to councillors:
- 9.4.1 Electronic letterhead template, to be used only for correspondence associated with civic duties
  - 9.4.2 Electronic Christmas or festive message (if requested)
  - 9.4.3 Business cards (printed in-house).
- 9.5 Council will also from time to time provide additional stationery or branded items for councillor use.
- 9.6 The provision of other stationery required to furnish an off-site or home office is outlined in clause 7.54 of this policy.

#### **Administrative support**

- 9.7 Council will provide administrative support to councillors to assist them with carrying out their civic duties. Administrative support is provided to councillors by the Councillor Services team and support for the mayor is provided by the Mayor's Office.

- 9.8 As outlined in section 4, Council staff are to assist councillors with civic duties only and must not assist with matters of personal or political interest, including campaigning.

**Glen Street Theatre Complimentary Tickets**

- 9.9 Tickets to productions at Glen Street Theatre will be issued to councillors in accordance with the Glen Street Theatre Complimentary Tickets Policy.

**10 Additional facilities and/or expenses for the Mayor**

**Provision and use of a mayoral vehicle**

- 10.1 The mayor has the option of using and maintaining a private vehicle in accordance with the provisions of clauses 6.3 and 6.4 of this policy or Council may provide the option to the mayor of a suitable and appropriate vehicle (excluding any vehicle subject to the Australian Taxation Office's luxury car tax) for use by the mayor for all official, executive and social duties connected with the office of mayor and for occasional or full private use.
- 10.2 The Council cannot make a motor vehicle, owned or leased by the Council, available for the exclusive or primary use or disposition of a particular councillor other than a mayor.
- 10.3 The Council will:
- 10.3.1 provide servicing, maintenance, registration and insurance of a suitable vehicle
  - 10.3.2 provide all fuel, which may be charged against a fuel card, whilst the vehicle is used for Council business.
- 10.4 The vehicle will be registered and comprehensively insured by the Northern Beaches Council.
- 10.5 Special accessories where required, shall be provided, fitted, installed and removed at Council's cost.
- 10.6 The vehicle shall be available for the exclusive use of the mayor, and where available by any councillor attending council business and as approved by the mayor subject to the conditions of this policy.
- 10.7 Where private or personal use is on an occasional basis, the mayoral allowance will be reduced on a per kilometre basis, by the rate set by the Local Government (State) Award, and in accordance with a log submitted by the mayor on a monthly basis. Where full private or personal use is chosen, the mayoral allowance will be reduced, in accordance with Council's *Management Standard for Provision of Private and Take Home Use Vehicles (amended)*.
- 10.8 The following restriction shall apply to the use of the mayoral vehicle:
- 10.8.1 The vehicle shall only be driven by a properly licensed person, being:
    - the mayor
    - Council employee
    - a councillor of the Northern Beaches Council, with the mayor's consent
    - a member of the mayor's immediate family or nominated person so long as the mayor is a passenger in the car.
  - 10.8.2 The mayor shall not use, or allow the vehicle to be used, to compete in any car rally or competition

- 10.8.3 The vehicle is not to be used for any trading undertaking or for any activity where remuneration is received which is not directly related to Council business or activities of the office of mayor.
- 10.9 The mayor, if they intend to drive the vehicle, must show evidence of a current New South Wales driver's licence of an appropriate class, or equivalent, and be the holder of a licence for the duration of their use of the vehicle. If the mayor loses his/her licence or is suspended from driving, they must immediately forfeit use of or access to the mayoral vehicle or provide evidence of a properly licensed person who will be the driver of the vehicle whenever used by the mayor during such period.
- 10.10 Whenever the mayor has the control of the vehicle, the mayor must ensure that it is driven only by a responsible properly licensed person.
- 10.11 If the mayor drives or allows another person to drive the vehicle without a current driver's licence, or whilst disqualified for any reason, the Council may withdraw the vehicle from access by the mayor.
- 10.12 All traffic fines and penalties incurred by the mayoral vehicle will be paid by the driver. The mayor must keep a record of any drivers of the vehicle, other than the mayor, whom the mayor permits to drive the vehicle.
- 10.13 If the mayor or a properly licensed person, by their action, negates any motor vehicle insurance, that person will be responsible for the payment of costs as a consequence thereof.
- 10.14 The mayor always remains responsible for ensuring proper and adequate care and usage of the vehicle at all times including garaging and vehicle maintenance
- 10.15 The mayor must ensure all accidents /maintenance/repair issues are reported to Council's Fleet Management without delay.
- 10.16 If the mayor or a properly licensed person, whilst driving the vehicle, is convicted of drink-driving or an offence leading to licence suspension or loss in association with an accident involving the mayoral vehicle, the mayor will be required to pay the cost of associated repairs in the event that Council's insurers disclaim responsibilities on the grounds of such conviction, suspension or loss.
- 10.17 A parking space at Council's offices will be reserved for the mayor for use on official business, professional development and attendance at the mayor's office.

#### **Accommodation and office support**

- 10.18 Council will provide the mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone and a meeting room.
- 10.19 In performing their civic duties, the mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the Chief Executive Officer or their delegate.
- 10.20 The number of exclusive staff provided to support the mayor and councillors will not exceed the number of full time equivalent staff identified in the adopted organisational structure and as provided in the adopted budget.

- 10.21 As outlined in section 4, staff who are appointed to the Mayor's Office or Councillor Services team are required to work on official business only, and not for matters of personal or political interest, including campaigns.

#### **Industry conferences**

- 10.22 The mayor has an allocation to attend and represent Council at the Local Government NSW Annual Conference (this entitlement is available to all councillors) and the Australian Local Government Association Annual Conference each year. The costs associated with attending both conferences will be in addition to the allocated councillor limits.

#### **Expenses related to civic duties including travel, attendance at events**

- 10.23 The mayor has an additional allocation of \$5000 for expenses incurred in association with undertaking professional development, attending approved conferences and seminars within NSW and interstate, representing Council at official meetings, and attending to matters related to the fulfilment of a councillor's civic duties. Refer to section 6.2.

---

### **Part D – Processes**

---

#### **11 Approval, payment and reimbursement arrangements**

- 11.1 Expenses should only be incurred by councillors in accordance with the provisions of this policy.
- 11.2 Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred where possible.
- 11.3 Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred for:
- 11.3.1 private vehicle use and local travel relating to civic duties and official business
  - 11.3.2 office expenses and out of pocket expenses
  - 11.3.3 carer costs
  - 11.3.4 technology and telecommunications expenditure.
- 11.4 Final approval for payments made under this policy will be granted by the Chief Executive Officer or their delegate.
- 11.5 All requests for reimbursement will be processed by a staff member and then reviewed and authorised by the Chief Executive Officer or their delegate.
- 11.6 The Chief Executive Officer or their delegate will provide a system for the request of reimbursements for councillors. This may include appropriate forms where councillors will be required to provide the relevant details required.

#### **Direct payment**

- 11.7 Council may approve and directly pay expenses. Requests for direct payment must be submitted through the appropriate system for assessment against this policy using the appropriate Council forms, with sufficient information and time to allow for the claim to be assessed and processed.

#### **Reimbursement**

- 11.8 All claims for reimbursement of expenses incurred must be made on the system or forms prescribed, supported by relevant information, appropriate receipts and/or

tax invoices and be submitted to the Mayor's Office (for mayoral expenses) or the Councillor Services team (for councillors) for processing. There are two payments runs per month for the reimbursements of expenses.

#### **Advance payment**

- 11.9 Council may pay a cash advance for councillors attending approved conferences, seminars or professional development.
- 11.10 The maximum daily value of a cash advance is \$200 for a conference, seminar or professional development undertaking, up to a maximum of \$600.
- 11.11 Requests for advance payment must be submitted to the Chief Executive Officer or their delegate for assessment against this policy with sufficient information and time to allow for the claim to be assessed and processed.
- 11.12 Councillors must fully reconcile all expenses against the cost of the advance within one month of incurring the cost and/or returning home. This includes providing to Council:
- 11.12.1 a full reconciliation against the provisions of this policy of all expenses including appropriate receipts and/or tax invoices; and
  - 11.12.2 reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

#### **Notification**

- 11.13 If a claim is approved, Council will make payment directly or reimburse the councillor through accounts payable.
- 11.14 If a claim is refused, Council will inform the councillor in writing that the claim has been refused and the reason for the refusal.

#### **Reimbursement to Council**

- 11.15 If Council has incurred an expense on behalf of a councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:
- Council may, with the approval of the Chief Executive Officer or their delegate, invoice the councillor for the expense; and
  - the councillor will be required to reimburse Council for that expense within 14 days of the invoice date.
- 11.16 If the councillor cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the Chief Executive Officer or their delegate. The Chief Executive Officer or their delegate may elect to deduct the amount from the councillor's allowance (councillor fee).

#### **Timeframe for reimbursement**

- 11.17 Unless otherwise specified in this policy, councillors must provide all claims for reimbursement within three months of an expense being incurred. The acceptance of claims made after this time must be considered and approved by the Chief Executive Officer or their delegate.



## **12 Disputes**

- 12.1 If the councillor disputes a determination under this policy, the councillor should discuss the matter with the Chief Executive Officer or their delegate.
- 12.2 If the councillor and the Chief Executive Officer (or their delegate) cannot resolve the dispute, the councillor may submit a notice of motion to Council seeking to have the dispute resolved.

## **13 Return or retention of facilities**

- 13.1 All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a councillor or the mayor ceasing to hold office.

## **14 Publication**

- 14.1 This policy will be published on Council's website.

## **15 Reporting**

- 15.1 Council will report on the provision of expenses and facilities to councillors as required in the [Local Government Act 1993](#) and [Local Government \(General\) Regulation 2021](#).
- 15.2 Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a Council meeting every twelve months and published in full on Council's website.

## **16 Auditing**

- 16.1 The operation of this policy, including claims made under the policy, will be included in Council's audit program with a regular audit to be scheduled within the Northern Beaches Council Strategic Internal Audit Plan.

## **17 Breaches**

- 17.1 Suspected breaches of this policy are to be reported to the Chief Executive Officer or their delegate.
- 17.2 In accordance with the Northern Beaches Council Code of Conduct this Councillor Expenses and Facilities Policy is a policy of Council and must not be contravened.
- 17.3 Alleged breaches of this policy shall be dealt with by the processes outlined for breaches of the Northern Beaches Council Code of Conduct as detailed in the Code and in the Procedures for the Administration of the Code.

## **PART E – Appendices**

### **Appendix I: Related legislation, guidance and policies**

#### **Relevant legislation and guidance:**

- [Local Government Act 1993](#), sections 252 and 253
- [Local Government \(General\) Regulation 2021](#), Clauses 217 and 403
- Office of Local Government's [Guidelines for the payment of expenses and provision of facilities to Mayors and councillors in NSW](#)
- Office of Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities
- Office of Local Government Circular 05-08 Legal Assistance for Councillors and Council Employees.

#### **Related Council policies:**

- Northern Beaches Council Code of Conduct
- Northern Beaches Council Management Standard for Provision of Private and Take Home Use Vehicles (amended)
- Northern Beaches Council Glen Street Theatre Complimentary Tickets Policy

### **Appendix II: Definitions**

The following definitions apply throughout this policy.

| <b>Term</b>                     | <b>Definition</b>   |
|---------------------------------|---|
| accompanying person             | a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor  |
| appropriate refreshments        | food and beverages, excluding alcohol, provided by Council to support councillors undertaking official business   |
| Act                             | the <a href="#">Local Government Act 1993</a> (NSW)   |
| Annual Conference               | Local Government NSW Annual Conference  |
| clause                          | Unless stated otherwise, a reference to a clause is a reference to a clause of this policy  |
| Code of Conduct                 | the Code of Conduct adopted by Council or the Model Code if none is adopted   |
| councillor                      | a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the mayor  |
| Chief Executive Officer         | the person referred to in the <i>Local Government Act 1993</i> as the general manager of a council and, in the case of the Northern Beaches Council, means the person referred to as the Chief Executive Officer of the Northern Beaches Council and includes their delegate or authorised representative |
| incidental personal use         | use that is infrequent and brief and use that does not breach this policy or the Code of Conduct  |
| long distance intrastate travel | travel to other parts of NSW of more than two hours duration by private vehicle   |
| maximum limit                   | the maximum limit for an expense or facility provided in the text and summarised in Appendix 1  |
| NSW                             | New South Wales   |
| <b>BYOD</b>                     | <b>Bring your own device</b>  |

|                          |  |
|--------------------------|--|
| nominated person         | the holder of a current NSW driver's licence who is nominated by the mayor, in writing to the Chief Executive Officer or their delegate, as a person who may regularly drive the mayoral vehicle whilst the mayor is a passenger in the vehicle.   |
| official business        | functions that the mayor or councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: <ul style="list-style-type: none"> <li>meetings of Council and committees of the whole</li> <li>meetings of committees facilitated by Council</li> <li>civic receptions hosted or sponsored by Council</li> <li>meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by Council.</li> </ul> |
| professional development | a seminar, conference, training course or other development opportunity relevant to the role of a councillor or the mayor  |
| Regulation               | the <a href="#">Local Government (General) Regulation 2021</a> (NSW)   |
| term                     | the period from which a councillor or the mayor is in office – usually commencing from the councillor's inauguration and concluding on the day prior to the local government election – the term includes a caretaker period   |
| year                     | the financial year, that is the 12 month period commencing on 1 July each year   |

**Version Control**

| Version | Date             | Version   | Ref         |
|---------|------------------|---|-------------|
| 1       | 22 November 2016 | Northern Beaches Council Policy for Payment and Reimbursement of Expenses Incurred by, and the Provision of Facilities to the mayor, deputy mayor and Councillors - adopted   | 2016/358418 |
| 2       | 26 June 2018     | Draft Councillor Expenses and Facilities Policy for Public Exhibition   | 2018/353965 |
| 3       | 28 August 2018   | Councillor Expenses and Facilities Policy for adoption including minor amendment to include applications in ICT expenses  | 2018/534619 |
| 4       | 26 April 2022    | Revision of allocations based on review of comparable councils in large metropolitan category as determined through the Local Government Remuneration Tribunal, clarification and update of clause interpretations and some administrative formatting. Adopted by Council | 2022/093113 |
| 5       | 8 October 2024   | Draft policy for Council's review   | 2024/471117 |

## Northern Beaches Council Committee Framework



| Category                                  | Summary Definition and Principles  | Council resolution required? |
|---|--|------------------------------|
| Reference Groups                          | <ul style="list-style-type: none"> <li>Formal committees (advisory only, not decision making) organised and run by Council</li> <li>Members involve community and stakeholder representatives and councillors</li> <li>Members to be appointed in line with the Appointment of Community and Stakeholder Representatives Policy</li> <li>Terms of reference to identify membership requirements</li> <li>Supported by staff</li> </ul> | Yes                          |
| Statutory Committees                      | <ul style="list-style-type: none"> <li>Organised and run by Council in accordance with statutory requirements</li> <li>Terms of reference to identify membership requirements</li> <li>Members may involve Mayor, councillors, stakeholders, staff, independent members or community members as required</li> <li>Supported by staff</li> </ul>  | Yes                          |
| Joint Stakeholder Committees (External)   | <ul style="list-style-type: none"> <li>Organised and run by external agency</li> <li>Terms of reference determined by agency or in consultation with Council</li> <li>Members may involve Mayor, councillors, stakeholders, staff, independent members or community members as required</li> <li>Supported by staff</li> </ul>   | Yes                          |
| Joint Stakeholder Committees (Council)    | <ul style="list-style-type: none"> <li>Organised and run by Council</li> <li>Terms of reference determined by Council</li> <li>Members may involve Mayor, councillors, stakeholders, staff, independent members or community members as required</li> </ul>  | Yes                          |
| Memberships                               | <ul style="list-style-type: none"> <li>External associations that offer membership to Council</li> <li>Terms of membership determined by agency</li> <li>Members may include Mayor, councillors or staff</li> </ul>  | Yes                          |
| Project Working / Project Advisory Groups | <ul style="list-style-type: none"> <li>Project based advisory groups aligned to approved projects for the term of the engagement process.</li> </ul>   | No                           |

|                  |  |    |
|------------------|--|----|
|                  | <ul style="list-style-type: none"> <li>Implemented as required by staff as part of the engagement approach for projects.</li> <li>Supported by staff.</li> <li>Community and stakeholder members only. Mayor and ward councillors may be invited to participate as established by Terms of Reference and approved by CEO.</li> </ul> |    |
| Community Groups | <ul style="list-style-type: none"> <li>Self-appointed and managed.</li> <li>Includes resident groups, sports groups, environment groups (200+) etc.</li> <li>Invited to be included in all project engagement activities.</li> </ul>   | No |

**Responsible Officer**

Executive Manager Governance & Risk

[governance@northernbeaches.nsw.gov.au](mailto:governance@northernbeaches.nsw.gov.au)

**Revision History**

| Revision | Date adopted | Change             | TRIM        |
|----------|--------------|--------------------|-------------|
| 1        | 22 Feb 2022  | Adopted by Council | 2022/165351 |



# **Community Safety Advisory Committee**

## **Terms of Reference**

**1 NAME**

Community Safety Advisory Committee

**2 PURPOSE AND OBJECTIVES**

The purpose of the Community Safety Advisory Committee (the Committee) is to provide guidance to Council on community safety issues impacting the Northern Beaches.

The Committee will have the following objectives:

- Monitor crime trends.
- Advise Council on emerging crime prevention and community safety issues impacting the Northern Beaches.
- Monitor implementation of the [Community Safety Plan](#).
- Inform the future development of the Community Safety Plan.
- Provide guidance to Council, as required, on issues relating to the development of Council strategies and services aimed at enhancing and improving community safety.

The role of this Committee is purely advisory and may not commit Council resources. The Committee is to work within the framework of the [Community Strategic Plan](#) and does not deal with operational matters. It should be noted that employees of the Council are not subject to the direction of the Committee or any of its members.

