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Acknowledgement to Country

Shellharbour City Council acknowledges the Traditional Owners and Custodians of the Land on which we are meeting.

- 1. Apologies / Leave of Absence**

- 2. Ordinary Meeting Cycle**

- 2. Ordinary Meeting Cycle (8980250)**

To the General Manager

Division: Operations & Services Division
Department: Corporate Services

Manager: Tony Gearon – Group Manager Corporate Services
Author: Julie Larsen – Agenda / Administration Officer

Summary

Section 365 of the *Local Government Act 1993*, states that a council is required to meet at least 10 times each year, each time in a different month.

The current meeting cycle is set out in the Code of Meeting Practice.

Ordinary Council meetings are currently scheduled for a three-week cycle on Tuesdays commencing at 7:15 pm.

Set out below is a table showing the dates of Council meetings if the current three-week pattern is continued allowing some variation to accommodate conferences and public holidays.

| Proposed Ordinary Council Meeting dates October 2008 – September 2009 | | | |
|---|---|---|--|
| OCTOBER 2008 21 October <i>(Local Gov Ann Conf 25-29 Oct)</i> | NOVEMBER 11 November <i>(Aboriginal Network Conf 25-27 Nov)</i> | DECEMBER 2 December <i>(ALGA Conf 8-11 December)</i> 16 December | JANUARY 2009 No Meetings |
| FEBRUARY 24 February | MARCH 17 March | APRIL 7 April 28 April | MAY 19 May |
| JUNE 2 June <i>(150th Anniversary Thurs 4 June)</i> 23 June | JULY 14 July | AUGUST 4 August 25 August | SEPTEMBER 15 September |

Recommendation

That Council continue with the existing 3 week meeting cycle for the next 12 months (September 2009) and adopt the Council meeting dates as detailed in this report.



Approved for Council's consideration: _____

Attachments

Nil

STAFF REPORTS**3. General Manager's Division****3.1 Review of Council's Code of Meeting Practice**

The review of Council's Code of Meeting Practice is almost completed. The Administrator has sought further clarification and this report will be deferred to a later meeting of Council.

3.2 Review of Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy (8986499)

To the Administrator

Division: General Manager's Division

Department: Executive Office

Manager: Brian Weir - General Manager

Author: Flora MastroDomenico - Manager Executive Offices

Deborah Arney - Executive Assistant

Summary

The NSW *Local Government Act 1993 (The Act)* via sections 252, 253; requires all NSW councils, within five months of the commencement of each new financial year, to review and adopt a policy on the payment of expenses and provision of facilities for the Mayor and councillors and to forward the policy to the Department of Local Government (DLG) by

30 November. If a policy is to be amended in a significant way, it is required to be exhibited for at least 28 days to allow public submissions. The DLG requires that this policy must comply with the latest DLG guidelines (Circular No. 22 of 2007), available on the "Circulars" section of the DLG web site, www.dlg.nsw.gov.au.

This is a requirement for Shellharbour City Council notwithstanding that Council is under Administration.

It should be noted that wherever this report refers to the Mayor and/or Councillors it also refers to the Administrator. This is noted in the Policy under "Definitions".

Recommendation

1. That Council determine its draft policy on the Payment of Expenses and Provision of Facilities to the Mayor and Councillors, in compliance with the provisions of the *Local Government Act 1993*.
2. That the attached draft policy be adopted for public exhibition in accordance with the provisions of the *Local Government Act 1993* and Departmental guidelines.
3. That the draft policy together with any public submissions, be reported back to Council for consideration following the close of the exhibition period.

Background

The Department of Local Government have substantially extended reporting requirements associated with these policies for all councils, raising public accountability levels for councillors and reducing the obligation on the General Manager, to constantly police the policy. The expectation is that the policy be interpreted and self-policed by councillors in compliance with the guidelines. Any contravention of the policy will be managed by counselling and /or reference to the Council's Conduct Committee.