**3 COMMITTEE CHARTER**

The Community Safety Advisory Committee operates according to these Terms of Reference and their relevant Charter. Terms of Reference and Charters are adopted by resolution of Council and may also be amended by Council from time to time. The scope of the Committee is detailed in the respective Charter (refer Attachment 1).

**4 MEMBERSHIP**

- a) Membership of the Committee is comprised of up to 26 representatives of a range of stakeholder groups relevant to community safety and the delivery of the Community Safety Plan.
- b) The Mayor and 4 Councillors (up to 1 per Ward) will be appointed.
- c) In addition to Councillors, membership of the Committee is comprised of up to 21 representatives of a range of stakeholder groups relevant to community safety. The membership composition is detailed in the Charter (refer Attachment 1).
- d) All members of this Committee have an obligation to:
  - Attend all meetings scheduled for the Committee.
  - Objectively consider and actively participate in group deliberations.
  - Review relevant documents and provide feedback to the Committee where necessary, including occasional out-of-session consideration of time-bound matters that may fall outside the meeting schedule.
  - Endeavour to convey the views of the broader community, network or peak agency they are representing.
  - Maintain and respect the confidential nature of the meeting and other members.

## 5 ELIGIBILITY

- a) All Councillors are eligible to nominate for membership on the Committee. Appointments will be determined and endorsed by Council.
- b) Council will invite representation from the stakeholder groups outlined in the Charter.
- c) Representatives of networks /peak agencies must possess such skills, expertise, experience or special affiliation to be able to contribute to the Committee purpose and objectives.
- d) The selection of members will be undertaken in accordance with Council's Policy for [Community Committee Framework and Appointment of Community and Stakeholder Representatives Appointment of Committee Members](#).
- e) A person appointed to the Committee shall continue as a member of the Committee for the period outlined in Term of Office.
- f) Should a representative vacancy occur during the terms of appointment, a new representative will be sought from the stakeholder group.
- g) Membership will be reviewed annually and if necessary, adjusted in accordance with the recommendation from the Committee.

## 6 TERM OF OFFICE

To assist with maintaining effectiveness and the continuity of knowledge within the Committee the terms of Councillors and other Committee members have been staggered. The aim is for established members to provide assistance to incoming Councillors after the council election and 12 months later, reciprocally from Councillors to incoming community members.

- a) The term for Councillors on the Committee is ~~two (2)~~ four (4) years ~~or 12 months~~ following the election of a new Council.
- b) The term for other members on the Committee is four (4) years commencing within 12 months after the election of Council.
- c) All Councillor memberships will cease during the election caretaker period. New Councillors should be appointed to the Committee at the earliest opportunity following the election.
- d) The terms above are subject to the conclusion of the Committee, when all memberships cease.

## 7 SUPPORT PROVIDED

- a) Council will provide necessary resources to the Committee. This will include the venue and administrative support such as facilitating and running the meeting, preparation and distribution of the notice of meeting, agenda and the recording of the minutes.
- b) The Community, Arts & Culture Business Unit is responsible for managing the Committee and will be the main point of contact for members on Committee related matters.
- c) Council staff in the areas of Community Development, ~~and~~ [Environmental Compliance and Parks and Open Space](#) will be available to provide guidance and assistance where appropriate. The role of these representatives is to provide guidance on:
  - Status of current issues
  - Broad policy objectives
  - [Local Government regulations and relevant legislation](#).



## 8 TIMETABLE FOR MEETINGS

- a) The Committee is to meet quarterly (four (4) times) throughout the year.
- b) A meeting will be limited to a maximum of two (2) hours duration unless the group resolves to extend the meeting to a particular time or until the completion of business.
- c) The schedule of meeting dates and venues will be provided to the members in advance and an agenda will be provided at least 7 days prior to meeting.

## 9 ATTENDANCE AT MEETINGS

- a) All members are expected to attend the meetings, or otherwise tender their apologies to either the Chair or Lead Council Officer.
- b) If unable to attend, members may delegate their position to another member of their organisation, in consultation with the Chair or Lead Council Officer to ensure appropriate representation of stakeholders:
  - Members representing an Interagency or organisation may delegate to another member of that Interagency or organisation only.
  - Members of Parliament may delegate to a member of their electoral office only.
- c) No member should be absent for more than two (2) consecutive meetings without first seeking, and being granted, leave by the Chair or Lead Council Officer. Without being granted such leave in these circumstances, the person's membership will be re-evaluated.
- d) While other Councillors may attend Committee meetings as observers, the meetings will not be open to other members of the public.
- e) On the invitation of the Chair or Lead Council Officer, individuals or organisational representatives may be invited to attend a meeting in a one off guest capacity for the purposes of giving presentations or providing specific advice or expertise.

## 10 MEETING PRACTICES AND PROCEDURES

- a) The Council will ensure that each meeting is properly recorded with the use of minutes, which will be reported to Council.
- a)b) Meeting minutes will be reported to Councillors by a method as determined by the Chief Executive Officer.
- b)c) The quorum for each meeting will be one half plus the Mayor or another Councillor. If a quorum is not present within 30 minutes within the commencement time of the meeting, it will become an informal meeting with no recommendations or decisions made.
- e)d) The Mayor is the Chair of the Committee or their nominated representative.
- d)e) The Chair directs the progress of the Committee meeting. Subject to any determination by the Chair, each item is to be dealt with in the order in which it appears on the agenda.
- e)f) The Chair role is to facilitate the conduct of the meetings and ensure the Committee focuses on its primary purpose and objectives.
- f)g) This Committee is advisory in purpose and should have the intention of reaching consensus when endorsing items and recommendations. It has no authority to make decisions on behalf of Council.

- h) It will be at the discretion of the Chair when a matter is to be put to the vote. In such circumstances voting is to be by way of a show of hands. For a vote to be carried the matter must be supported by a majority of members present, with the Chair having a casting vote in the event the vote is tied (or Deputy in the absence of the Chair).

## 11 CODE OF CONDUCT

- a) All members of the Committee are required to observe Council's Code of Conduct and any other policy or requirement applicable to the proper functioning of the Committee.
- b) Members shall act in a professional and responsible manner with the information they obtain.
- c) Members must respect each other (often despite differences) and work together to create an open and trusting atmosphere. The group requires openness and honesty in order to function well and members should feel free to express their opinions and views without fear of recrimination.
- d) A breach of the Terms of Reference may lead to the member being removed from the Committee by the Chair.
- e) Members of the Committee do not have the authority to act or speak on behalf of Council including representations to the media on Council or the Committee's behalf. In accordance with Council's Media Policy, the Mayor is the only person permitted to speak to the media on behalf of the Council and the Committee.
- f) Conflicts of Interest: Council recognises that community representatives join such groups and Committees because of special interests they may have, and Council welcomes their expertise. Nevertheless, it is important that Council understands the basis of advice it receives from the groups, so members will be requested to declare any organisation they may represent. Disclosures of Conflicts of Interest, particularly pecuniary interests need to be made by members of the group and recorded in the minutes in accordance with ~~section 442 and 443 Local Government Act 1993~~ [Parts 4 and 5 of the Code of Conduct](#).
- g) Confidentiality and Privacy: Members may have contact with confidential or personal information retained by Council or other agencies. If so, members are required to maintain the security of any confidential or personal information and not access, unless the member is authorised to do so.

## 12 COUNCIL VALUES

All members of the Committee and all meeting attendees are expected to observe Northern Beaches Council Values outlined below:

- Trust: because being open brings out our best
- Teamwork: because working together delivers
- Respect: because valuing everyone is how we make a difference
- Integrity: because we are proud of doing what we say
- Service: because we care as custodians for the community
- Leadership: because everyone has a leading role

## 13 NEXT REVIEW DATE

- a) This Terms of Reference will be reviewed prior to the establishment of a new Committee.
- b) Amendments to this Terms of Reference may only be determined by Council.

| ATTACHMENT 1  |  |
|---|--|
| CHARTER: Community Safety Advisory Committee  |  |
| <p><b>Established:</b> March 2022</p>   | <p><b>Function:</b> To provide guidance to Council on community safety issues impacting the Northern Beaches.</p>  |
| <p><b>Stakeholder Representative Term</b></p> <ul style="list-style-type: none"> <li><b>Councillors:</b> Appointment for <u>2 4</u> years or until election caretaker period.</li> <li><b>Stakeholder Representatives:</b> Appointment for 4 years including one year following council election.</li> </ul>  | <p><b>Composition/Membership</b></p> <p>The Committee comprises of up to 26 members representing a range of stakeholder groups relevant to the Community Safety Plan.</p> <p>The Chair is the Mayor or their nominated delegate on this group and Deputy Chair as elected by the Mayor.</p> <p>The following Council members will be appointed:</p> <ul style="list-style-type: none"> <li>Mayor (Chair) and 4 appointed Councillors (up to 1 per Ward)</li> </ul> <p>In addition to Councillors, the group is to consist of up to 21 members as follows:</p> <ul style="list-style-type: none"> <li>Northern Beaches Police Local Area Commander or a delegate</li> <li>Domestic Violence Interagency Chair</li> <li>Mental Health Interagency Chair</li> <li>Youth Interagency Chair</li> <li>Northern Beaches Liquor Accord Chair</li> <li>Housing and Homelessness Interagency Chair</li> <li>Primary Health Network representative</li> <li>Local Health District Network representative</li> <li>Community Drug Action Team (CDAT) Chair</li> <li><u>Northern Sydney Community Network Chair (Seniors sector representative)</u></li> <li>4 local State Members of Parliament or delegate</li> <li>2 local Federal Members of Parliament or delegate.</li> <li>5 Community members representing a broad range of strategic views on community safety across the Northern Beaches (up to 1 member per ward).</li> </ul> |
| <p><b>Quorum and Voting</b></p> <ul style="list-style-type: none"> <li>The quorum for each meeting will be one half <u>plus the Mayor or another Councillor</u>.</li> <li>If a quorum is not present within 30 minutes within the commencement time of the meeting, the meeting shall become an informal meeting with no recommendations or decisions made.</li> <li>The Committee should have the intention of reaching consensus when endorsing items and recommendations.</li> </ul> |  |
| <p><b>Reporting Procedures</b></p> <p><u>Meeting minutes will be reported to Councillors by a method as determined by the Chief Executive Officer. Minutes of meetings to be reported to Council.</u></p>   |  |
| <p><b>Meetings:</b></p> <ul style="list-style-type: none"> <li>The Committee are to meet quarterly (four (4) times) throughout the year.</li> <li>The schedule of meeting dates will be distributed <u>at the formation of the Committee annually</u>.</li> <li>Agenda items, time and venue will be provided to the members in an agenda at least 7 days prior to the meeting.</li> </ul>  |  |
| <p><b>Ex Officio Advisors:</b></p> <ul style="list-style-type: none"> <li><b>Lead Council Officers:</b> Community Safety Coordinator, Executive Manager Community, Arts and Culture, Manager <u>Youth and</u> Community Development</li> <li><b>Business Unit:</b> Community, Arts and Culture</li> <li><b>Additional Council Officers:</b> Executive Manager Environmental Compliance, <u>Manager</u></li> </ul>   |  |

|   |  |
|---|--|
| <a href="#">Rangers</a> <a href="#">Executive Manager Parks and Open Space</a><br><b>Business Unit:</b> <a href="#">Environmental Compliance</a><br><ul style="list-style-type: none"> <li><b>Council Executive:</b> Chief Executive Officer, Director Community and <a href="#">Belonging Recreation</a>.</li> </ul> |  |
|---|--|

#### Revision History

| Revision          | Date                       | Status   | TRIM Ref                    |
|-------------------|----------------------------|--|-----------------------------|
| 1                 | 8/5/2018                   | Terms of Reference (TOR) and Charter   | 2018/281599                 |
| 2                 | 23/3/2021                  | 076/21 RESOLVED<br>Notice of Motion 20/2021 – Community Safety Committee Membership                        | 2021/196893                 |
| 3                 | 22/03/2022                 | 065/22 RESOLVED<br>Revision of Terms of Reference and Charter following election of Council                | 2022/089392                 |
| 4                 | 27/09/2022                 | 288/22 RESOLVED<br>Revision of Terms of Reference to include seniors sector representative                 | 2022/526897                 |
| 5                 | 18/04/2023                 | 106/23 RESOLVED<br>Revision of Terms of Reference to include local State and Federal Members of Parliament | 2022/822717                 |
| <a href="#">6</a> | <a href="#">08/10/2024</a> | <a href="#">Revision of Terms of Reference and Charter following election of Council</a>                   | <a href="#">2024/614230</a> |



# Northern Beaches Business and Industry Stakeholder Committee

## Terms of Reference 2024

### 1 NAME

Northern Beaches Business and Industry Stakeholder Committee.

### 2 PURPOSE

The purpose of the Northern Beaches Business and Industry Stakeholder Committee (the Committee) is to provide a high-level industry forum to understand changing economic and business needs and opportunities across the Northern Beaches, and to advocate these to all levels of government.

The Committee will monitor delivery of the 5-year action plans within both the Northern Beaches Economic Development Strategy '*Business on the Beaches*' and Destination Management Plan '*Destination Northern Beaches: Creating a Sustainable Visitor Economy*'. This will include annual monitoring of the 'measures of success' set out in both plans/strategies.

The Committee will provide input at a strategic level on:

- Changing local economic conditions and business confidence
- Emerging industry trends and opportunities
- Business programs and relevant grant funding opportunities
- Progress towards meeting targets and measures in the Economic Development Strategy and Destination Management Plan

The Committee will include representatives of the industry sectors that reflect the economic profile of the Northern Beaches LGA, including larger employers and institutions, to act as a sounding board for research into business conditions. Representatives for local business networks to reflect the needs of micro and home-based businesses, will also be sought. It will also include representatives from NSW Government, such as, Department Enterprise, Investment and Trade, Office of the 24hr Economy, and Transport NSW, to directly hear about and inform policy directions to support local economic development.

The role of the Committee is purely advisory and may not commit Council resources. The Committee will work within the framework of the Community Strategic Plan and does not deal with operational matters. It should be noted that employees of the Council will not be subject to the direction of the Committee or any of its members.

### **3 COMMITTEE CHARTER**

The Northern Beaches Business and Industry Stakeholder Committee operates according to these Terms of Reference and to the relevant Charter. Terms of Reference and Charters are determined by the Chief Executive Officer of Northern Beaches Council and may be amended from time to time. The scope of the Committee is detailed in the respective Charter (refer Attachment 1).

### **4 MEMBERSHIP**

- Membership of the Committee comprises of up to 20 members representing a range of business and stakeholder groups who wish to contribute to the Committee. The membership composition is detailed in the Charter (refer Attachment 1).
- All members of this Committee have an obligation to:
  - Review relevant documents and provide feedback to the Committee where necessary
  - If representing a network or peak agency to represent and reflect the views of that broader agency
  - Objectively consider and actively participate in group deliberations by attending all meetings and facilitated workshops scheduled for the Committee
  - Maintain and respect the confidential nature of the meeting and other members.

### **5 ELIGIBILITY**

- The Mayor and/or up to four (4) Councillors are eligible to nominate for membership on the Committee. Appointments will be determined and endorsed by Council.
- Community representatives and other members of groups / associations must possess such skills, expertise, experience or special affiliation as detailed in the objectives.
- Council will advertise nominations for community representation on the Committee.
- The selection of members will be undertaken in accordance with Council's Policy for Appointment of Committee Members.
- Should a representative vacancy occur during the terms of appointment, a new representative will be selected from eligible applications received from the original call for Expressions of Interest.
- Membership to be reviewed annually and if necessary, will be adjusted in accordance with the recommendation from the Committee.
- If no suitable alternative representatives can be found from the original Expressions of Interest, vacancies would be filled via a further call for Expressions of Interest.

## 6 TERM OF OFFICE

To assist with maintaining effectiveness and the continuity of knowledge within the Committee the terms of Mayor/Councillors and community members have been staggered.

The aim is for established members to provide assistance to incoming Councillors after the council election and 12 months later, reciprocally from Councillors to incoming community members.

- a) The term for Councillors on the Committee is four (4) years following the election of new Council.
- b) The term for other members on the Committee is four (4) years commencing within 12 months after the election of Council.
- c) All Councillor memberships will cease during the election caretaker period. New Councillors should be appointed to Committees at the earliest opportunity following the election.
- d) The terms above are subject to the conclusion of the Committee, when all memberships cease.

## 7 SUPPORT PROVIDED

- a) Council's Place and Economic Development Unit will provide necessary resources to the group. This will include the venue and administrative support such as facilitating and running the meeting, preparation and distribution of the notice of meeting, agenda and the recording of the minutes.
- b) The Place and Economic Development Unit is responsible for managing the committee and will be the main point of contact for members on committee related matters. Specialist staff in the areas of Economic Development, Placemaking and **Tourism**, will be available to provide expertise. The role of these representatives is to provide advice on:
  - Status of current issues
  - Broad policy objectives
  - Local Government regulations and relevant legislation.

## 8 TIMETABLE FOR MEETINGS

- a) The Committee is to meet two (2) times a year.
- b) The meeting will be limited to a maximum of two (2) hours duration unless the Committee resolves to extend the meeting to a particular time or until the completion of business.
- c) The schedule of meeting dates and venues will be provided to the members in advance and an agenda will be provided at least seven (7) days prior to meeting.

## 9 ATTENDANCE AT MEETINGS

- a) All members are expected to attend the meetings, or otherwise tender their apologies to either the Chair or Committee liaison person.
- b) If members are unable to attend - members may delegate their position to another member of their organisation, with the approval of the Chairperson.

- c) No member should be absent for more than two (2) consecutive meetings without first seeking, and being granted leave by the Chair. Without being granted such leave in these circumstances, the person's membership will be re-evaluated.
- d) While other Councillors may attend Committee meetings as observers, the meetings will not be open to other members of the public.
- e) On the invitation of the Chair, individuals or organisational representatives may be invited to attend a meeting in a one off guest capacity for the purposes of giving presentations or providing specific advice or expertise.