Shellharbour Council's draft policy has been reviewed for compliance with the spirit and detail of the DLG guidelines and complies. This revised draft policy addresses known inconsistencies and areas of doubt embedded in the previous policy and is now submitted for Council's consideration, amendment if appropriate and adoption for exhibition.

Since 2006, NSW Councils are more closely monitored by the Department of Local Government (DLG), for accountability in the use of Council facilities and the payment of expenses for councillors. Every year, councils must review, update and re-adopt their policies, requiring public exhibition of any material changes. By 30 November each year, councils are required to forward their latest policy to the DLG. In addition, new reporting requirements demand detailed disclosure of all areas of resource allocation by councils to councillors.

A number of changes have been made to this draft policy, some of the most significant are outlined below:

Allowances

The guidelines make it clear that open-ended allowances for any services or facilities are not to be included in the policy. Therefore, all references to any allowance type payment, in particular the "Sydney Allowance", have been removed and replaced by the reimbursement to councillors for reasonable expenses incurred in the course of their function as councillors, on Council related business. Limits to the amount to be reimbursed for reasonable expenses have been included.

Accountability

This policy clearly allows for a public record, open to scrutiny, to be kept concerning details of any expense incurred by Mayor and councillors. This will include quarterly telephone and fax expenses, travel, training, cost of facilities and equipment and any requests for reimbursement made under this policy.

Accompanying Persons Expenses

The Department of Local Government guidelines clearly state what expenses may be reimbursed to councillors for accompanying persons. This draft policy complies with those guidelines and clearly defines what expenses will and will not be reimbursed to councillors for expenses incurred by accompanying persons.

Private Benefit

This draft policy clearly outlines that councillors should not obtain private benefit from the provision of equipment, services and facilities. It also outlines what a councillor should do if substantial private use occurs, whether intended or not, and that there should be no compensation sought by Council for *incidental* private use. This is in keeping with the Department of Local Government guidelines.

Reduction in monthly limits to telecommunications expenditure

After a review of the expenses incurred by the previous term of council for telecommunications (mobile and home-based facsimile) expenses, it was found that the average expenditure was well below the monthly limit set in the current policy. This draft policy proposes a reduction to those limits as part of the review of anticipated expenditure for future councils.

Reporting of conferences attended by Councillors

The draft policy proposes that councillors attending conferences will be required to report back to an open meeting of the Council outlining the major issues raised at the event and its relevance to the Shellharbour City Council.

Consultations**Internal**

Group Manager Corporate Services
Corporate Solicitor
Manager Information Technology
Manex

External

Department of Local Government Circular 07/22

Considerations

Financial/resources implications

The total cost of this policy to Council will depend on the amount of council related business conducted by councillors. No judgement can be made in advance about this type of expenditure except to say that expenditures will be reported, accounted for and incurred in accord with the Policy.

Legal & policy implications

Provision of facilities to councillors is covered under sections 252 and 253 of the *Local Government Act* as well as Departmental guidelines and is monitored by the Department of Local Government. For a proposed change of this level of significance, Council must give public notice of its intention to adopt or amend the policy for the payment of expenses or the provision of facilities, allowing at least 28 days for the making of public submissions.

Public/social impact

This policy amendment affects the provision of facilities to the Mayor and councillors, assisting the performance of their civic functions. It also applies to the Administrator.

Options

1. That Council adopt the recommendations in this report that this draft policy complies with the Department of Local Government guidelines on the Payment of Expenses and Provision of Facilities to the Mayor and Councillors. Further, that this draft be placed on public exhibition for a period of 28 days and that this draft policy and any submission be reported back to council for adoption at the conclusion of this exhibition period.

OR

2. That Council not adopt the recommendation, clearly stating its reason for doing so and that the Department of Local Government be advised accordingly.

Conclusions

The Department of Local Government has defined standards for the provision of facilities and reimbursements to assist councillors in the reasonable performance of their civic functions.