## **10 MEETING PRACTICES AND PROCEDURES**

- a) The Council will ensure that each meeting is properly recorded with the use of minutes.
- b) Meeting minutes will be reported to Councillors by a method as determined by the Chief Executive Officer.
- c) The quorum for each meeting will be one half plus the Mayor or another Councillor. If a quorum is not present within 30 minutes within the commencement time of the meeting, it will become an informal meeting with no recommendations or decisions made.
- d) The Mayor is the Chair of the Committee or their nominated representative.
- e) The Chair directs the progress of the Committee meeting. Subject to any determination by the Chair, each item is to be dealt with in the order in which it appears on the agenda.
- f) The Chair role is to facilitate the conduct of the meetings and ensure the Committee focuses on its primary goal and objectives.
- g) This Committee is advisory in purpose and should have the intention of reaching consensus when endorsing items and recommendations. It has no authority to make decisions on behalf of Council.
- h) It will be at the discretion of the Chair when a matter is to be put to the vote. In such circumstances voting is to be by way of a show of hands. For a vote to be carried the matter must be supported by a majority of members present, with the Chair having a casting vote in the event the vote is tied.

## **11 MODEL CODE OF CONDUCT FOR COMMITTEES**

- a) All members of the Committee are required to observe Council's Code of Conduct and any other policy or requirement applicable to the proper functioning of the committee.
- b) Members shall act in a professional and responsible manner with the information they obtain.
- c) Members must respect each other (often despite differences) and work together to create an open and trusting atmosphere. The group requires openness and honesty in order to function well and members should feel free to express their opinions and views without fear of recrimination.
- d) A breach of the Terms of Reference may lead to the member being removed from the Committee by the Chair.
- e) Members of Committee do not have the authority to make representations to the media on Council or the Committee's' behalf. In accordance with Council's Media



Policy, the Mayor is the only person permitted to speak to the media on behalf of the Council and the Committee.

- f) Conflicts of Interest: Council recognises that community representatives join such Groups and Committees because of special interests they may have, and Council welcomes their expertise. Nevertheless, it is important that Council understands the basis of advice it receives from the Groups, so members will be requested to declare any organisation they may represent. Disclosures of Conflicts of Interest, particularly pecuniary interests need to be made by members of the Group and recorded in the minutes in accordance with Parts 4 and 5 of the Code of Conduct.
- g) Confidentiality and Privacy: Members may have contact with confidential or personal information retained by Council or other agencies. If so, members are required to maintain the security of any confidential or personal information and not access, unless the member is authorised to do so.

## 12 COUNCIL VALUES

All members of the Committee and all meeting attendees are expected to observe Northern Beaches Council Values outlined below:

- **Trust**: Because being open brings out our best.
- **Integrity**: Because we are proud to doing what we say.
- **Teamwork**: Because working together delivers.
- **Service**: Because we care as custodians for the community.
- **Respect**: Because valuing everyone is how we make a difference.

## 13 NEXT REVIEW DATE:

- This Terms of Reference will be reviewed prior to the establishment of a new Committee.
- Amendments to this Terms of Reference may only be determined by Council.

| ATTACHMENT 1   |  |
|--|--|
| CHARTER: Northern Beaches Business and Industry Committee  |  |
| <p><b>Established:</b> late 2023</p>   | <p><b>Function:</b> To provide a high level industry forum to understand changing economic and business needs and opportunities across the Northern Beaches, and to advocate these to all levels of government. Committee to include representatives of the industry sectors that reflect the economic profile of the LGA to act as a sounding board for research into business conditions.</p>  |
| <p><b>Stakeholder Representative Term:</b></p> <ul style="list-style-type: none"> <li>• <b>Mayor/Councillors:</b> Appointment for four (4) years or until election caretaker period.</li> <li>• <b>Community and Stakeholder Representatives:</b> Appointment for four (4) years including one (1) year following council election.</li> </ul>   |  |
| <p><b>Quorum and Voting</b></p> <ul style="list-style-type: none"> <li>• The quorum for each meeting will be one + half plus the Mayor or another Councillor.</li> <li>• If a quorum is not present within 30 minutes within the commencement time of the meeting, the meeting shall become an informal meeting with no recommendations or decisions made.</li> <li>• The Committee should have the intention of reaching consensus when endorsing items and recommendations.</li> </ul> | <p><b>Composition/Membership</b></p> <p>Membership of the Committee comprises of up to 20 representatives of industry, business organisations and NSW Government agencies.</p> <p>The Chairperson is the Mayor or their nominated delegate on this group and Deputy Chair as elected by the Mayor. The following Council members will be appointed:</p> <ul style="list-style-type: none"> <li>• Mayor (Chair) and four (4) appointed Councillors (1 per Ward)</li> </ul> <p>The group will consist of up to 10 industry representatives, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Tourism sector (major Hotel and/or tourism operator)</li> <li>• Hospitality and Arts sector (Large Food and Beverage or Entertainment organization)</li> <li>• Manufacturing/Innovation sector (Pharmaceutical or High-tech)</li> <li>• Health Care sector (hospital or aged care provider)</li> <li>• Community Services and Social Enterprise (disability employment provider)</li> <li>• Construction sector (construction company or association)</li> <li>• Tertiary Education Sector (College/Tafe)</li> </ul> <p>Representatives from local business networks also sought to reflect needs of micro businesses.</p> <p>NSW Government agencies, such as Destination NSW, Department of Enterprise, Investment, Office of the 24hr Economy and Trade and Transport NSW, invited to join to update on key strategies and policies.</p> |
| <p><b>Reporting Procedures:</b></p> <p>Meeting minutes will be reported to Councillors by a method as determined by the Chief Executive Officer.</p>   |  |
| <p><b>Meetings:</b></p> <ul style="list-style-type: none"> <li>• The Committee are to meet two (2) times throughout the year.</li> <li>• The schedule of meeting dates will be distributed at the formation of the Committee.</li> <li>• Agenda items, time and venue will be provided to the members in an agenda at least seven (7) days prior to the meeting.</li> </ul>  |  |

|  |  |
|--|--|
| <p><b>Ex Officio Advisors:</b> Officers of Government and Statutory Corporations or other advisors as required.</p> <ul style="list-style-type: none"> <li>• Lead Council Officer: Manager Place and Economic Development</li> <li>• Business Unit: Place and Economic Development</li> <li>• Additional Council Officers: Economic Development Advisor, Team Leader Place Making, <b>Tourism and Destination Specialist.</b></li> </ul> | <p><b>Council Members Appointed:</b></p> |
|--|--|

#### Revision History

| Revision | Date           | Status                               | TRIM Ref    |
|----------|----------------|--------------------------------------|-------------|
| 1        | 10/7/2023      | Terms of Reference (TOR) and Charter | 2023/426682 |
| 2        | September 2024 | Review for new term of Council       | 2023/426682 |

## **DRAFT Code of Meeting Practice – review July 2024**

### **Contents**

|   |                                       |
|---|---------------------------------------|
| 1 Introduction .....                                    | 2                                     |
| 2 Meeting Principles .....                              | 3                                     |
| 3 Definitions .....                                     | 4                                     |
| 4 Before the Meeting .....                              | 5                                     |
| 5 Public Forum and Public Address .....                 | 10                                    |
| 6 Coming Together .....                                 | <del>13</del> <u>13</u> <del>13</del> |
| 7 The Chairperson .....                                 | <del>19</del> <u>19</u> <del>19</del> |
| 8 Modes of Address .....                                | <del>20</del> <u>20</u> <del>20</del> |
| 9 Order of Business for Ordinary Council Meetings ..... | <del>21</del> <u>21</u> <del>21</del> |
| 10 Consideration of Business at Council Meetings .....  | <del>22</del> <u>22</u> <del>22</del> |
| 11 Rules of Debate .....                                | <del>25</del> <u>25</u> <del>25</del> |
| 12 Voting .....   | <del>28</del> <u>28</u> <del>28</del> |
| 13 Committee of the Whole .....                         | <del>30</del> <u>30</u> <del>30</del> |
| 14 Dealing with Items by Exception .....                | <del>31</del> <u>31</u> <del>31</del> |
| 15 Closure of Council Meetings to the Public .....      | <del>32</del> <u>32</u> <del>32</del> |
| 16 Keeping Order at Meetings .....                      | <del>36</del> <u>36</u> <del>36</del> |
| 17 Conflicts of Interest .....                          | <del>40</del> <u>40</u> <del>40</del> |
| 18 Decisions of the Council .....                       | <del>41</del> <u>41</u> <del>41</del> |
| 19 Time Limits on Council Meetings .....                | <del>43</del> <u>43</u> <del>43</del> |
| 20 After the Meeting .....                              | <del>44</del> <u>44</u> <del>44</del> |
| 21 Council Committees .....                             | <del>46</del> <u>46</u> <del>46</del> |
| 22 Irregularities .....                                 | <del>49</del> <u>49</u> <del>49</del> |
| Appendix One – Procedural Motions .....                 | <del>50</del> <u>50</u> <del>50</del> |
| Version Control .....                                   | <del>51</del> <u>51</u> <del>51</del> |

**Style Definition:** CLAUSE

**Style Definition:** a) style: Indent: Left: 0 cm, Hanging: 1.25 cm

**Style Definition:** Sub Heading

**Style Definition:** TOC 1: Tab stops: 16.98 cm, Right, Leader: ...

1 Introduction

This Code of Meeting Practice is prescribed under section 360 of the Local Government Act 1993 (the Act) and the Local Government (General) Regulation 2021 (the Regulation).

This code applies to all meetings of council and committees of council of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

## 2 Meeting Principles

2.1 Council and committee meetings should be:

|                    |   |
|--------------------|---|
| <b>Transparent</b> | Decisions are made in a way that is open and accountable.   |
| <b>Informed</b>    | Decisions are made based on relevant, quality information.  |
| <b>Inclusive</b>   | Decisions respect the diverse needs and interests of the local community.   |
| <b>Principled</b>  | Decisions are informed by the principles prescribed under Chapter 3 of the Act.   |
| <b>Trusted</b>     | The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community. |
| <b>Respectful</b>  | Councillors, staff and meeting attendees treat each other with respect.   |
| <b>Effective</b>   | Meetings are well organised, effectively run and skilfully chaired.   |
| <b>Orderly</b>     | Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.                  |

### 3 Definitions

|                                      |   |
|--------------------------------------|---|
| <b>chief executive officer</b>       | means the person who carries out the role of the general manager of a council in accordance with the Local Government Act 1993.   |
| <b>the Act</b>                       | means the Local Government Act 1993.  |
| <b>the Regulation</b>                | means the Local Government (General) Regulation 2021.   |
| <b>audio-visual link</b>             | means a facility that enables audio and visual communication between persons at different places  |
| <b>act of disorder</b>               | means an act of disorder as defined in clause 16.11 of this code.   |
| <b><u>addition</u></b>               | <u>in relation to a motion, a change or addition, accepted by the mover and seconder.</u>   |
| <b>amendment</b>                     | in relation to an original motion, means a motion moving an amendment to that motion.   |
| <b>business day</b>                  | means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales.   |
| <b>chairperson</b>                   | in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 7.1 and 7.2 of this code; and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 21.11 of this code.   |
| <b>this code</b>                     | means the council's adopted code of meeting practice  |
| <b>committee of council</b>          | means a committee established by the council in accordance with clause 21.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 13.1.   |
| <b>council official</b>              | has the same meaning as in the Model Code of Conduct for Local Councils in NSW and includes councillors, administrators, council staff, council committee members and delegates of the council.   |
| <b>day</b>                           | means calendar day  |
| <b>division</b>                      | means a request by two councillors under clause 12.6 of this code requiring the recording of the names of the councillors who voted both for and against a motion.  |
| <b>foreshadowed amendment</b>        | means a proposed amendment foreshadowed by a councillor under clause 11.18 of this code during debate on the first amendment.   |
| <b>foreshadowed motion</b>           | means a motion foreshadowed by a councillor under clause 11.17 of this code during debate on an original motion.  |
| <b>open voting</b>                   | means voting on the voices or by a show of hands or by a visible electronic voting system or similar means.   |
| <b>planning decision</b>             | means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979 including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 2A of Part 6 of that Act. |
| <b>performance improvement order</b> | means an order issued under section 438A of the Act.  |
| <b>quorum</b>                        | means the minimum number of councillors or committee members necessary to conduct a meeting.  |
| <b>year</b>                          | means the period beginning 1 July and ending the following 30 June.   |

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: 10 pt

Formatted: Font: Not Italic

## 4 Before the Meeting

### Timing of ordinary council meetings

Formatted: Font: Not Italic

4.1 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

**Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.**

### Extraordinary meetings

Formatted: Font: Not Italic

4.2 If the mayor receives a request in writing, signed by at least two councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

**Note: Clause 4.2 reflects section 366 of the Act.**

4.3 The mayor or the chief executive officer, in consultation with the mayor, may call an extraordinary meeting without the need to obtain the signature of two councillors to consider urgent business.

4.4 For the purpose of clause 4.3, urgent business is any matter that, in the opinion of the mayor or the chief executive officer, requires a decision by the council before the next scheduled ordinary meeting of the council.

### Notice to the public of council meetings

Formatted: Font: Not Italic

4.5 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

**Note: Clause 4.5 reflects section 9(1) of the Act.**

4.6 For the purposes of clause 4.5, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

4.7 For the purposes of clause 4.5, notice of more than one meeting may be given in the same notice.

### Notice to councillors of ordinary council meetings

Formatted: Font: Not Italic

4.8 The chief executive officer must send to each councillor, at least three days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

**Note: Clause 4.8 reflects section 367(1) of the Act.**

4.9 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

**Note: Clause 4.9 reflects section 367(3) of the Act.**

### Notice to councillors of extraordinary meetings

Formatted: Font: Not Italic



4.10 Notice of less than three days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

**Note: Clause 4.10 reflects section 367(2) of the Act.**

#### **Giving notice of business to be considered at council meetings**

Formatted: Font: Not Italic

4.11 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted by noon, 7 days before the meeting is to be held.

4.12 A councillor is not permitted to submit a notice of motion under clause 4.11 that comprises a complaint against the chief executive officer or a member of staff of the council, or that implies wrongdoing by the chief executive officer or a member of staff of the council.

4.132 A councillor may, in writing to the chief executive officer, request the withdrawal of a notice of motion or question on notice submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

4.143 The first two notices of motion submitted by each councillor will be dealt with in the order they are received at an ordinary meeting. Any subsequent notices of motion will be dealt with in the order they are received once all of the councillors' first two notices of motion have been put to the meeting.

4.154 If the chief executive officer considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the chief executive officer may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.

4.165 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. Councillors should liaise with the chief executive officer for assistance in costing notices of motion and identifying potential funding sources in sufficient time to complete the notice of motion and meet the deadline in clause 4.11. If the notice of motion does not identify a funding source, the chief executive officer must either:

- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
- (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Formatted: Indent: Hanging: 0.75 cm

4.167 If a councillor wishes to include a photograph or image in the business papers with their notice of motion, councillors must provide appropriate evidence supporting copyright approval for use of the images to the chief executive or their delegate.

#### **Questions with notice**

Formatted: Font: Not Italic

4.178 A councillor may, by way of a notice submitted under clause 4.11, ask a question for response by the chief executive officer about the performance or operations of the council.

4.189 A councillor is not permitted to ask a question with notice under clause 4.178 that comprises a complaint against the chief executive officer or a member of staff of the council, or a question that implies wrongdoing by the chief executive officer or a member of staff of the council.

4.1920 The chief executive officer or their nominee may respond to a question with notice submitted under clause 4.187 by way of a report included in the business papers for the relevant meeting, or orally at the meeting. If the preparation of a response is likely to divert significant time and resources of staff the response will be provided no later than the third ordinary meeting of council following the meeting that the question was published.

#### **Agenda and business papers for ordinary meetings**

Formatted: Font: Not Italic

4.201 The chief executive officer must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.

4.242 The chief executive officer must ensure that the agenda for an ordinary meeting of the council states:

- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
- (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
- (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
- (d) any business of which due notice has been given under clause 4.11.

4.232 Nothing in clause 4.242 limits the powers of the mayor to put a mayoral minute to a meeting under clause 10.9.

4.234 The chief executive officer must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the chief executive officer, the business is, or the implementation of the business would be, unlawful. The chief executive officer must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

4.245 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the chief executive officer, is likely to take place when the meeting is closed to the public, the chief executive officer must ensure that the agenda of the meeting:

- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

**Note: Clause 4.254 reflects section 9(2A)(a) of the Act.**

4.256 The chief executive officer must ensure that the details of any item of business which, in the opinion of the chief executive officer, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

#### **Statement of ethical obligations**

Formatted: Font: Not Italic

4.267 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

#### **Availability of agenda and business papers to the public**

Formatted: Font: Not Italic

**4.278** Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

**Note: Clause 4.278 reflects section 9(2) and (4) of the Act.**

**4.289** Clause 4.278 does not apply to the business papers for items of business that the chief executive officer has identified under clause 4.234 as being likely to be considered when the meeting is closed to the public.

**Note: Clause 4.289 reflects section 9(2A)(b) of the Act.**

**4.2930** For the purposes of clause 4.278, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

**Note: Clause 4.2930 reflects section 9(3) of the Act.**

**4.301** A copy of an agenda, or of an associated business paper made available under clause 4.278, may in addition be given or made available in electronic form.

**Note: Clause 4.301 reflects section 9(5) of the Act.**

#### **Agenda and business papers for extraordinary meetings**

Formatted: Font: Not Italic

**4.312** The chief executive officer must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.

**4.332** Despite clause 4.301, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

**4.334** A motion moved under clause 4.323(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

**4.345** Despite clauses 11.21–11.31, only the mover of a motion moved under clause 4.323(a) can speak to the motion before it is put.