Councils throughout the State must determine policies that comply with the new guidelines and must place those policies on public exhibition for a minimum of 28 days, calling for submissions from the public. Council should adopt a draft policy for exhibition, then consider any submissions and make any changes it deems necessary, prior to final adoption of a policy, before forwarding the policy and submissions and a statement of Council's response to each submission to the Department, before 30 November 2008.

A handwritten signature in black ink, appearing to read 'M. Ashby', is written over a horizontal line.

Approved for Council's consideration: _____

Attachments

1. Draft Policy Payment of Expenses and Provision of Facilities to the Mayor and Councillors (under separate cover)

3.3 Review of Council Delegates to Committees and Working Parties (8987443)

To the Administrator

Division: General Manager's Division

Department: Executive Office

Manager: Brian Weir - General Manager

Author: Flora MastroDomenico - Manager Executive Offices

Summary

This report is to propose the appointment of delegates to Council Committees and outside committees and staff representatives for Working Parties in order that they continue their functions. This report also seeks endorsement to disband some committees and working parties, whose functions are no longer relevant to Council's operations.

Recommendation

That the attached list of Committees and Working Parties 2008/2009 be endorsed and adopted by Council.

Background

Council elects delegates to committees, outside committees and working parties in September of each year.

This year, following the appointment of the Administrator, a review of the list of Committees and Working Parties has been undertaken and recommendations as to suitable delegates have been made to committees and working parties that continue to be relevant to Council's operations. Recommendations for the disbanding of some committees and working parties no longer required have also been made in this review. The purpose or charter have been updated as necessary to reflect that council is under Administration and other relevant factors. The attached list provides the details.

Council has various types of Committees and Working Parties in use in order to exercise its functions. The different types and their purpose are clarified in this report.

According to Clause 13 of the *Local Government (Meetings) Regulation 1999*, it is the General Manager's role to prepare the agenda for full Council and Standing Committee meetings.

Council Committees:

Section 355(b) of the *Local Government Act* states “A function of a council may, subject to this Chapter, be exercised by a committee of the council...”. Council Committees are then covered under Part 5 of the *Local Government (Meetings) Regulation 1999*.

Clause 260 of the Regulation states as follows:

1. A council may, by resolution, establish such committees as it considers necessary.
2. A committee is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.”

These committees established by resolution are considered to be “standing committees”, and can only consist of the Mayor and Councillors. There is no provision for community representatives, Council staff or other parties to be members of these committees.

Clause 267 of the Regulations discusses the chairperson and deputy chairperson of these committees, i.e:

1. 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.

(Clause 267 goes on to discuss the election of a deputy chairperson, and the proceedings in the absence of the chairperson and/or deputy chairperson)

Council currently has one such standing committee – the Staff Committee.

Council has created other committees in order to assist in undertaking its functions and these are “advisory committees”. These advisory committees include community representative and other parties as its members including staff if Council so wishes. These “advisory committees” do not fall within the definition contained in the Regulations. Therefore, the Mayor is not the “ex officio” Chairperson of these committees – it is up to the committee members to elect their Chairperson. The charter of these advisory committees should also include where, when and how often they should meet and this is to be adopted by Council at its September meeting when considering membership of these committees.

Council currently has the following advisory committees: Australia Day Advisory Committee, Disabilities Services Advisory Committee, Shellharbour Aboriginal Advisory Committee, Illawarra Regional Airport Management Advisory Committee, Shellharbour Links Advisory Committee and the Economic Development Advisory Committee. However it is recommended in this report that the Shellharbour Links Advisory Committee and Economic Development Advisory Committee be disbanded. The attachment outlines the reasons for this.

Council also has one miscellaneous committee, the Workplace Consultative Committee, which was formed to provide a forum for consultation between Council and its employees to negotiate workplace change issues.

The Shellharbour Traffic Committee is also in a category of its own as it is a body which was created by the Ministry of Transport. This traffic authority has delegated certain powers to Councils in respect of the provision of traffic control facilities and traffic management measures on public streets. The exercise of such powers is conditional upon the Council forming a "Local Traffic Committee" and seeking its advice/approval before a traffic control facility/traffic management measure is implemented or removed.

It should be noted that Local Traffic Committee, is not a committee formed under Section 355(b) of the *Local Government Act*, but a committee formed by Council to exercise its delegated powers.

This Committee makes recommendations to Council, however, if there is a disagreement of a decision of the Committee by Council, the Regional Traffic Committee has an override power. Its powers are as outlined in the delegation from the Minister for Transport.

Working Parties: (Established by Council 7th May 1996)

There are often circumstances that arise which require different collaborative approaches to advancing certain issues, policy input and debate solving problems, and obtaining valuable information from a range of various sources. This is why Working Parties were established.

General Purpose:

To provide a close working setting for Council and senior staff officers for advancing certain issues, expression of differing points of view, and problem solving. Additionally to obtain Council input into controversial issues at an early stage to assist in the formation of policy options for Council, and procedural advice for management.

Membership:

May consist of any combination of council, staff and community representatives as determined by the Council in the individual circumstances.

Life:

The term of the Council, or earlier by resolution of the Council. There is an annual review at the September Extraordinary Council Meeting with regard to composition.

Formality:

Working Parties are informal. This means that the code of Meeting Practice as it relates to Council and Council Committee Meetings does not apply. Therefore there is no need for formal notices, business papers and official minutes. The staff member convening

the Working Party will arrange for notes to be taken. The General Manager, Directors or Managers will ascertain from the Working Party meetings if there are issues requiring Council decisions, and the necessary reports will be prepared.

There is no need to elect a chairperson. The Working party is a discussion group – facilitated by a Director/Manager. There are no formal decisions made, rather each member may express their view and decide on a course of action to be considered by the relevant Director/Manager. It is convened by the relevant Director/Manager on an “as needs” basis.

The Director/Manager placing reports to Council is therefore mindful of the thoughts expressed at Working Party meetings. Working Party decisions are not recommendations to the Council, they are merely advice to the Director/Manager who is not obliged to act on those recommendations.

At no time are Working Parties’ recommendations to be regarded as dictating to a Council Officer how to do his/her job (that would be contrary to law and/or Council policy) or what to recommend to Council (that would also be contrary to law).

It should be noted that the Code of Meeting Practice has no relevance to Working Parties.

Consultations

Internal

Manex
Group Manager Corporate Services

External

Nil.

Considerations

Financial/resources implications

N/A

Legal & policy implications

N/A

Public/social impact

Nil.

Options

1. To adopt the recommendation, or
2. To adopt an amended recommendation.

Conclusions

Council's Committee and Working Party membership details has been provided in order to distinguish between the various types of Committees and Working Parties.

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Approved for Council's consideration: _____

Attachments

1. Committees and Working Parties 2008/2009 (Under separate cover)

4. Operations & Services Division

4.1 Delegation of Authority to the General Manager (8983811)

To the General Manager

Division: Operations & Services Division

Department: Corporate Services

Manager: Tony Gearon - Group Manager Corporate Services

Author: Bruce McCann - Corporate Solicitor / Public Officer

Summary

Section 380 of the *Local Government Act 1993 (LGA)* states that each council must review all its delegations during the first 12 months of each term of office.

The recent appointment of the Administrator to Shellharbour City Council is considered the commencement of a new term of office as the election of Councillors did not take place this year.