**4.365** A motion of dissent cannot be moved against a ruling of the chairperson under clause 4.332(b) on whether a matter is of great urgency.

#### **Pre-meeting briefing sessions**

Formatted: Font: Not Italic

**4.367** Prior to each ordinary meeting of the council, the chief executive officer may arrange a pre-meeting briefing session to brief councillors on the items of business to be considered at the meeting. The pre-meeting session may include other matters as determined by the chief executive officer including, but not limited to, legal briefings and staff reports deferred from previous council meetings for further discussion. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.

**4.378** Pre-meeting briefing sessions are to be held in the absence of the public.

**4.389** The chief executive officer or a delegate nominated by the chief executive officer is to preside at pre-meeting briefing sessions.

4.3940 Councillors (including the mayor) are to make all reasonable efforts to attend pre-meeting briefing sessions.

4.401 Councillors (including the mayor) must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.

4.412 It is the responsibility of councillors (including the mayor) to declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

Formatted: Font: Not Italic

## 5 Public Forum and Public Address

Formatted: Font: Not Italic

### Public forum

~~54.43.4~~ A public forum will be conducted at each ordinary council meeting for a period of 30 minutes (maximum of 10 speakers at 3 minutes each).

~~4.445.2~~ A public forum should not be used to raise routine questions, routine matters or routine complaints. Such matters should be forwarded in writing to council where they will be responded to by appropriate council officers.

~~4.455.3~~ Any question to council must be submitted with the request to address council and will be reviewed by staff prior to the meeting:

- (a) If the question is deemed to be a routine matter it will be processed as a customer request and a response will be provided in accordance with customer service standards.
- (b) If the question is accepted staff and councillors are under no obligation to answer questions ~~at the meeting~~ however a written response will be provided in accordance with customer service standards.

~~4.465.4~~ The order of speakers at the public forum is determined by the order of receipted applications.

### Public address

Formatted: Font: Not Italic

~~5.51~~ Following the public forum, the council will hold a public address at each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business, being mayoral minutes, reports to council and notices of motion, to be considered at the meeting. Public addresses may also be held at extraordinary council meetings and meetings of committees of the council if included on the order of business.

~~5.62~~ No more than two speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting. The order of speakers for each item is determined by the order of receipted "for" and "against" applications.

~~5.73~~ Councillors (including the mayor) must disclose and manage any conflicts of interest they may have in relation to any item of business at public address.

### Conducting the public forum and public address

Formatted: Font: Not Italic

~~5.84~~ For each meeting, a person may apply to speak during a public address on no more than two items of business on the agenda of the council meeting and no more than once at a public forum.

~~5.95~~ Legal representatives acting on behalf of others are not to be permitted to speak at a public address or public forum unless they identify their status as a legal representative when applying to speak at the public address.

~~5.496~~ To speak at the public forum or public address, a person must first make an application to the council in the approved form. Applications to speak open when the business papers are published and must be received by 5pm on the business day prior to the date on which the council meeting is to be held, and must identify:

- (a) the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item, or
- (b) the subject matter of what they would like to speak to at the public forum
- (c) whether they wish to attend in person or provide a written statement for staff to read.

5.447 The chief executive officer or their delegate may refuse an application to speak at the public forum or public address for the following reasons:

- (a) the application does not meet the requirements of the Code of Meeting Practice
- (b) there is a genuine and demonstrable concern relating to the applicant or their dealings with council or their intentions.

5.428 Speakers may use and distribute information such as photos, maps and petitions to councillors in support of their address if submitted to and approved by the chief executive officer or their delegate by 12 noon on the day of the meeting.

5.439 Each speaker will be allowed three minutes to address the council. This time is to be strictly enforced by the chairperson with no extensions given.

5.4410 Speakers at the public forum or public address must not digress from the item on the agenda of the council meeting or the subject matter they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

5.4511 A councillor (including the chairperson) may through the chairperson, for the purpose of clarification only, ask a question of a speaker following their address at the public forum or public address. A question put to a speaker must be direct, succinct and without argument. Once the speaker has answered any questions there will be no further debate on the matter.

5.4612 Speakers are under no obligation to answer a question put under clause 5.115. Answers by the speaker, to each question are to be limited to two minutes per question. A maximum of two questions may be asked of a speaker.

5.173 Speakers at the public forum or public address may ask questions of the council, councillors or council staff. Councillors or council staff are under no obligation to answer questions at the public forum or public address and a written response to questions will may be provided in accordance with customer service standards.

5.184 When addressing the council, speakers must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.

5.195 If the chairperson considers that a speaker has engaged in conduct of the type referred to in clause 5.184, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.

5.2016 Clause 5.195 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at the public forum or public addresses in accordance with the provisions of Part 16 of this code.

5.2417 Where a speaker engages in conduct of the type referred to in clause 5.184, the chief executive officer or their delegate may refuse further applications from that person to speak at the public forum or public addresses for such a period as the chief executive officer or their delegate considers appropriate.

Formatted: Font: Not Italic

#### Invited speakers

5.2218 Other parties may be permitted to address an ordinary meeting of council subject to:

- (a) Notice of that person's attendance at the meeting being included by the chief executive officer on the relevant business paper or advised to councillors via a memo prior to the meeting.
- (b) Public forum or address not being considered the most appropriate forum in which to hear that person(s).
- (c) Not more than ten (10) minutes in total being provided at any ordinary council meeting to hear such person(s).

## 6 Coming Together

### Attendance by councillors at meetings

Formatted: Font: Not Italic

6.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

**Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.**

6.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this Code.

6.3 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

6.4 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

6.5 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.

6.6 A councillor's civic office will become vacant if the councillor is absent from three consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because he or she has been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

**Note: Clause 6.6 reflects section 234(1)(d) of the Act.**

6.7 A councillor who intends to attend a meeting of the council despite having been granted leave of absence should, if practicable, give the chief executive officer at least two days' notice of their intention to attend.

### The quorum for a meeting

Formatted: Font: Not Italic

6.8 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

**Note: Clause 6.8 reflects section 368(1) of the Act.**

6.9 Clause 6.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

**Note: Clause 6.9 reflects section 368(2) of the Act.**

6.10 A meeting of the council must be adjourned if a quorum is not present:

- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
- (b) within half an hour after the time designated for the holding of the meeting, or
- (c) at any time during the meeting.



6.11 In either case, the meeting must be adjourned to a time, date and place fixed:

- (a) by the chairperson, or
- (b) in the chairperson's absence, by the majority of the councillors present, or
- (c) failing that, by the chief executive officer.

6.12 The chief executive officer must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.

6.13 If during a meeting of council or a committee, a quorum is not present, the chairperson shall suspend the proceedings for a period of **five** minutes. If a quorum is not then present at the end of the **five**-minute suspension, the provisions of Clause 6.11 shall apply.

6.14 If the meeting is to resume on another day any decisions of council made prior to the lapsing of the meeting are to be ~~implemented acted upon by the chief executive officer staff~~ and do not need to await the resumption of the adjourned meeting. Unless resolved otherwise, it is council's practice not to implement decisions of the council until 12 noon on the working day following the day on which the meeting was adjourned.

The outstanding items are to be resubmitted to the adjourned meeting for determination.

6.15 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster, or a public health emergency, the mayor may, in consultation with the chief executive officer and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

6.16 Where a meeting is cancelled under clause 6.15, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 4.2.

#### Meetings held by audio-visual link

Formatted: Font: Not Italic

- 6.17 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the chief executive officer and, as far as is practicable, with each councillor.
- 6.18 Where the mayor determines under clause 6.17 that a meeting is to be held by audio-visual link, the chief executive officer must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
  - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
  - (c) cause a notice to be published on the council's website and in such other manner the chief executive officer is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 6.19 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

**Note: Where a council holds a meeting by audio-visual link under clause 6.17, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.**

#### Attendance by councillors at meetings by audio-visual link

Formatted: Font: Not Italic

- 6.20 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee.
- 6.21 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing in the approved form to the mayor / chairperson, chief executive officer or their delegate by 12 noon on the day of the meeting and provide the reasons why the councillor will be prevented from attending the meeting in person.
- 6.22 The chairperson of the meeting must be personally present in order to chair the meeting where there are councillors participating in person and by remote audio visual link. Where the mayor is not personally present, the provisions outlined in clause 7.1 and 7.2 will apply.

Formatted: Font: Not Italic

- 6.23 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 6.20.
- 6.24 The council must comply with the Health Privacy Principles prescribed under the Health Records and Information Privacy Act 2002 when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 6.25 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 6.26 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state:
- (a) the meetings the resolution applies to, and
  - (b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.
- 6.27 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 6.28 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.
- 6.29 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 6.30 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 6.31 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting-to be recorded as present in the minutes. Should a councillor have their video turned off, it will be assumed they are absent from the meeting.
- 6.32 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Formatted: Font: Not Italic

- 6.33 Councillors attending a meeting by audio-visual link must cast their vote verbally and by show of hand. The use of software icons and emojis will not be recorded as a vote and will be recorded as 'Abstained from vote'.
- 6.34 Councillors attending the meeting remotely are responsible for ensuring their internet connection is adequate to support audio-visual attendance. A councillor experiencing a technical outage will be recorded as absent for the purpose of the meeting and will not be able to participate by other 'remote' means (such as by telephone).
- 6.35 Councillors attending a meeting by audio-visual link must ensure that no other person is in within sight or hearing of the meeting at any time that the meeting has been closed to the public under section 10A of the Local Government Act.
- 6.36 The mayor / chairperson or a staff member (at the direction of the mayor / chairperson) may mute a councillor's audio link to the meeting to ensure sound quality, or maintain order of the meeting.

#### **Entitlement of the public to attend council meetings**

Formatted: Font: Not Italic

6.37 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

**Note: Clause 6.437 reflects section 10(1) of the Act.**

6.38 Clause 6.437 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

6.39 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

**Note: Clause 6.439 reflects section 10(2) of the Act.**

#### **Webcasting of meetings**

Formatted: Font: Not Italic

6.40 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.

6.41 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:

- (a) the meeting is being recorded and made publicly available on the council's website, and
- (b) persons attending the meeting should refrain from making any defamatory statements.

6.42 The recording of a meeting is to be made publicly available on the council's website:

- (a) at the same time as the meeting is taking place, or
- (b) as soon as practicable after the meeting.

6.43 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.

6.44 Clauses 6.22 and 6.23 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

**Note: Clauses 6.40 – 6.44 reflect section 236 of the Regulation.**

6.45 Recordings of meetings may be disposed of in accordance with the State Records Act 1998.

Formatted: Font: Not Italic

**Attendance of the chief executive officer and other staff at meetings**

Formatted: Font: Not Italic

6.46 The chief executive officer is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

**Note: Clause 6.46 reflects section 376(1) of the Act.**

6.47 The chief executive officer is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

**Note: Clause 6.47 reflects section 376(2) of the Act.**

6.48 The chief executive officer may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the chief executive officer or the terms of employment of the chief executive officer.

**Note: Clause 6.48 reflects section 376(3) of the Act.**

6.49 The attendance of other council staff at a meeting, (other than as members of public) shall be with the approval of the chief executive officer.

## 7 The Chairperson

### The chairperson at meetings

Formatted: Font: Not Italic

7.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

**Note: Clause 7.1 reflects section 369(1) of the Act.**

7.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

**Note: Clause 7.2 reflects section 369(2) of the Act.**

### Election of the chairperson in the absence of the mayor and deputy mayor

Formatted: Font: Not Italic

7.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

7.4 The election of chairperson must be conducted:

- (a) by the chief executive officer or, in their absence, an employee of the council designated by the chief executive officer to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the chief executive officer nor a designated employee is present at the meeting, or if there is no chief executive officer or designated employee.

7.5 If, at an election of a chairperson, two or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

7.6 For the purposes of clause 7.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

7.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

7.8 Any election conducted under clause 7.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

### Chairperson to have precedence

Formatted: Font: Not Italic

7.9 When the chairperson rises or speaks during a meeting of the council:

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

## 8 Modes of Address

- | 8.1 If the chairperson is the mayor, they are to be addressed as 'Mayor', 'Mr Mayor' or 'Madam Mayor'.
- | 8.2 Where the chairperson is not the mayor, they are to be addressed as either 'Chairperson', 'Mr Chairperson' or 'Madam Chairperson'.
- 8.3 A councillor is to be addressed as 'Councillor [surname]'.  
8.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].  
8.5 A councillor shall address all remarks or questions, either through or to the chairperson.

9 Order of Business for Ordinary Council Meetings

9.1 The general order of business for an ordinary meeting of the council shall be:

- 01 Acknowledgement of country
- 02 Apologies and applications for leave of absence and remote attendance by councillors
- 03 Confirmation of minutes
- 04 Disclosures of interests
- 05 Public forum and public address
- 06 Items resolved by exception
- 07 Mayoral minute(s)
- 08 Reports to council
- 09 Notices of motions
- 10 Matters of urgency
- 11 Notices of rescission
- 12 Questions with notice
- 13 Responses to questions
- 14 Confidential matters

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

9.2 The order of business as fixed under clause 9.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: The chairperson will have regard to attendance of members of the public and may, where the chairperson considers appropriate, move a motion to change the order of business so as not to unreasonably delay the consideration of matters of interest to the attending public.

**Note: Part 14 allows council to deal with items of business by exception.**

9.3 Despite clauses 11.21-11.31, only the mover of a motion referred to in clause 9.2 may speak to the motion before it is put.



## 10 Consideration of Business at Council Meetings

### Business that can be dealt with at a council meeting

Formatted: Font: Not Italic

10.1 The council must not consider business at a meeting of the council:

- (a) unless a councillor has given notice of the business, as required by clause 4.11, and
- (b) unless notice of the business has been sent to the councillors in accordance with clause 4.8 in the case of an ordinary meeting and clause 4.10 in the case of an extraordinary meeting called in an emergency.

10.2 Clause 10.1 does not apply to the consideration of business at a meeting, if the business:

- (a) is already before, or directly relates to, a matter that is already before the council, or
- (b) is the election of a chairperson to preside at the meeting, or
- (c) subject to clause 10.9, is a matter or topic put to the meeting by way of a mayoral minute, or
- (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.

10.3 Despite clause 10.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

10.4 A motion moved under clause 10.3(a) can be moved without notice. Despite clauses 11.20-11.30, only the mover of a motion referred to in clause 10.3(a) can speak to the motion before it is put.

10.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 10.3(b).

### Late items

Formatted: Font: Not Italic

10.6 In exceptional circumstances reports not listed for consideration on the business paper may be tabled at an ordinary meeting. The chief executive officer is authorised to submit late agenda items.

10.7 Late reports should only be brought forward in the case of necessity and urgency, on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council, and are to be forwarded to councillors via email no later than 12 noon on the day prior to the meeting at which the item is to be considered.

10.8 For matters not listed on the agenda of meetings and where less than three days' notice has been provided in accordance with clause 4.8, a motion of urgency will need to be passed by the council prior to the matter being considered. The motion of urgency is to include the reason why the matter is considered to be urgent.

### Mayoral minutes

Formatted: Font: Not Italic

10.9 Subject to clause 10.12, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of council, or of which the council has official knowledge.

10.10 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.

10.11 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

10.12 A mayoral minute must not be used to put without notice (in accordance with clauses 4.8 and 4.10) matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council or is considered by the mayor to have currency and importance.

10.13 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. The mayor should liaise with the chief executive officer for assistance in costing a mayoral minute and identifying potential funding sources. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the chief executive officer on the availability of funds for implementing the recommendation if adopted.

#### **Staff reports**

Formatted: Font: Not Italic

10.14 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

#### **Reports of committees of council**

Formatted: Font: Not Italic

10.15 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.

10.16 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

#### **Questions**

Formatted: Font: Not Italic

10.17 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 4.11 and 4.16.

10.18 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.

10.19 A councillor may, through the chief executive officer, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the chief executive officer at the direction of the chief executive officer.

10.20 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.

10.21 The councillor must put questions directly, succinctly, respectfully and without argument.

10.22 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question, including questions with notice asked in accordance with clause 4.16<sup>8</sup>, put to a councillor or council employee.



## 11 Rules of Debate

### Motions to be seconded

Formatted: Font: Not Italic

11.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

### Notices of motion

Formatted: Font: Not Italic

11.2 A councillor who has submitted a notice of motion under clause 4.11 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.

11.3 If a councillor who has submitted a notice of motion under clause 4.11 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council. Councillors are encouraged to withdraw their motion prior to public address at the meeting.

11.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:

- (a) any other councillor may move the motion at the meeting, or
- (b) the chairperson may defer the motion until the next meeting of the council at which the motion can be considered.

11.5 Where multiple councillors have submitted a joint notice of motion, only one mover and one seconder will be recorded in the minutes.

### Chairperson's duties with respect to motions

Formatted: Font: Not Italic

11.6 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.

11.7 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.

11.8 Before ruling out of order a motion or an amendment to a motion under clause 11.7, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

11.9 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

### Motions requiring the expenditure of funds

Formatted: Font: Not Italic

11.10 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. Councillors should liaise with the chief executive officer for assistance in costing notices of motion and identifying potential funding sources in sufficient time to complete the notice of motion and meet the deadline in clause 4.11. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the chief executive officer on the availability of funds for implementing the motion if adopted.

### Amendments and additions to motions

Formatted: Font: Not Italic

11.11 An addition to a motion may be made after the motion has been moved and seconded.

11.142 An amendment to a motion must be moved and seconded before it can be debated.

11.123 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.

11.134 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.

11.4415 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one motion and one proposed amendment can be before council at any one time.

11.156 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.

11.167 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.

11.178 Without limiting clause 11.11 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion and the seconder.

Note: Where possible, it is helpful for proposed amendments to be circulated in advance of the meeting to allow the chief executive officer to consider any legal, strategic, financial or policy implications.

#### **Foreshadowed motions**

Formatted: Font: Not Italic

11.48-19 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.

11.49-20 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.