Recommendation

That Council review the delegation to the General Manager and adopt the following:

- 1. Council delegates to the General Manager all of the delegable functions of the Council, excluding those functions specified in clauses (a) to (u) of section 377(1) of the *Local Government Act 1993 (NSW)* and, further excluding:**

The determination of a development application:-

- a) where an objection has been submitted, unless the objection (in the opinion of the General Manager):**
 - i. is unreasonable**
 - ii. can be satisfied by the imposition of a reasonable condition of consent; or**
 - iii. concerns a matter which is to be taken into consideration under s79C of the *Environmental Planning & Assessment Act 1979*,**
- b) for designated development as defined in the *Environmental Planning & Assessment Act 1979*;**
- c) for the erection of, or alteration to, flat buildings containing more than 20 dwellings;**
- d) for development which does not comply with any Council policy**

(including a development control plan) or development standard unless the General Manager considers that:

- i. compliance with the policy is unreasonable and unnecessary in the circumstances; or**
 - ii. compliance with the development standard is unreasonable or unnecessary in the circumstances of the case having regard to the provisions of State Environmental Planning Policy No. 1;**
- e) for a subdivision creating more than 100 lots;**
f) for development having an estimated value exceeding \$5,000,000.
- 2. Council delegates to the General Manager the functions contained in the Director General's Instrument of Delegation dated 16 February 2006 regarding his functions under sections 65(1) and 69(1) of the *Environmental Planning and Assessment Act 1979*.**
- 3. Council delegates to the General Manager authority with respect to the Shell Cove project to act, and when necessary, react on behalf of Council to achieve and support Council's stated policies and objectives.**

Background

The *Local Government Act 1993* provides Council with powers, authorities and duties. It is the primary source of Council's functions although other legislation, such as the *Environmental Planning and Assessment Act 1979* and the *Roads Act 1993*, impose further functions for Council to administer.

Due to the nature, scope and complexity of the functions Council has to perform, the *Local Government Act* makes provision for the Council to delegate those functions to the General Manager. Section 377(1) of the *Local Government Act* provides that Council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the Council other than the following:-

- (a) the appointment of a general manager,*
- (b) the making of a rate,*
- (c) a determination under section 549 as to the levying of a rate,*
- (d) the making of a charge,*
- (e) the fixing of a fee,*
- (f) the borrowing of money,*
- (g) the voting of money for expenditure on its works, services or operations,*
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*

- (i) the acceptance of tenders which are required under this Act to be invited by the council,*
- (j) the adoption of a management plan under section 406,*
- (k) the adoption of a financial statement included in an annual financial report,*
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,*
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,*
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,*
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,*
- (t) this power of delegation,*
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.*

The above exclusions formed the General Manager's current delegation pursuant to s377(1) of the LGA and cannot be changed.

The following additional exclusions were listed on the General Manager's current delegation and are those where the previous Council has opted to retain decision making e.g. designated developments; developments over 20 dwellings:

The approval of a development application:

- a) where an objection has been submitted, unless the objection (in the opinion of the General Manager):*
 - i. is unreasonable*
 - ii. can be satisfied by the imposition of a reasonable condition of consent; or*

- iii. *concerns a matter which is to be taken into consideration under s79C of the Environmental Planning & Assessment Act 1979,*
- b) *for designated development as defined in that Act;*
- c) *for the erection of, or alteration to, flat buildings containing more than 20 dwellings;*
- d) *for development which does not comply with any Council policy (including a development control plan) unless the General Manager considers that compliance is unreasonable or unnecessary in the circumstances of the case;*
- e) *for a subdivision creating more than 100 lots;*
- f) *for development having an estimated value exceeding \$3,000,000.*

The above delegation to the General Manager was resolved by Council in Minute 648 at the ordinary Meeting held on 15 March 2005.

In addition to the above delegation, the following recommendations were resolved by previous Councils:-

Delegated authority to approve development applications for 39 residential developments in respect of development at the Tullimbar Village estate Stage 1b1 (Min 1095 Ordinary Council Meeting 11 October 2005),

The functions contained in the Director General's Instrument of Delegation dated 16 February 2006 regarding his functions under sections 65(1) and 69(1) of the Environmental Planning and Assessment Act 1979 (Min 351 Ordinary Council Meeting 25 July 2006),

That Council reaffirm its support for the marina and the Shell Cove project. Further, that Council also endorse the General Manager's actions and reaffirm the delegated authority to the General Manager to act, and when necessary, react on behalf of Council to achieve and support Council's stated policies and projects (Min 790 Ordinary Council Meeting 14 November 1995),

That Council in accordance with the provisions of S377 of the Local Government Act, delegates to the General Manager the functions of "Authorised Person" under the Sydney Water Act 1994, to remain in effect until Council is notified in writing, of the lifting of current Water restrictions, by Sydney Water. (Min 575 Ordinary Council Meeting 2 December 2003)

Section 377 (2) of the LGA states:

"A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Director-General except as provided by the instrument of delegation to the council."

Section 378 of the LGA further provides for the following delegations by the General Manager:

- (1) The general manager may delegate any of the functions of the general manager, other than this power of delegation.
- (2) The general manager may sub-delegate a function delegated to the general manager by the council to any person or body (including another employee of the council).
- (3) Subsection (2) extends to a function sub-delegated to the general manager by the council under section 377 (2)."

Section 378 above does not require a resolution of Council.

Section 380 of the *Local Government Act 1993* requires the Council to review all of its delegations during the first twelve months of each term of its office. It is appropriate that this review takes place now that Council has been appointed an Administrator and the September 2008 Local Government elections did not take place for Shellharbour City Council.

Consultations

Internal

General Manager
Group Manager Corporate Services

External

Sparke Helmore Solicitors

Considerations

Financial/resources implications

Nil

Legal & policy implications

The review of the General Manager's delegation is a legal requirement under the *Local Government Act 1993*. The General Manager's delegation is not a policy issue and therefore no change in Council policy is required.

Section 335 of the *LGA* details the statutory roles and functions of the General Manager as follows:-

"(1) The general manager is generally responsible for the efficient and effective operation of the council's organisation and for ensuring the implementation, without undue delay, of decisions of the council.

(2) The general manager has the following particular functions:

- the day-to-day management of the council

- to exercise such of the functions of the council as are delegated by the council to the general manager
- to appoint staff in accordance with an organisation structure and resources approved by the council
- to direct and dismiss staff
- to implement the council's equal employment opportunity management plan.

(3) The general manager has such other functions as may be conferred or imposed on the general manager by or under this or any other *Act*."

Public/social impact

The adoption of the delegation to the General Manager enables him and subsequently, council staff, to make decisions within their granted authority. This is necessary to allow the provision of efficient and effective customer service to internal and external customers.

Options

1. That Council review and endorse the Delegations to the General Manager as indicated in the Recommendation of this report.
2. That Council review and endorse the Delegation to the General Manager subject to a modified list of exclusions. (Other than the exclusions specified in clauses (a) to (u) of section 377(1) of the *Local Government Act 1993*, Council has the authority to amend, delete or add to the list of exclusions).
3. Refuse the delegations to the General Manager as indicated in the Recommendation of this report and provide an entirely different set of delegations to the General Manager.

Conclusions

It is imperative that the General Manager has the authority necessary to make the decisions to ensure the smooth day to day running of the Council in compliance with the statutory roles and functions of the General Manager as described in Section 335 of the *LGA*. The sub-delegation of authority to the appropriate staff will ensure that Council continues to provide high levels of customer service. The use of the delegations by Council staff is consistently monitored by the Directors and the General Manager and has operated well for many years.

Approved for Council's consideration: _____

A handwritten signature in black ink, appearing to read "Pearson", is written over a horizontal line.