11.20-21 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

#### **Limitations on the number and duration of speeches**

Formatted: Font: Not Italic

11.242 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and to any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.

11.223 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.

11.234 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than three minutes at any one time.

11.245 Despite clause 11.234, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment and for longer than five minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.

11.257 Despite clause 11.235, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.

Note: Council resolved on ~~29 May 2019 (Resolution 170/19)~~ (resolution to be updated) that as a matter of efficiency in Council meetings, there be a standing reduction applied to all councillor speeches from five minutes to three minutes with the option of an additional two minutes to conclude a speech where resolved by Council.

11.268 Despite clauses 11.244 and 11.225, a councillor may move that a motion or an amendment be now put:

- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
- (b) if at least two councillors have spoken in favour of the motion or amendment and at least two councillors have spoken against it.

11.279 The chairperson must immediately put to the vote, without debate, a motion moved under clause 11.268. A seconder is not required for such a motion.

11.2830 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 11.244.

11.2931 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.

11.302 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.

11.343 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

## 12 Voting

### Voting entitlements of councillors

12.1 Each councillor is entitled to one vote.

**Note: Clause 12.1 reflects section 370(1) of the Act.**

12.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

**Note: Clause 12.2 reflects section 370(2) of the Act.**

12.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

### Voting at council meetings

12.4 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

12.5 If a councillor who has voted against a motion put at a council meeting so requests, the Chief Executive Officer must ensure that the councillor's dissenting vote is recorded in the council's minutes.

12.6 The decision of the chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.

12.7 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The Chief Executive Officer must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.

12.8 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 12.4 of this code.

12.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

12.10 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

### Voting on planning decisions

12.11 The chief executive officer must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.

12.12 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.

12.13 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.

12.14 Clauses 12.11–12.13 apply also to meetings that are closed to the public.

**Note: Clauses 12.11–12.13 reflect section 375A of the Act.**

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic





## 13 Committee of the Whole

13.1 The council may resolve itself into a committee to consider any matter before the council.

**Note: Clause 13.1 reflects section 373 of the Act.**

13.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

**Note: Clauses 11.21-11.31 limit the number and duration of speeches.**

13.3 The chief executive officer or, in the absence of the chief executive officer, an employee of the council designated by the chief executive officer, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

13.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

## 14 Dealing with Items by Exception

14.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.

14.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 14.1, the chairperson must list the items of business to be adopted and ask councillors to identify any of the individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.

14.3 The council or committee must not resolve to adopt any item of business under clause 14.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.

14.4 Where a councillor wishes to commend council staff on an item of business due to be adopted under clause 14.1 a notation in the minutes can be included at the discretion of the chief executive officer. If councillors wish to include specific wording this must be submitted to the chief executive officer by 12 noon on the working day following the meeting.

14.5 Where the consideration of multiple items of business together under clause 14.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 9.2.

14.6 A motion to adopt multiple items of business together under clause 14.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.

14.7 Items of business adopted under clause 14.1 are to be taken to have been unanimously adopted.

14.8 Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a report that councillor should remove themselves from the council chamber and not vote on the resolution to adopt the reports by exception.

## 15 Closure of Council Meetings to the Public

### Grounds on which meetings can be closed to the public

Formatted: Font: Not Italic

15.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the council's code of conduct.

**Note: Clause 15.1 reflects section 10A(1) and (2) of the Act.**

15.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

**Note: Clause 15.2 reflects section 10A(3) of the Act.**

### Matters to be considered when closing meetings to the public

Formatted: Font: Not Italic

15.3 A meeting is not to remain closed during the discussion of anything referred to in clause 15.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

**Note: Clause 15.3 reflects section 10B(1) of the Act.**

15.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 15.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice, and

- (c) are fully discussed in that advice.

**Note: Clause 15.4 reflects section 10B(2) of the Act.**

15.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 15.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 15.1.

**Note: Clause 15.5 reflects section 10B(3) of the Act.**

15.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
  - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
  - (ii) cause a loss of confidence in the council or committee.

**Note: Clause 15.6 reflects section 10B(4) of the Act.**

15.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the departmental chief executive of the Office of Local Government.

**Note: Clause 15.7 reflects section 10B(5) of the Act.**

#### **Notice of likelihood of closure not required in urgent cases**

Formatted: Font: Not Italic

15.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 4.23 as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 15.1, and
- (b) the council or committee, after considering any representations made under clause 15.9, resolves that further discussion of the matter:
  - (i) should not be deferred (because of the urgency of the matter), and
  - (ii) should take place in a part of the meeting that is closed to the public.

**Note: Clause 15.8 reflects section 10C of the Act.**

#### **Representations by members of the public**

Formatted: Font: Not Italic

15.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

**Note: Clause 15.9 reflects section 10A(4) of the Act.**

15.10 A representation under clause 15.9 is to be made after the motion to close the part of the meeting is moved and seconded.

15.11 Where the matter has been identified in the agenda of the meeting under clause 4.24 as a matter that is likely to be considered when the meeting is closed to the public, in order to

make representations under clause 15.9, members of the public must first make an application to the council in the approved form. Applications must be received by 12 noon on the day before the meeting at which the matter is to be considered.

15.12 The chief executive officer (or their delegate) may refuse an application made under clause 15.11. The chief executive officer or their delegate must give reasons in writing for a decision to refuse an application.

15.13 No more than two speakers are to be permitted to make representations under clause 15.9.

15.14 If more than the permitted number of speakers applies to make representations under clause 15.9, the chief executive officer or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 15.9, the chief executive officer or their delegate is to determine who will make representations to the council.

15.15 The chief executive officer (or their delegate) is to determine the order of speakers.

15.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 4.24 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 15.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than two speakers to make representations in such order as determined by the chairperson.

15.17 Each speaker will be allowed three minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers are to confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

#### **Expulsion of non-councillors from meetings closed to the public**

Formatted: Font: Not Italic

15.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

15.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

#### **Information to be disclosed in resolutions closing meetings to the public**

Formatted: Font: Not Italic

Formatted: Font: Bold, Font color: Dark Blue

15.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

- (a) the relevant provision of section 10A(2) of the Act,
- (b) the matter that is to be discussed during the closed part of the meeting,
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public

interest.

**Note: Clause 15.20 reflects section 10D of the Act.**

**Resolutions passed at closed meetings to be made public**

Formatted: Font: Not Italic

15.21 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

15.22 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public will be made public by the chairperson under clause 15.21 by displaying the resolutions on the public screens during the meeting and on the livestream of the meeting webcast.

## 16 Keeping Order at Meetings

### Points of order

Formatted: Font: Not Italic

16.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.

16.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.

16.3 A point of order must be taken immediately it is raised. The chairperson must suspend business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

### Questions of order

Formatted: Font: Not Italic

16.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.

16.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.

16.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.

16.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

### Motions of dissent

Formatted: Font: Not Italic

16.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.

16.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.

16.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

### Acts of disorder

Formatted: Font: Not Italic

16.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:

- (a) contravenes the Act, the Regulation or any regulation in force under the Act or this code, or
- (b) assaults or threatens to assault another councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) insults, makes unfavourable personal remarks about, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or

- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

16.12 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 16.11(a) or (b), or (e) or
- (b) to withdraw a motion or an amendment referred to in clause 16.11(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 16.11(d) and (e).

#### **How disorder at a meeting may be dealt with**

Formatted: Font: Not Italic

16.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

#### **Expulsion from meetings**

Formatted: Font: Not Italic

16.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

16.15 Clause 16.14, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

16.16 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 16.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

16.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

16.18 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

16.19 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

How disorder by councillors attending meetings by audio-visual link may be dealt with

16.20 Where a councillor is attending a meeting audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.

16.21 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.



|

Formatted: Font: Not Italic

#### Use of mobile phones and the unauthorised recording of meetings

16.22 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.

16.23 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording or photograph before, during or after of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee whilst in the vicinity of the meeting location.

Note: Clause 16.23 does not apply to circumstances where the chief executive officer arranges for photographs of councillors and/or the chambers for record keeping purposes.

16.24 Without limiting clause 16.17, a contravention of clause 15.20 or an attempt to contravene that clause, constitutes disorderly conduct for the purpose of clause 16.17. Any person who contravenes or attempts to contravene clause 16.20, may be expelled from the meeting as provided for under section 10(2) of the Act.

16.25 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

## 17 Conflicts of Interest

17.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

17.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

## 18 Decisions of the Council

### Council decisions

18.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

**Note: Clause 18.1 reflects section 371 of the Act.**

18.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

### Rescinding or altering council decisions

18.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 4.11.

**Note: Clause 18.3 reflects section 372(1) of the Act.**

18.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, or up to 12 noon on the working day following the meeting, the resolution must not be carried into effect until the motion of rescission has been dealt with.

**Note: Clause 18.4 reflects section 372(2) of the Act (excluding italics text).**

18.5 Unless resolved otherwise, it is council's practice not to implement decisions of the council until 12 noon on the working day following the council and/ or committee meeting.

18.6 If a motion has been lost by the council, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 4.11.

**Note: Clause 18.6 reflects section 372(3) of the Act.**

18.7 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost by the council, must be signed by three councillors if less than three months has elapsed since the resolution was passed, or the motion was lost.

**Note: Clause 18.7 reflects section 372(4) of the Act.**

18.8 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

**Note: Clause 18.8 reflects section 372(5) of the Act.**

18.9 The provisions of clauses 18.6–18.8 concerning lost motions do not apply to motions of adjournment.

**Note: Clause 18.9 reflects section 372(7) of the Act.**

18.10 A notice of motion submitted in accordance with clause 18.7 may only be withdrawn under clause 4.12 with the consent of all signatories to the notice of motion.

18.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

**Note: Clause 18.11 reflects section 372(6) of the Act.**

18.12 Subject to clause 18.8, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

18.13 Where a notice of rescission that was submitted without a replacement motion is carried, a new replacement motion cannot be considered unless prior notice has been given in accordance with clause 4.11.

Note: The provisions of clause 10.2 and 10.3 have no effect in respect of a replacement motion given without notice in accordance with clause 4.11, where clause 18.7 applies.

18.134 A motion moved under clause 18.12(b) can be moved without notice. Despite clauses 11.20–11.30, only the mover of a motion referred to in clause 18.12(b) can speak to the motion before it is put.

18.145 A motion of dissent cannot be moved against a ruling by the chairperson under clause 18.12(c).

#### Recommitting resolutions to correct an error

18.156 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
- (b) to confirm the voting on the resolution

18.167 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 18.156(a) the councillor is to propose alternative wording for the resolution.

18.178 The chairperson must not grant leave under clause 18.167, unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

18.189 A motion moved under clause 18.156 can be moved without notice. Despite clauses 11.20–11.30, only the mover of a motion referred to in clause 18.156 can speak to the motion before it is put.

18.192 A motion of dissent cannot be moved against a ruling by the chairperson under clause 18.156.

18.201 A motion moved under clause 18.156 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

Formatted: Not Highlight

Formatted: Not Highlight

## 19 Time Limits on Council Meetings

19.1 A short break of not less than 10 minutes is to be taken within the first three hours at each ordinary and extraordinary meeting of council and committees of the council.

19.2 Meetings of the council and committees of the council are to conclude no later than 11.00pm.

19.3 If the business of the meeting is unlikely to be finished by, or is unfinished at 11.00pm the council or the committee of council may by resolution extend the time of the meeting by one 30 minute interval for the purpose of dealing with the remaining items on the agenda. If at 11.30pm the business of the meeting is not concluded an automatic extension will occur to enable the completion of debate and voting on the current matter (where the matter under consideration has already been moved and seconded).

19.4 If the business of the meeting is unfinished at 11.00pm and the council does not resolve to extend the meeting or at the conclusion of any extensions in accordance with clause 19.3, the chairperson must conclude debate and voting on the current matter (where the matter under consideration has already been moved and seconded), then either:

- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
- (b) adjourn the meeting to a time, date and place fixed by the chairperson.

19.5 Clause 19.4 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.

19.6 Where a meeting is adjourned under clause 19.4 or 19.5, the chief executive officer must:

- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
- (b) publish the time, date and place at which the meeting will reconvene on council's website and in such other manner that the chief executive officer is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19.7 Any decisions of council made prior to the adjournment of a meeting are to be implemented by the chief executive officer and do not need to await the resumption of an adjourned meeting. The outstanding items are to be resubmitted to an adjourned meeting for determination. Unless resolved otherwise, it is council's practice not to implement decisions of the council until 12 noon on the working day following the day on which the meeting was adjourned.

## 20 After the Meeting

### Minutes of meetings

Formatted: Font: Not Italic

20.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

**Note: Clause 20.1 reflects section 375(1) of the Act.**

20.2 At a minimum, the chief executive officer must ensure that the following matters are recorded in the council's minutes:

- (a) The names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a council meeting and of any amendments moved to it, including:
  - (i) motions which are validly moved, but which lapsed for the want of a seconder,
  - (ii) motions that are ruled out of order by the mayor/chairperson because they are:

- a) not considered urgent,
- b) are considered unlawful,
- c) are considered to be outside of council's jurisdiction.

Formatted: Indent: Left: 0 cm

**Note:** The wording of motions ruled out of order by the mayor/chairperson will not be included in the minutes (in this case only the mayor's ruling will be included).

Formatted: Indent: Left: 0 cm, First line: 0 cm

- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

20.3 Notations in minutes requested by individual councillors, except those identified in clause 14.4, will only be included following a resolution of council approving their inclusion.

20.4 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

**Note: Clause 20.4 reflects section 375(2) of the Act.**

20.5 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

20.6 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

**Note: Clause 20.6 reflects section 375(2) of the Act.**

20.7 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

20.8 The confirmed minutes of a council meeting, when the meeting was open to the public, must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

### Access to correspondence and reports laid on the table at, or submitted to, a meeting

Formatted: Font: Not Italic

20.9 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

**Note: Clause 20.9 reflects section 11(1) of the Act.**

20.10 Clause 20.9 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

**Note: Clause 20.10 reflects section 11(2) of the Act.**

20.11 Clause 20.9 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

**Note: Clause 20.11 reflects section 11(3) of the Act.**

20.12 Correspondence or reports to which clauses 20.10 and 20.11 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

**Implementation of decisions of the council**

20.13 The chief executive officer is to implement, without undue delay, lawful decisions of the council.

**Note: Clause 20.13 reflects section 335(b) of the Act.**

Formatted: Font: Not Italic



## 21 Council Committees

### Application of this Part

Formatted: Font: Not Italic

21.1 This Part only applies to committees of the council whose members are all councillors.

### Council committees whose members are all councillors

Formatted: Font: Not Italic

21.2 The council may, by resolution, establish such committees as it considers necessary.

21.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.

21.4 The quorum for a meeting of a committee of the council is to be:

- (a) such number of members as the council decides, or
- (b) if the council has not decided a number – a majority of the members of the committee.

### Functions of committees

Formatted: Font: Not Italic

21.5 The council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

### Notice of committee meetings

Formatted: Font: Not Italic

21.6 The chief executive officer must send to each councillor regardless of whether they are a committee member, at least three days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

21.7 Notice of less than three days may be given of a committee meeting called in an emergency.

### Attendance at committee meetings

Formatted: Font: Not Italic

21.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

21.9 Clause 21.8 does not apply if all of the members of the council are members of the committee.

#### **Non-members entitled to attend committee meetings**

Formatted: Font: Not Italic

21.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

#### **Chairperson and deputy chairperson of council committees**

21.11 The chairperson of each committee of the council must be:

- (a) the mayor, or
- (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
- (c) if the council does not elect such a member, a member of the committee elected by the committee.

21.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

21.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

21.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

#### **Procedure in committee meetings**

21.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.

21.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 21.15.

21.17 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

#### Closure of committee meetings to the public

21.18 The provisions of the Act and Part 15 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.

21.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

21.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 21.19 during a part of the meeting that is webcast.

#### Disorder in committee meetings

21.21 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

#### Minutes of council committee meetings

21.22 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:

- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link
- (b) details of each motion moved at a meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

21.23 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

21.24 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.

21.25 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

21.26 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

21.27 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

21.28 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

## 22 Irregularities

22.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to disclose a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

**Note:** Clause 22.1 reflects section 374 of the Act.

## Appendix One – Procedural Motions

| <b>Motion</b>  | <b>Moved without Notice</b>   | <b>Requires Seconder</b> | <b>Speakers / Debate Permitted</b>  | <b>Right of Reply</b> |
|--|---|--------------------------|---|-----------------------|
| (i) Change the Order of Business                               | Yes   | Yes                      | Mover of motion only  | No                    |
| (ii) Business without Notice (matter of urgency) (clause 10.3) | Yes   | Yes                      | Mover of motion only  | No                    |
| (iii) Dissent from Chairperson's ruling on Point of Order      | Yes   | Yes                      | Mover and chairperson only may speak  | No                    |
| (iv) Adjournment of Meeting                                    | Yes   | Yes                      | No debate permitted   | No                    |
| (v) Limitation to number of speakers (motion be now put)       | Yes if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it,<br>or<br>if at least 2 councillors have spoken in favour of the motion or amendment and at least 2 councillors have spoken against it. | No                       | No debate permitted. Motion must be put immediately after mover of original motion/amendment has right of reply | No                    |
| (vi) Deferment of a Matter                                     | Yes   | Yes                      | Yes   | Yes                   |
| (vii) Motion be dealt with in seriatim                         | Yes   | Yes                      | Mover of motion only  | No                    |

## Version Control

| Revision | Date       | Change  | Ref         |
|----------|------------|---|-------------|
| 1        | 22/11/2016 | Northern Beaches Council Code of Meeting Practice adopted   | 2016/299769 |
| 2        | 22/05/2018 | Northern Beaches Council Code of Meeting Practice adopted   | 2018/104009 |
| 3        | 28/5/2019  | Northern Beaches Council Code of Meeting Practice adopted based on 2018 Office of Local Government Model Code of Meeting Practice | 2019/019769 |
| 4        | 03/03/2022 | Northern Beaches Council Code of Meeting Practice – review - 2022   | 2022/135642 |
| 5        | 24/05/2022 | Northern Beaches Council Code of Meeting Practice adopted   | 2022/271071 |
| 6        | 10/07/2024 | Northern Beaches Council Code of Meeting Practice – review  | 2024/078707 |



---

# Community and Stakeholder Engagement Report

**Code of Meeting Practice (2024)**  
**Consultation period: 8 August to 8 September 2024**

---

**Contents**

|      |   |   |
|------|---|---|
| 1.   | Summary.....  | 2 |
| 1.1. | Key outcomes .....  | 2 |
| 1.2. | How we engaged .....  | 2 |
| 1.3. | Who responded.....  | 3 |
| 2.   | Background .....  | 3 |
| 3.   | Engagement objectives .....                                   | 4 |
| 4.   | Engagement approach .....                                     | 4 |
| 5.   | Findings .....  | 4 |
|      | Appendix 1 Verbatim community and stakeholder responses ..... | 7 |

---




## 1. Summary

This report outlines the outcomes of community and stakeholder engagement as part of a proposal to make minor changes to the Code of Meeting Practice.