Attachments

Nil



Shellharbour City Council

Business Paper

Extraordinary Meeting
30 September 2008

Attachment to
General Manager's Division
Item no. 3.2

**Policy - Payment of Expenses and
Provision of Facilities to the Mayor and
Councillors**

Corporate Policy:

PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE MAYOR AND COUNCILLORS

| | |
|--|---------------------------------------|
| Policy Name: Payment of Expenses and Provision of Facilities to the Mayor and Councillors | Policy Number: POL-0040-V07 |
| Date Adopted: 20 June 1994 | Review Date: 30 September 2008 |
| Policy Owner: Group Manager Corporate Services | |

Contents:

1. Policy Statement/Objective(s)

1.1 Policy Implementation Guidelines

The Payment of Expenses and Provision of Facilities Policy must ensure that councillors are reimbursed for **expenses reasonably incurred** in their performance of their role as a councillor. This Policy does not seek to remunerate councillors for *all* expenses which may be incurred by individuals in performing the role of councillor. Nor does it seek to remunerate councillors for all of the time, expense and effort associated with the role of councillor. This policy complies with Section 252 of the Local Government Act and relevant departmental guidelines, by stipulating the limit, level and nature of any reimbursements for expenditures incurred in the reasonable performance of the role of councillor. The policy also describes the facilities provided to councillors while excluding annual fees paid to councillors under Sections 248-251 of the Local Government Act, 1993, which are a matter for the Local Government Remuneration Tribunal.

- 1.1.1 All Councillors, including the Mayor are entitled to claim for reimbursement of reasonable expenses incurred in properly carrying out the duties of civic office as a Councillor.
- 1.1.2 All expenses should be directly and wholly attributable to the performance of the duties of civic office.
- 1.1.3 Each expense claim is to be accompanied by appropriate documentation and/or certification from the Councillor as to its validity in terms of the Act.
- 1.1.4 The meeting of expenses and the reimbursement of claims shall be subject to prior authorisation by Council. However, in the circumstances where the time factor does not allow prior authorisation by Council, then the General Manager has delegation, to approve such expenses.
- 1.1.5 A **public record, open for scrutiny**, is to be kept concerning all facilities provided to Councillors and details of any expenses incurred by the Mayor and Councillors.

1.2 Policy Objectives

- 1.2.1 To comply (as closely as possible) with the mandatory provisions of Sections 252, 253 and 254 of the Local Government Act, 1993 and with the guidelines implicit in DLG Circulars, 2005/08 and 2007/22, which replaced circulars 2004/60 and 2006/57. To incorporate December 2006 amendments to Clause 217 of the Local Government (General) regulation 2005, relating to reporting requirements. To incorporate relevant provisions of the Council's Code of Conduct and the ICAC publication "No Excuse for Misuse".

- 1.2.2 To provide clear guidelines on what types of expenses councillors are entitled to claim payment or reimbursement for, from the Council.
- 1.2.3 To provide clear guidelines on which Council equipment may be used by councillors and for the frequency with which equipment may be used and the process to be followed in using it.
- 1.2.4 To provide clear guidelines on what services or facilities are made available to the Mayor, above and beyond those made available to other councillors.
- 1.2.5 To ensure that no councillor suffers financial hardship by meeting their civic responsibilities and obligations to a reasonable standard.

2. Scope

This policy applies to the Mayor and all Councillors, or, where appointed, Administrator/s of Shellharbour City Council.

3. References

- *Local Government Act 1993*
- *Department of Local Government Guidelines for payment of expenses and provision of facilities*
- *Model Code of Conduct*
- *Department of Local Government Circulars to Councils*
- *ICAC publications*

4. Definitions

| | |
|----------------------------------|--|
| Accompanying person | Shall mean spouse, partner or a person with a close personal relationship to the Councillor and/or provides carer support to the Councillor |
| Act | Shall mean the <i>Local Government Act 1993</i> (as amended) |
| Conference | Shall mean any conference, seminar, congress, forum, workshop, course, meeting, deputation, information and training session, or event, related to the industry of local government and held within Australia. A conference is generally considered residential in nature, with a program spanning more than one day |
| Councillor | Where not specifically identified as Mayor, all elected members or, where appointed, Administrator/s |
| Mayor | Shall mean the elected Mayor, or the Deputy Mayor acting in the position of Mayor in the mayor's absence, or, where appointed, Administrator/s. |
| Policy | Shall mean this policy, being the Payment of Expenses and Provision of facilities to the Mayor and Councillors |
| Regulation | Shall mean the Local Government (General) Regulation 2005 |
| Official Function | A function where the Mayor or a Councillor is in attendance as a representative of Council |
| Seminar | See definition of Conference, above |
| Workshop, and/or Training Course | For the purpose of this policy, workshops and training courses span a single day and are non-residential in nature |
| Year | As defined in the Act is taken to be each financial year (1 July to 30 June) |

5. Variation and Review

Council reserves the right to review, vary or revoke this policy.