Under section 360 of the *Local Government Act 1993*, Council is required to review and adopt a Code of Meeting Practice which is consistent with the Model Code of Meeting Practice within 12 months of an election of councillors.

The feedback collected during consultation consisted mainly of comments on the proposal to amend the requirements for photography and recording by the public at council meetings. Other comments related to the size of Council generally, the number of agenda items, and the suggestion to have amendments circulated in advance of the meeting.

### 1.1. Key outcomes

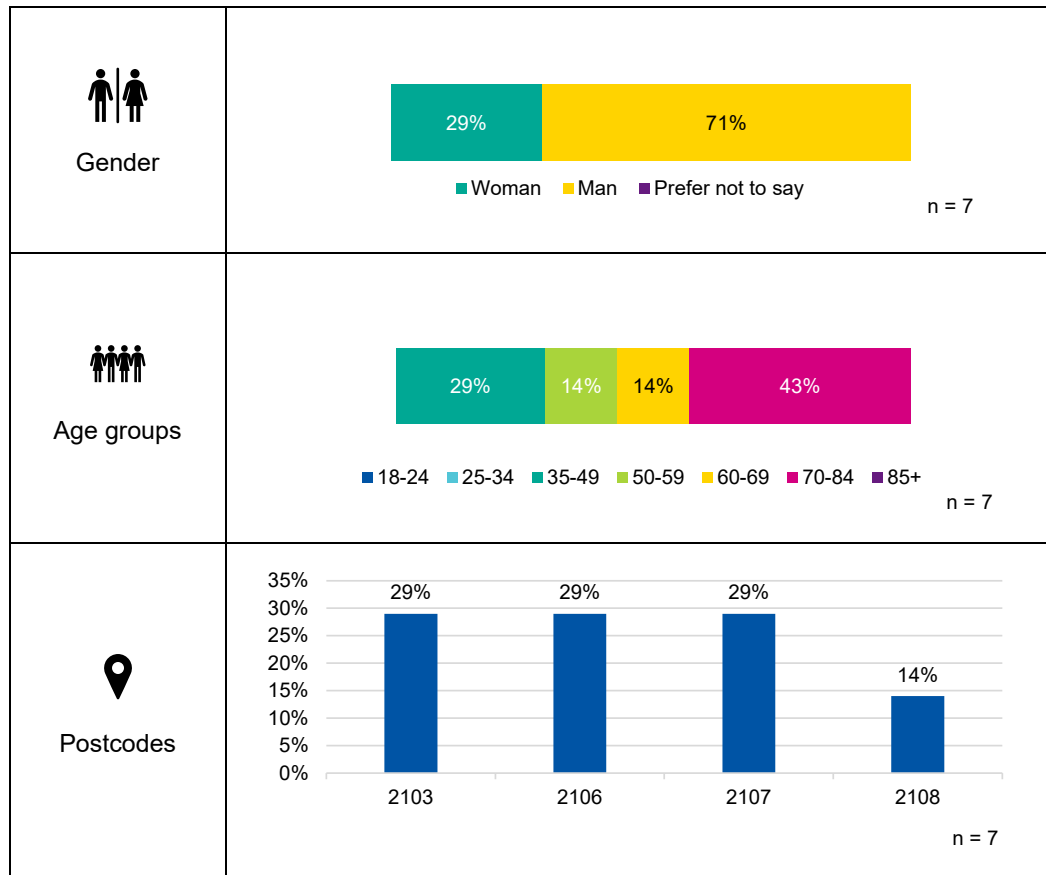
|  |  |  |
|--|--|--|
| <br>Total unique responses      | 9*   |  |
| <br>How responses were received | Submission form<br>Written responses (email/letter)  | Completions: 8<br>Number received: 1   |
| <br>Feedback themes           | <ul style="list-style-type: none"> <li>Photography and recording</li> <li>The size of agendas and Council generally</li> </ul> | <ul style="list-style-type: none"> <li>Concerns over democratic process</li> </ul> |

### 1.2. How we engaged

|   |  |             |  |
|---|--|-------------|--|
| <br>Have Your Say:<br>visitation stats | Visitors: 230  | Visits: 289 | Average time onsite:<br>51 seconds   |
| <br>Electronic direct mail<br>(EDM)    | Community Engagement (fortnightly)<br>newsletter: 2 editions<br>Council (weekly) e-News: 1 edition |             | Distribution: 22,000<br>subscribers<br><br>Distribution: 58,300<br>subscribers |



### 1.3. Who responded<sup>1</sup>



## 2. Background

The Code of Meeting Practice provides direction on how Council conducts its meetings.

Under Section 360 of the *Local Government Act 1993*, Council is required to review and adopt a Code of Meeting Practice which is consistent with the Model Code of Meeting Practice within 12 months of an election of councillors.

The Code is to incorporate the mandatory provisions of the Model Code and may also include non mandatory and other provisions.

In preparation for the new term of Council, a preliminary review of the Code of Meeting Practice was undertaken last term with some minor changes proposed and placed on public exhibition.

<sup>1</sup> Demographic data was gathered by request only. The data represented only includes those respondents who provided this detail. Totals may not add up to 100% due to rounding.

### 3. Engagement objectives

Community and stakeholder engagement aimed to:

- provide accessible information so community and stakeholders can participate in a meaningful way
- identify community and stakeholder concerns
- communicate to community and stakeholders how their input was incorporated into the decision making process
- provide vulnerable and marginalised groups access to the engagement process.

### 4. Engagement approach

Community and stakeholder engagement for the Code of Meeting Practice (2024) was conducted between 8 August and 8 September 2024, which provided an opportunity for the community and stakeholders to provide feedback.

The engagement was planned, implemented and reported in accordance with Council's [Community Engagement Strategy](#) (2022).

A project page<sup>2</sup> was established on our Have your say platform with information provided in an accessible and easy to read format.

The project was primarily promoted through our regular email newsletter (EDM) channels.

Feedback was captured through an online submission form embedded onto the Have your say project page. An open-field comments box provided community members a space to provide any feedback they wished to contribute.

Email and written submissions were also invited.

### 5. Findings

There was overall low interest with only 9 respondents. This is not surprising as the proposed changes do not substantively change the management of Council's meetings, and the document is largely based on the Model Code of Meeting Practice by the Office of Local Government.

A summary of the key themes raised in submissions, and Council's response, is provided in Table 1 on the next page.

---

<sup>2</sup> <https://yoursay.northernbeaches.nsw.gov.au/code-meeting-practice-2024>

**Table 1: Issues, change requests and other considerations**

| Theme  | Issues, change requests and other considerations raised   | Council's response  |
|--|---|---|
| Size of Council generally  | Concern that the size of the Council means more agenda items are put to Council meetings. It was suggested to increase the number of Council meeting per month. | <p>If the meeting frequency were to be amended this would require a separate Council resolution.</p> <p>The number of items on the Council meeting agenda is driven by the business of Council. This includes notices of motion and Council resolutions. This is a matter for Councillors to consider. There are a small number of staff reports required by legislation and/or Council's policy settings. In most cases, Council concludes the business on its agenda within the allocated time. No amendments to the Code of Meeting Practice would be required.</p>  |
| Time allowed for speakers to address Council, and actioning of resolutions | Concern that reducing time is censoring the democratic process.   | No changes are proposed to the public forum or duration of speeches. These relate to previously proposed options that were not included in the exhibited draft Code.  |
| Photography and recording at and in the vicinity of Council meetings       | Concern that restricting photography and recording is unlawful censoring of a democratic right.   | <p>The intentions of the provisions around photography and recording have not changed and are mandatory components of the Code through the Model Code of Meeting Practice set by the Office of Local Government.</p> <p>Under the existing Code photographs are not permitted to be taken in the chamber without permission and the proposed new Code seeks to make that clearer.</p> <p>This is to protect the integrity of confidential documents which may be around the chamber table and to protect the privacy of our staff, councillors or other attendees at the meeting, who could inadvertently end up in images on controversial topics on social media.</p> <p>It is not the intention to stop photography or videos out the front of</p> |

| Theme | Issues, change requests and other considerations raised | Council's response   |
|-------|---|--|
|       |   | <p>the building as happens regularly now.</p> <p>The photograph provisions are standard when compared to other government agencies, including Service NSW which requests people conduct themselves respectfully – this includes “not filming, recording or photographing our staff without their consent”.</p> |

## Appendix 1 Verbatim community and stakeholder responses\*

| Number | Submission   |
|--------|--|
| 1      | <p>At the public forum or public address a written response to questions MUST be provided.</p> <p>DO NOT INCLUDE - Note: Where possible, it is helpful for proposed amendments to be circulated in advance of the meeting to allow the chief executive officer to consider any legal, strategic, financial or policy implications.</p> <p>REMOVE any references to photography in 16.23 as not democratic.</p>   |
| 2      | <p><b>NBC Code of Meeting Practice Submission – September 2024 – [REDACTED]</b></p> <p>I sent an email to the Mayor and the 3 Pittwater Ward Councillors, prior to the July Council Meeting which had this on the Agenda. I believe everything I said in that email (copy attached) is still both relevant and pertinent, even though some sense was exhibited at that meeting, with the reinstatement of 3 minutes – not the ludicrous, proposed 2 minutes – for presentations by members of the public. Before I move onto a broader matter, there is another specific proposal which is so anti-involvement of the community in local government, I'd be astonished if any Councillor could consider supporting it: Clause 16.23 in the draft code which says: <i>"a person shall not... make a recording or photograph before, during or after the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee whilst in the vicinity of the meeting location."</i> The most galling aspect being <i>"in the vicinity of the meeting location"</i>. This is really starting to lean towards the philosophy of a totalitarian state: it certainly contradicts any message that NBC wants involvement with its many communities.</p> <p><b>The bigger problem:</b> It appears to me that the basic task, which the proposed changes attempt to address, is akin to looking at the tail while ignoring the rest of the dog. The discussion within the July Council Meeting did recognise the dog: there are way, way too many matters on NBC's Agenda for these to be adequately, intelligently and effectively covered within a single monthly meeting, which concludes at a reasonable hour. The Agenda for each of these meetings is massive. Including attachments, April had the largest of the past 5 month's meetings, being a whopping 1,614 pages! The average over those 5 months was 775pages. And on two of the months, the Agenda alone was 127 pages without adding any attachments. It would seem the Baird/Berejiklian government didn't bother to think through the practicalities of actually running a "local" Council of a quarter of a million residents. There is just too much business and essential consultation for the 'old' system to work in practice. The disbanded Pittwater Council, of some 64,000 residents, held two Council meetings each month to process business across 3 wards with 9 Councillors. Would adopting this model solve the problems dogging NBC? It would definitely help addressing the items to be discussed/debated by Councillors in more digestible lumps – but I doubt it would be a long-term solution because there are aspects which would not be addressed which do need addressing.</p> <p><b>A fresh look at workable local government, at scale:</b> Part of NBC's problem is that the scope of Council matters, for such a large Council, means that even the most diligent Councillor can't hope to be on top of all the detail. Eg, a Councillor from Manly does not have the time to take a worthwhile interest in a matter which only affects Avalon; the worst outcome of that is when they take an ephemeral interest and then vote ill-informed. (I'm not making this up: I'd be surprised if every one of your Councillors – and their communities – hasn't suffered from this; I've certainly spoken with some who have.) So in looking at a revamped <i>Code of Meeting Practice</i>, why not consider an evolved model, introducing a preliminary meeting in the earlier half of each month which limits the Agenda to matters which are specific to the ward in which it is held and to the 3</p> |

\*Personal details and inappropriate language have been redacted where possible. Spelling and grammatical errors have been amended only where misinterpretation or offence may be caused.



| Number | Submission   |
|--------|--|
|        | <p>Councillors of that ward? (I've drawn the inspiration for this suggestion from something which I believe Councillor Gencher initiated when he became a Pittwater ward Councillor. That was a monthly community meeting, with all 3 ward Councillors present, to talk with any resident or other community member who wished to do so. I think it fell into disrepair, partly due to Covid and also perhaps for being too flexible, in endeavouring to circulate the venue to the extremities of the Ward, from month to month.) NBC now has 5, highly paid, senior executives (a COO and 4 Directors). People of this level of experience should be more than capable of chairing a monthly Ward (Council) meeting. And, if they rotate throughout the wards – not every month but throughout the year – they will become more familiar with the domains their direction affects and more effective in serving those broad communities. [I was horrified that a former NBC Director endorsed staff recommendations potentially crippling the retail/communal heart of Newport village, without ever having visited it, even though it had been on her radar for over 2 years!] I realise it will require some specific staff resource allocation (eg admin/comms staff to create Agendas, minute the meeting and produce the formal Minutes each time) but what a brilliant, inhouse training vehicle and resource that will be for evolving more, greater experienced, senior NBC staff. With the Agenda for each of these monthly 'Ward Council Meetings' containing only agenda items specific to that ward, it will allow all the ward Councillors to be optimally familiar with the matters listed, better equipped for swift, efficacious decisions AND will mean the other 12 Councillors will not need to be bothered by these matters. I expect that for governance, regulatory or other procedural reasons, the decisions-in-principle made at these ward meetings will need to be ratified/adopted at the Monthly, full, Council meeting. This should be fairly easily executed by listing on the Agenda, by individual Ward, the resolutions in the Minutes of the ward Meetings. Much, if not all, of these can probably be adopted by exception, unless ANY Councillor raises it for consideration by the full Council, at which point it would stay as part of the Agenda, for general discussion. So the Agenda items for debate/decision on the monthly, full Council Meeting should be pretty much limited to matters which affect or otherwise have impacts for the whole LGA. This means the Councillor briefing/preparation for that monthly meeting should be demonstrably shorter with the significant advantage of having relevance to every Councillor present, from every Ward. I realise this concept will need plenty of fleshing-out BUT at least it is addressing the bigger problem:</p> <p>how to change/modify procedures to get through the avalanche of matters which need to be addressed, even by an LGA, as gargantuan as NBC, so it will be able to remain effective and pertinent.</p> <p><i>Extract from [REDACTED] email to Mayor Sue Heins, cc'd to Pittwater ward Councillors, 29 July 2024</i></p> <p><b>What is it that Councillors think motivates the participants in community organisations such as [REDACTED] to invest their time in supporting the link between community and Council?</b></p> <p>During the afternoon, I became aware of the Agenda item on tonight's Council meeting, aimed at reducing the existing opportunities for Northern Beaches community members to speak to Councillors as a group, in open forum. I am stunned that this is being canvassed at this time. I wonder what Councillors and the Council bureaucracy do think it is, that motivates its citizens to maintain an interest in the matters that are discussed and debated - and then the decisions which are taken - by their elected representatives? A significant contributor is the belief (or at least the impression) that they are listened to. Three minutes is an absolutely minimal allocation to introduce, to establish and to outline the details of a matter of community concern or interest. Yours and other Councillors' personal experience will immediately confirm that it is only those speakers who compose, practise, edit and then read their presentation, who get to a conclusion in the allotted 3 minutes. It already reduces spontaneity: to reduce it to 2 minutes would be farcical. And what would that potentially save in the average monthly meeting? 6 to 10 minutes? Probably less, as the lack of information conveyed in only 2 minutes would generate more questions from Councillors, to try to get to the nub of the communication. Also, the current structure of one public segment to raise a matter not on the Agenda plus the other to address</p> |

| Number | Submission  |
|--------|---|
|        | <p>those on the Agenda which are to be debated, is as close as one can get to minimal, open, community input. It is already the minimum in hoping to engender community input into a Council in-session. (The comments recorded from previous Councillor Fergusson, when this was raised some years ago, are as pertinent today as they were then.) As I said above, I am stunned! Apart from this proposal being a highly visible blow to democratic process, it plays directly into the hands of those who continue to crusade for a return to the local representation model, which was in place prior to forced amalgamation: <i>Of course you don't have enough time to get through the Agenda: it has to cover way too wide a spectrum. Of course Council meetings can't adequately cover the scope: you only have 10 a year.</i> And so on and so on. . . By all means limit Councillor's time in debate: at some meetings there is way too much time spent grandstanding, at one extreme, and navel-gazing at the other. Does nobody consider the bigger picture before making such counter-productive suggestions as cutting back the community input?? Speaking personally, with regard to the approaching election, I will be most unlikely to cast a vote in favour</p> <p>of any current Councillor who supports this motion.</p> <p>May common sense prevail,</p> |
| 3      | <p>Hello there NBC,</p> <p>I strongly object to the proposed change in this Code regarding taking of photos and videos - specifically Clause 16.23: "a person shall not... make a recording or photograph before, during or after the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee whilst in the vicinity of the meeting location."</p> <p>We don't not live in a communist state, nor under a dictatorship. If a member of the public wishes to capture and/or share a moment of a public council meeting, or for that matter themselves or any other public scene 'in the vicinity of the meeting' then they are absolutely entitled to do so.</p> <p>What a ridiculous proposal.</p> <p>Whoever suggested and supported this proposal at Council would do well to remember that Council exists to serve the people, not the other way around!</p>   |
| 4      | <p>In a democracy we are able to express our views on various issues to governments. At the local government level this should include not only attending council meetings, but also being allowed to take photos in the immediate vicinity of council chambers to publicize the group's point of view, as long as this is done in an orderly manner.</p> <p>Please do not change the council regulations to curtail this activity.</p>   |
| 5      | <p>Councillors are elected by their communities to make decisions on their behalf, not on the behalf of council employees, thus any proposals to change the protocols and procedures of council meeting that reduce this openness should be opposed.</p> <p>It is good to see that the original suggestion to shorten the time for the public presentations during the public forum has not been accepted.</p> <p>Changes proposed to clause 16.23 should not be accepted. In fact, as all council meeting are live broadcasted and therefore could be easily recorded, it makes little sense to have this clause at all. Further why should the community not be able to take photographs/videos on public land?</p>   |
| 6      | <p>This change is probably unlawful on public land outside the chambers. As well as being unlawful it is also undemocratic to try to stop individuals taking photos before or after meeting on public land.</p>   |
| 7      | <p>A waste of time - creating solutions for problems that do not exist.</p>   |

| Number | Submission  |
|--------|---|
| 8      | <p>Attachment:</p> <p>Dear CEO, senior staff and councillors,</p> <p>I hope you are all well.</p> <p>Residents know you all work long hours at council meetings and have enormous amount of paper work to get through – but this is only because the Northern Beaches Council is way too big.</p> <p>You will not solve this problem by reducing people's democratic voice by censoring their time to have their say at the closest level of government they have - a fundamental right when we pay rates.</p> <p>On page 19 (6.14) “councils practice not to implement decisions”</p> <p>CEO and executive staff must not implement decisions at their discretion if they agree or disagree and seek to overturn a previous council resolution - as though that resolution had never been made.</p> <p>Nor can you ban the right to be photographed in or near the chamber before or after meetings – they are paying for your hefty salaries and have the right to demonstrate on public space. Again autocratic.</p> <p>If 3 minutes of democracy is reduced to 2 - a time will come when it will be 0.</p> <p>Sincerely</p> |

| Document administration |  |
|-------------------------|--|
| Version                 | 1.0  |
| Date                    | 16 September 20024   |
| Approval                | Content provided and approved by Sarah Dunstan, Governance & Risk<br>Responsible manager: Sarah Dunstan  |
| Status                  | Final  |
| Related Projects        | Northern Beaches Code of Meeting Practice 2022   |
| Notes                   | Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action. |



**ATTACHMENT 1 : FINAL DESIGNATED POSITIONS LIST 2024/25 - ITEM 8.11 - EXTRAORDINARY NORTHERN  
BEACHES COUNCIL MEETING - 8 OCTOBER 2024**

**DRAFT FINAL DESIGNATED POSITIONS LIST FY24/25**

| <b><u>Position Title</u></b>                | <b><u>Business Unit</u></b>      | <b><u>Division</u></b> |
|---|----------------------------------|------------------------|
| Chief Executive Officer                     | CEO                              | CEO                    |
| Branch Manager Library Services             | Library Services                 | Community & Recreation |
| Branch Manager Library Services             | Library Services                 | Community & Recreation |
| Branch Manager Library Services             | Library Services                 | Community & Recreation |
| Branch Manager Library Services             | Library Services                 | Community & Recreation |
| Branch Manager Library Services             | Library Services                 | Community & Recreation |
| Customer Service Manager                    | Customer Services                | Community & Recreation |
| Customer Service Operations Manager         | Customer Services                | Community & Recreation |
| Digital Services Manager                    | Library Services                 | Community & Recreation |
| Digital Services Manager                    | Library Services                 | Community & Recreation |
| Director Community & Recreation             | Community & Recreation           | Community & Recreation |
| Director Glen Street Theatre                | Community, Arts & Culture        | Community & Recreation |
| Executive Manager Community, Arts & Culture | Community, Arts & Culture        | Community & Recreation |
| Executive Manager Customer Service          | Customer Services                | Community & Recreation |
| Executive Manager Early Learning            | Childrens Services               | Community & Recreation |
| Executive Manager Library Services          | Library Services                 | Community & Recreation |
| Executive Manager Sports & Recreation       | Sports & Recreation              | Community & Recreation |
| Manager, Arts & Culture / Gallery Director  | Community, Arts & Culture        | Community & Recreation |
| Manager, Community Centres                  | Community Centres                | Community & Recreation |
| Manager, Community Development              | Youth & Community Development    | Community & Recreation |
| Manager, Early Learning Centres             | Childrens Services               | Community & Recreation |
| Manager, Family Day Care                    | Childrens Services               | Community & Recreation |
| Manager, Service Improvement                | Library Services                 | Community & Recreation |
| Manager, Social Planning & Services         | Social Planning & Services       | Community & Recreation |
| Service Capability Manager                  | Library Services                 | Community & Recreation |
| Chief Financial Officer                     | Finance                          | Corporate Services     |
| Chief Information Officer                   | Information & Digital Technology | Corporate Services     |
| Chief Operating Officer                     | Corporate Services               | Corporate Services     |
| Chief Technology & Operations Officer       | Information & Digital Technology | Corporate Services     |
| Contracts Officer                           | Finance                          | Corporate Services     |

**ATTACHMENT 1 : FINAL DESIGNATED POSITIONS LIST 2024/25 - ITEM 8.11 - EXTRAORDINARY NORTHERN  
BEACHES COUNCIL MEETING - 8 OCTOBER 2024**

| <u>Position Title</u>                                    | <u>Business Unit</u>                   | <u>Division</u>    |
|--|--|--------------------|
| Deputy CFO Transactional Accounting                      | Finance                                | Corporate Services |
| Executive Manager Community Engagement & Communications  | Community Engagement & Communications  | Corporate Services |
| Executive Manager Governance & Risk                      | Governance & Risk                      | Corporate Services |
| Executive Manager Human Resources                        | Human Resources                        | Corporate Services |
| Executive Manager Internal Audit & Complaints Resolution | Internal Audit & Complaints Resolution | Corporate Services |
| Executive Manager Strategy & Performance                 | Strategy & Performance                 | Corporate Services |
| Executive Manager Strategy & Performance                 | Strategy & Performance                 | Corporate Services |
| General Counsel  | Office of General Counsel              | Corporate Services |
| ICT Vendor Manager                                       | Information & Digital Technology       | Corporate Services |
| Legal Counsel  | Office of General Counsel              | Corporate Services |
| Legal Counsel  | Office of General Counsel              | Corporate Services |
| Manager, Complaints Resolution                           | Internal Audit & Complaints Resolution | Corporate Services |
| Manager, Governance                                      | Governance & Risk                      | Corporate Services |
| Manager, Information Access & Privacy                    | Information & Digital Technology       | Corporate Services |
| Manager, Infrastructure Operations                       | Information & Digital Technology       | Corporate Services |
| Manager, Insurance & Risk                                | Governance & Risk                      | Corporate Services |
| Manager, IT Projects & Improvement                       | Information & Digital Technology       | Corporate Services |
| Manager, Procurement                                     | Finance                                | Corporate Services |
| Manager, Service Delivery                                | Information & Digital Technology       | Corporate Services |
| Manager, Spatial Information                             | Information & Digital Technology       | Corporate Services |
| Manager, Systems Development & Support                   | Information & Digital Technology       | Corporate Services |
| Procurement Specialist                                   | Finance                                | Corporate Services |
| Procurement Specialist                                   | Finance                                | Corporate Services |
| Procurement Specialist                                   | Finance                                | Corporate Services |
| Program Director - ERP Transformation                    | Information & Digital Technology       | Corporate Services |
| Program Manager Transformation                           | Information & Digital Technology       | Corporate Services |
| Senior Contract Specialist                               | Finance                                | Corporate Services |
| Specialist Stakeholder Engagement                        | Information & Digital Technology       | Corporate Services |
| Chief Information Security Officer                       | Information & Digital Technology       | Corporate Services |
| Manager ,Talent & Learning & Development                 | Human Resources                        | Corporate Services |

**ATTACHMENT 1 : FINAL DESIGNATED POSITIONS LIST 2024/25 - ITEM 8.11 - EXTRAORDINARY NORTHERN  
BEACHES COUNCIL MEETING - 8 OCTOBER 2024**

| <b><u>Position Title</u></b>                      | <b><u>Business Unit</u></b>  | <b><u>Division</u></b>   |
|---|------------------------------|--------------------------|
| Manager, Corporate Strategy                       | Strategy & Performance       | Corporate Services       |
| Manager, HR Partnerships and Services             | Human Resources              | Corporate Services       |
| Manager, HR Services & Systems                    | Human Resources              | Corporate Services       |
| Manager, Organisational Performance               | Strategy & Performance       | Corporate Services       |
| Team Leader - WHS                                 | Human Resources              | Corporate Services       |
| Workers Compensation Team Leader                  | Human Resources              | Corporate Services       |
| Coordinator Waste Education                       | Waste Management & Cleansing | Environment & Open Space |
| Coordinator Waste Operations                      | Waste Management & Cleansing | Environment & Open Space |
| Coordinator, Contract Services                    | Waste Management & Cleansing | Environment & Open Space |
| Coordinator, Illegal Dumping Investigations       | Waste Management & Cleansing | Environment & Open Space |
| Director Environment & Open Space                 | Environment & Open Space     | Environment & Open Space |
| Environmental Health Officer                      | Environmental Health         | Environment & Open Space |
| Executive Manager Environment & Climate Change    | Environment & Climate Change | Environment & Open Space |
| Executive Manager Waste Management & Cleansing    | Waste Management & Cleansing | Environment & Open Space |
| Manager, Bushland & Biodiversity                  | Environment & Climate Change | Environment & Open Space |
| Manager, Business Operations                      | Waste Management & Cleansing | Environment & Open Space |
| Manager, Cleansing Services                       | Waste Management & Cleansing | Environment & Open Space |
| Manager, Coast & Catchments                       | Environment & Climate Change | Environment & Open Space |
| Manager, Development, Engineering & Certification | Environment & Climate Change | Environment & Open Space |
| Manager, Environment Resilience & Climate Change  | Environment & Climate Change | Environment & Open Space |
| Manager, Stormwater & Floodplain Engineering      | Environment & Climate Change | Environment & Open Space |
| Manager, Waste Services                           | Waste Management & Cleansing | Environment & Open Space |
| Principal Engineer - Major Developments           | Environment & Climate Change | Environment & Open Space |
| Resilience & Emergency Management Coordinator     | Environment & Open Space     | Environment & Open Space |
| Senior Development Engineer                       | Environment & Climate Change | Environment & Open Space |
| Senior Development Engineer                       | Environment & Climate Change | Environment & Open Space |
| Senior Development Engineer                       | Environment & Climate Change | Environment & Open Space |
| Team Leader, Biodiversity & Planning              | Environment & Climate Change | Environment & Open Space |
| Asset Management Officer                          | Parks & Open Space           | Environment & Open Space |
| Asset Management Officer                          | Parks & Open Space           | Environment & Open Space |

**ATTACHMENT 1 : FINAL DESIGNATED POSITIONS LIST 2024/25 - ITEM 8.11 - EXTRAORDINARY NORTHERN  
BEACHES COUNCIL MEETING - 8 OCTOBER 2024**

| <b><u>Position Title</u></b>                      | <b><u>Business Unit</u></b> | <b><u>Division</u></b>   |
|---|-----------------------------|--------------------------|
| Asset Management Officer                          | Parks & Open Space          | Environment & Open Space |
| Asset Management Officer                          | Parks & Open Space          | Environment & Open Space |
| Asset Planning Officer                            | Parks & Open Space          | Environment & Open Space |
| Commercial Centres Supervisor                     | Parks & Open Space          | Environment & Open Space |
| Coordinator Horticultural Maintenance             | Parks & Open Space          | Environment & Open Space |
| Coordinator Parks                                 | Parks & Open Space          | Environment & Open Space |
| Coordinator Reserves & Sportsfields               | Parks & Open Space          | Environment & Open Space |
| Coordinator Reserves & Sportsfields South         | Parks & Open Space          | Environment & Open Space |
| Coordinator, Recreation Planning                  | Parks & Open Space          | Environment & Open Space |
| Executive Manager Parks & Open Space              | Parks & Open Space          | Environment & Open Space |
| Field Officer, Street Tree Planting               | Parks & Open Space          | Environment & Open Space |
| Gardens Supervisor                                | Parks & Open Space          | Environment & Open Space |
| Infrastructure Maintenance Supervisor             | Parks & Open Space          | Environment & Open Space |
| Infrastructure Maintenance Supervisor             | Parks & Open Space          | Environment & Open Space |
| Infrastructure Maintenance Supervisor             | Parks & Open Space          | Environment & Open Space |
| Landscape Advisor                                 | Parks & Open Space          | Environment & Open Space |
| Landscape Architect                               | Parks & Open Space          | Environment & Open Space |
| Landscape Assessment & Design Officer             | Parks & Open Space          | Environment & Open Space |
| Landscape Construction Supervisor                 | Parks & Open Space          | Environment & Open Space |
| Manager, Beach Safety                             | Parks & Open Space          | Environment & Open Space |
| Manager, Open Space & Recreation Planning         | Parks & Open Space          | Environment & Open Space |
| Manager, Park Assets - Planning Design & Delivery | Parks & Open Space          | Environment & Open Space |
| Manager, Park Operations                          | Parks & Open Space          | Environment & Open Space |
| Manager, Tree Services                            | Parks & Open Space          | Environment & Open Space |
| Recreation Planning Specialist                    | Parks & Open Space          | Environment & Open Space |
| Reserves & Sportsfields Site Supervisor South     | Parks & Open Space          | Environment & Open Space |
| Reserves & Sportsfields Supervisor                | Parks & Open Space          | Environment & Open Space |
| Senior Asset Management Officer                   | Parks & Open Space          | Environment & Open Space |
| Senior Asset Management Officer                   | Parks & Open Space          | Environment & Open Space |
| Senior Asset Management Officer                   | Parks & Open Space          | Environment & Open Space |

**ATTACHMENT 1 : FINAL DESIGNATED POSITIONS LIST 2024/25 - ITEM 8.11 - EXTRAORDINARY NORTHERN  
BEACHES COUNCIL MEETING - 8 OCTOBER 2024**

| <b><u>Position Title</u></b>                    | <b><u>Business Unit</u></b> | <b><u>Division</u></b>   |
|---|-----------------------------|--------------------------|
| Senior Asset Planning Officer                   | Parks & Open Space          | Environment & Open Space |
| Senior Landscape Architect                      | Parks & Open Space          | Environment & Open Space |
| Senior Landscape Architect                      | Parks & Open Space          | Environment & Open Space |
| Senior Project Officer                          | Parks & Open Space          | Environment & Open Space |
| Senior Tree Management Officer - Private        | Parks & Open Space          | Environment & Open Space |
| Senior Tree Management Officer Public Trees     | Parks & Open Space          | Environment & Open Space |
| Sportground & Open Space Coordinator            | Parks & Open Space          | Environment & Open Space |
| Tree Assessment Officer                         | Parks & Open Space          | Environment & Open Space |
| Tree Assessment Officer                         | Parks & Open Space          | Environment & Open Space |
| Tree Assessment Officer                         | Parks & Open Space          | Environment & Open Space |
| Tree Assessment Officer                         | Parks & Open Space          | Environment & Open Space |
| Tree Services Officer                           | Parks & Open Space          | Environment & Open Space |
| Aboriginal Heritage Archaeologist               | Strategic & Place Planning  | Planning & Place         |
| Aboriginal Heritage Manager                     | Strategic & Place Planning  | Planning & Place         |
| Aboriginal Heritage Officer                     | Strategic & Place Planning  | Planning & Place         |
| Building Compliance Liaison Officer             | Environmental Compliance    | Planning & Place         |
| Building Compliance Officer                     | Environmental Compliance    | Planning & Place         |
| Building Compliance Officer                     | Environmental Compliance    | Planning & Place         |
| Building Compliance Officer                     | Environmental Compliance    | Planning & Place         |
| Building Compliance Officer                     | Environmental Compliance    | Planning & Place         |
| Building Compliance Officer                     | Environmental Compliance    | Planning & Place         |
| Building Compliance Officer                     | Environmental Compliance    | Planning & Place         |
| Building Surveyor                               | Environmental Compliance    | Planning & Place         |
| Building Surveyor                               | Environmental Compliance    | Planning & Place         |
| Building Surveyor                               | Environmental Compliance    | Planning & Place         |
| Building Surveyor                               | Environmental Compliance    | Planning & Place         |
| Building Surveyor                               | Environmental Compliance    | Planning & Place         |
| Building Surveyor                               | Environmental Compliance    | Planning & Place         |
| Building Surveyor                               | Environmental Compliance    | Planning & Place         |
| Director Planning & Place                       | Planning & Place            | Planning & Place         |
| Environmental Health Compliance Liaison Officer | Environmental Compliance    | Planning & Place         |

**ATTACHMENT 1 : FINAL DESIGNATED POSITIONS LIST 2024/25 - ITEM 8.11 - EXTRAORDINARY NORTHERN  
BEACHES COUNCIL MEETING - 8 OCTOBER 2024**

| <u>Position Title</u>                        | <u>Business Unit</u>         | <u>Division</u>  |
|--|------------------------------|------------------|
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Environmental Health Officer                 | Environmental Compliance     | Planning & Place |
| Executive Manager Development Assessment     | Development Assessment       | Planning & Place |
| Executive Manager Environmental Compliance   | Environmental Compliance     | Planning & Place |
| Executive Manager Strategic & Place Planning | Strategic & Place Planning   | Planning & Place |
| Heritage Advisor                             | Strategic & Place Planning   | Planning & Place |
| Heritage Advisor                             | Strategic & Place Planning   | Planning & Place |
| Heritage Planner                             | Strategic & Place Planning   | Planning & Place |
| Manager, Building Control                    | Environmental Compliance     | Planning & Place |
| Manager, Business Systems & Administration   | Development Assessment       | Planning & Place |
| Manager, Development Assessments             | Development Assessment       | Planning & Place |
| Manager, Development Assessments             | Development Assessment       | Planning & Place |
| Manager, Development Assessments             | Development Assessment       | Planning & Place |
| Manager, Development Assessments             | Development Assessment       | Planning & Place |
| Manager, Environmental Health                | Environmental Compliance     | Planning & Place |
| Manager, Place & Economic Development        | Place & Economic Development | Planning & Place |
| Manager, Rangers                             | Environmental Compliance     | Planning & Place |

**ATTACHMENT 1 : FINAL DESIGNATED POSITIONS LIST 2024/25 - ITEM 8.11 - EXTRAORDINARY NORTHERN  
BEACHES COUNCIL MEETING - 8 OCTOBER 2024**

| <b><u>Position Title</u></b>        | <b><u>Business Unit</u></b> | <b><u>Division</u></b> |
|-------------------------------------|-----------------------------|------------------------|
| Manager, Regulatory Support         | Environmental Compliance    | Planning & Place       |
| Manager, Strategic & Place Planning | Strategic & Place Planning  | Planning & Place       |
| Manager, Strategic & Place Planning | Strategic & Place Planning  | Planning & Place       |
| Manager, Strategic & Place Planning | Strategic & Place Planning  | Planning & Place       |
| Manager, Strategic & Place Planning | Strategic & Place Planning  | Planning & Place       |
| Manly Mainstreet Coordinator        | Planning & Place            | Planning & Place       |
| Manly Mainstreet Coordinator        | Planning & Place            | Planning & Place       |
| Manly Mainstreet Coordinator        | Planning & Place            | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Parking Officer                     | Environmental Compliance    | Planning & Place       |
| Place Coordinator                   | Planning & Place            | Planning & Place       |
| Place Coordinator                   | Planning & Place            | Planning & Place       |
| Place Coordinator                   | Planning & Place            | Planning & Place       |
| Place Coordinator                   | Planning & Place            | Planning & Place       |
| Planner                             | Strategic & Place Planning  | Planning & Place       |
| Planner                             | Development Assessment      | Planning & Place       |

**ATTACHMENT 1 : FINAL DESIGNATED POSITIONS LIST 2024/25 - ITEM 8.11 - EXTRAORDINARY NORTHERN  
BEACHES COUNCIL MEETING - 8 OCTOBER 2024**

| <u>Position Title</u>                        | <u>Business Unit</u>       | <u>Division</u>  |
|--|----------------------------|------------------|
| Planner                                      | Development Assessment     | Planning & Place |
| Planner                                      | Strategic & Place Planning | Planning & Place |
| Planner                                      | Development Assessment     | Planning & Place |
| Planner                                      | Development Assessment     | Planning & Place |
| Planner                                      | Development Assessment     | Planning & Place |
| Planner                                      | Development Assessment     | Planning & Place |
| Planner                                      | Strategic & Place Planning | Planning & Place |
| Planner                                      | Development Assessment     | Planning & Place |
| Planner                                      | Development Assessment     | Planning & Place |
| Planner                                      | Strategic & Place Planning | Planning & Place |
| Planner                                      | Development Assessment     | Planning & Place |
| Planner                                      | Development Assessment     | Planning & Place |
| Planner                                      | Strategic & Place Planning | Planning & Place |
| Planner                                      | Development Assessment     | Planning & Place |
| Planner                                      | Strategic & Place Planning | Planning & Place |
| Planner                                      | Strategic & Place Planning | Planning & Place |
| Planner                                      | Development Assessment     | Planning & Place |
| Planner                                      | Development Assessment     | Planning & Place |
| Planner                                      | Development Assessment     | Planning & Place |
| Planner                                      | Development Assessment     | Planning & Place |
| Planner                                      | Development Assessment     | Planning & Place |
| Planning Enquiry Officer                     | Development Assessment     | Planning & Place |
| Planning Enquiry Officer                     | Development Assessment     | Planning & Place |
| Principal Development Infrastructure Officer | Strategic & Place Planning | Planning & Place |
| Principal Planner                            | Development Assessment     | Planning & Place |
| Principal Planner                            | Development Assessment     | Planning & Place |
| Principal Planner                            | Strategic & Place Planning | Planning & Place |
| Principal Planner                            | Strategic & Place Planning | Planning & Place |
| Principal Planner                            | Development Assessment     | Planning & Place |
| Principal Planner                            | Strategic & Place Planning | Planning & Place |
| Principal Planner                            | Strategic & Place Planning | Planning & Place |
| Principal Planner                            | Development Assessment     | Planning & Place |



**ATTACHMENT 1 : FINAL DESIGNATED POSITIONS LIST 2024/25 - ITEM 8.11 - EXTRAORDINARY NORTHERN BEACHES COUNCIL MEETING - 8 OCTOBER 2024**

[illegible]

**ATTACHMENT 1 : FINAL DESIGNATED POSITIONS LIST 2024/25 - ITEM 8.11 - EXTRAORDINARY NORTHERN  
BEACHES COUNCIL MEETING - 8 OCTOBER 2024**

| <u>Position Title</u>            | <u>Business Unit</u>       | <u>Division</u>  |
|----------------------------------|----------------------------|------------------|
| Ranger                           | Environmental Compliance   | Planning & Place |
| Ranger                           | Environmental Compliance   | Planning & Place |
| Ranger                           | Environmental Compliance   | Planning & Place |
| Ranger                           | Environmental Compliance   | Planning & Place |
| Ranger (Ordinance)               | Environmental Compliance   | Planning & Place |
| Ranger (Ordinance)               | Environmental Compliance   | Planning & Place |
| Ranger (Ordinance)               | Environmental Compliance   | Planning & Place |
| Ranger (Ordinance)               | Environmental Compliance   | Planning & Place |
| Ranger (Ordinance)               | Environmental Compliance   | Planning & Place |
| Ranger Coordinator               | Environmental Compliance   | Planning & Place |
| Ranger Coordinator               | Environmental Compliance   | Planning & Place |
| Ranger Coordinator               | Environmental Compliance   | Planning & Place |
| Ranger Coordinator               | Environmental Compliance   | Planning & Place |
| Senior Building Surveyor         | Environmental Compliance   | Planning & Place |
| Senior Building Surveyor         | Environmental Compliance   | Planning & Place |
| Senior Compliance Officer        | Environmental Compliance   | Planning & Place |
| Senior Urban Designer            | Strategic & Place Planning | Planning & Place |
| Senior Urban Designer            | Strategic & Place Planning | Planning & Place |
| Senior Urban Designer            | Strategic & Place Planning | Planning & Place |
| Student Planner                  | Development Assessment     | Planning & Place |
| Student Planner                  | Development Assessment     | Planning & Place |
| Student Planner                  | Development Assessment     | Planning & Place |
| Student Planner                  | Development Assessment     | Planning & Place |
| Swimming Pool Certifier          | Environmental Compliance   | Planning & Place |
| Team Leader Building Control     | Environmental Compliance   | Planning & Place |
| Team Leader Building Control     | Environmental Compliance   | Planning & Place |
| Team Leader Building Control     | Environmental Compliance   | Planning & Place |
| Team Leader Environmental Health | Environmental Compliance   | Planning & Place |
| Team Leader Environmental Health | Environmental Compliance   | Planning & Place |
| Team Leader Environmental Health | Environmental Compliance   | Planning & Place |
| Team Leader Placemaking          | Planning & Place           | Planning & Place |

**ATTACHMENT 1 : FINAL DESIGNATED POSITIONS LIST 2024/25 - ITEM 8.11 - EXTRAORDINARY NORTHERN  
BEACHES COUNCIL MEETING - 8 OCTOBER 2024**

| <b><u>Position Title</u></b>                           | <b><u>Business Unit</u></b>         | <b><u>Division</u></b> |
|--|-------------------------------------|------------------------|
| Team Leader, Economic Development                      | Planning & Place                    | Planning & Place       |
| Business Operations Coordinator                        | Transport & Civil Infrastructure    | Transport & Assets     |
| Capital Works Project Manager                          | Capital Projects                    | Transport & Assets     |
| Capital Works Project Manager                          | Capital Projects                    | Transport & Assets     |
| Capital Works Project Manager                          | Capital Projects                    | Transport & Assets     |
| Cleaning Services Coordinator                          | Property, Building & Beach Services | Transport & Assets     |
| Contracts Administration Officer                       | Property, Building & Beach Services | Transport & Assets     |
| Director Transport & Assets                            | Transport & Assets                  | Transport & Assets     |
| Dispatch Administration Officer                        | Property, Building & Beach Services | Transport & Assets     |
| Engineer - Construction & Maintenance                  | Transport & Civil Infrastructure    | Transport & Assets     |
| Engineer - Construction & Maintenance                  | Transport & Civil Infrastructure    | Transport & Assets     |
| Engineer - Projects                                    | Capital Projects                    | Transport & Assets     |
| Executive Manager Capital Projects                     | Capital Projects                    | Transport & Assets     |
| Executive Manager Property, Building & Beach Services  | Property, Building & Beach Services | Transport & Assets     |
| Executive Manager Transport & Civil Infrastructure     | Transport & Civil Infrastructure    | Transport & Assets     |
| Finance Officer - Property                             | Property, Building & Beach Services | Transport & Assets     |
| Finance Property Officer                               | Property, Building & Beach Services | Transport & Assets     |
| Fleet Coordinator                                      | Transport & Civil Infrastructure    | Transport & Assets     |
| Hospitality Services Coordinator                       | Property, Building & Beach Services | Transport & Assets     |
| Infrastructure Funding Officer                         | Capital Projects                    | Transport & Assets     |
| Land Dealings Officer                                  | Property, Building & Beach Services | Transport & Assets     |
| Manager, Asset Strategy, Planning & Performance        | Transport & Civil Infrastructure    | Transport & Assets     |
| Manager, Building Assets - Planning, Design & Delivery | Property, Building & Beach Services | Transport & Assets     |
| Manager, Business Operations                           | Transport & Civil Infrastructure    | Transport & Assets     |
| Manager, Business Operations                           | Transport & Civil Infrastructure    | Transport & Assets     |
| Manager, Community Transport, Parking & Fleet          | Transport & Civil Infrastructure    | Transport & Assets     |
| Manager, Construction & Maintenance                    | Transport & Civil Infrastructure    | Transport & Assets     |
| Restorations Officer                                   | Transport & Civil Infrastructure    | Transport & Assets     |
| Roads Restoration Officer                              | Transport & Civil Infrastructure    | Transport & Assets     |
| Senior Design & Surveyor                               | Capital Projects                    | Transport & Assets     |

**ATTACHMENT 1 : FINAL DESIGNATED POSITIONS LIST 2024/25 - ITEM 8.11 - EXTRAORDINARY NORTHERN  
BEACHES COUNCIL MEETING - 8 OCTOBER 2024**

| <b><u>Position Title</u></b>                     | <b><u>Business Unit</u></b>         | <b><u>Division</u></b> |
|--|-------------------------------------|------------------------|
| Senior Engineer - Construction and Maintenance   | Transport & Civil Infrastructure    | Transport & Assets     |
| Strategic Transport Coordinator                  | Transport & Civil Infrastructure    | Transport & Assets     |
| Team Leader, Cemeteries                          | Property, Building & Beach Services | Transport & Assets     |
| Manager, Asset Strategy & Planning               | Transport & Assets                  | Transport & Assets     |
| Manager, Facilities Management & Services        | Property, Building & Beach Services | Transport & Assets     |
| Manager, Major Projects                          | Capital Projects                    | Transport & Assets     |
| Manager, Major Infrastructure Projects           | Capital Projects                    | Transport & Assets     |
| Manager, Property, Commercial & Tourist Assets   | Property, Building & Beach Services | Transport & Assets     |
| Manager, Transport & Civil Infrastructure Assets | Transport & Civil Infrastructure    | Transport & Assets     |
| Manager, Transport Network                       | Transport & Civil Infrastructure    | Transport & Assets     |
| Principal Architectural Designer                 | Property, Building & Beach Services | Transport & Assets     |
| Principal Engineer                               | Capital Projects                    | Transport & Assets     |
| Principal Planner                                | Property, Building & Beach Services | Transport & Assets     |
| Project Manager - Capital Works                  | Capital Projects                    | Transport & Assets     |
| Project Manager - Civil Works                    | Capital Projects                    | Transport & Assets     |
| Project Manager - Capital Works                  | Capital Projects                    | Transport & Assets     |
| Project Manager - Civil Works                    | Capital Projects                    | Transport & Assets     |
| Project Officer                                  | Capital Projects                    | Transport & Assets     |
| Project Officer                                  | Property, Building & Beach Services | Transport & Assets     |
| Property & Building Projects                     | Property, Building & Beach Services | Transport & Assets     |
| Property Administration Officer                  | Property, Building & Beach Services | Transport & Assets     |
| Property Officer                                 | Property, Building & Beach Services | Transport & Assets     |
| Property Officer                                 | Property, Building & Beach Services | Transport & Assets     |
| Property Officer                                 | Property, Building & Beach Services | Transport & Assets     |
| Property Officer                                 | Property, Building & Beach Services | Transport & Assets     |
| Property Officer                                 | Property, Building & Beach Services | Transport & Assets     |
| Property Officer                                 | Property, Building & Beach Services | Transport & Assets     |
| Property Officer - Finance                       | Property, Building & Beach Services | Transport & Assets     |
| Senior Engineer - Civil Works                    | Capital Projects                    | Transport & Assets     |
| Senior Engineer - Asset Projects                 | Capital Projects                    | Transport & Assets     |

**ATTACHMENT 1 : FINAL DESIGNATED POSITIONS LIST 2024/25 - ITEM 8.11 - EXTRAORDINARY NORTHERN  
BEACHES COUNCIL MEETING - 8 OCTOBER 2024**

| <b><u>Position Title</u></b>              | <b><u>Business Unit</u></b>         | <b><u>Division</u></b> |
|---|-------------------------------------|------------------------|
| Senior Facilities Officer                 | Property, Building & Beach Services | Transport & Assets     |
| Senior Facilities Officer                 | Property, Building & Beach Services | Transport & Assets     |
| Senior Project Manager                    | Capital Projects                    | Transport & Assets     |
| Senior Project Manager - Capital Works    | Capital Projects                    | Transport & Assets     |
| Senior Project Officer                    | Property, Building & Beach Services | Transport & Assets     |
| Senior Project Officer                    | Property, Building & Beach Services | Transport & Assets     |
| Senior Project Officer - Capital Projects | Capital Projects                    | Transport & Assets     |
| Senior Project Officer - Capital Projects | Capital Projects                    | Transport & Assets     |
| Senior Property Officer                   | Property, Building & Beach Services | Transport & Assets     |
| Senior Property Officer                   | Property, Building & Beach Services | Transport & Assets     |
| Senior Property Officer                   | Property, Building & Beach Services | Transport & Assets     |
| Team Leader, Land Dealings                | Property, Building & Beach Services | Transport & Assets     |
| Team Leader, Property                     | Property, Building & Beach Services | Transport & Assets     |
| Team Leader, Property                     | Property, Building & Beach Services | Transport & Assets     |

| <b>External Officials</b>                     |
|---|
| ARIC Members                                  |
| Northern Beaches Local Planning Panel Members |
| Councillors                                   |

**New Positions**

| <b><u>Position Title</u></b>                   | <b><u>Business Unit</u></b>      |
|--|----------------------------------|
| Coordinator Waste Operations                   | Waste Management & Cleansing     |
| Coordinator, Contract Services                 | Waste Management & Cleansing     |
| Business Operations & Engagement Leader        | Waste Management & Cleansing     |
| Manager, Corporate Strategy                    | Strategy & Performance           |
| Manager Talent & Learning & Development        | Human Resources                  |
| Manager, HR Partnerships and Services          | Human Resources                  |
| Manager, Organisational Performance            | Strategy & Performance           |
| Team Leader – WHS                              | Human Resources                  |
| Manager, HR Services & Systems                 | Human Resources                  |
| Workers Compensation Team Leader               | Human Resources                  |
| Chief Information Security Officer             | Information & Digital Technology |
| Strategic Transport Coordinator                | Transport & Civil Infrastructure |
| Senior Engineer - Construction and Maintenance | Transport & Civil Infrastructure |
| Engineer - Construction & Maintenance          | Transport & Civil Infrastructure |
| Fleet Coordinator                              | Transport & Civil Infrastructure |
| Engineer - Construction & Maintenance          | Transport & Civil Infrastructure |
| Restorations Officer                           | Transport & Civil Infrastructure |
| Roads Restoration Officer                      | Transport & Civil Infrastructure |
| Senior Design & Surveyor                       | Capital Projects                 |

**Positions Removed**

| <b><u>Position Title</u></b>                  | <b><u>Business Unit</u></b>      |
|---|----------------------------------|
| ERP - Project Coordinator                     | ERP Transformation               |
| Infrastructure Project Manager                | Information & Digital Technology |
| IT PMO Analyst                                | Information & Digital Technology |
| IT Project Manager (Procurement)              | Information & Digital Technology |
| Program Manager Technology Projects           | Information & Digital Technology |
| Project Manager                               | Information & Digital Technology |
| Senior Project Manager                        | Information & Digital Technology |
| Contractor - Building Control Liaison Officer | Environmental Compliance         |
| Contractor - Building Control Officer         | Environmental Compliance         |
| Contractor - Environmental Health Officer     | Environmental Compliance         |
| Contractor - Planner                          | Development Assessment           |
| Contractor - Planner                          | Development Assessment           |
| Contractor Parking Officer                    | Environmental Compliance         |