S 252 (1) of the Act requires that Council:

Within 5 months after the end of each year, a council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor and the other councillors in relation to discharging the functions of civic office.

Further, S 253 requires that each year the revised policy is placed on public exhibition prior to its adoption via a resolution of Council:

- i. A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*
- ii. Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.*
- iii. Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.*
- iv. Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a council is to forward to the Director-General:
 - (a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and*
 - (b) a statement setting out, for each submission, the council's response to the submission and the reasons for the council's response, and*
 - (c) a copy of the notice given under subsection (1)**
- v. A council must comply with this section when proposing to adopt a policy each year in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy*

6. Policy

Refer to the attached Policy

Attachments:

- Attachment 1:* Terms and Conditions of Use of Mayoral Vehicle
Attachment 2: Councillors' Expense Claim Form
Attachment 3: Councillors' Report Template
Attachment 4: Monetary Limits for Expenses
Attachment 5: Table of Amendments

Policy Authorised by:

Name: [Name of person authorising]

Signature: _____

Title: [Title of person authorising]

Date: _____

Policy

Payment of Expenses and Provision of Facilities to the Mayor and Councillors

Shellharbour City Council

Policy - Payment of Expenses and Provision of Facilities to the Mayor and Councillors

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POLICY SECTION 1

INTRODUCTION

1.1 Legislation

This policy is made under the *Local Government Act 1993* (the Act) including Sections 252 to 254A, together with clause 403 of the *Local Government (General) Regulation 2005*. The Act requires that the Council must adopt a policy concerning the payment of expenses incurred by, and the provision of facilities to, the Mayor and other Councillors.

1.2 Reporting Requirements

Councils are required to include in their Annual Report separate statements on:

- i. Provision of Facilities:
The cost of the provision, including rental, of dedicated office equipment allocated to councilors on a personal basis such as laptop computers, mobile phones, telephones and multi function centres (facsimile machine/printer/copier) and internet installed in councillors' homes, (including line rental and internet access). This item does not include the costs of using this equipment such as calls.
- ii. Expenses:
 - The cost of phone calls including mobiles, home-located landlines, facsimile and internet services.
 - Spouse/partner/accompanying person expenses, (to be limited to circumstances outlined on page 14 of the guidelines Circular 2007/22)
 - Conference and seminar expenses
 - Training and skill development expenses
 - Interstate travel expenses (including sustenance and other out-of-pocket expenses)
 - Carer and other related expenses (of dependants to enable a councillor to undertake his or her civic functions/duties.)
- iii. Overseas Travel:
Council, at an open meeting, must approve overseas travel prior to any councillor undertaking the trip. Travel proposals will be included in the Council business papers. After returning from overseas, councillors, or an accompanying member of Council staff should provide a detailed written report to a full meeting of the Council on the aspects of the trip relevant to Council business and/or the local community.

1.3 Approval Arrangements

All expenses related to the exercise of Council-related business should only be incurred by Councillors in accordance with the provisions of this Policy.

1.4 No deduction from S248 and 249 fees

Unless otherwise provided, the payment of, or reimbursement of expenses and the facilities which may be provided to the Mayor and Councillors under this policy, shall be provided without reduction of the annual fees payable to the Mayor and Councillors, as determined by the Council, under Section 248- 254A inclusive of the Act.

1.5 Private Benefit

Councillors should not obtain private benefit from the provision of equipment, services and facilities, **nor from travel bonuses or any other such loyalty schemes**. However, it is acknowledged that incidental use of council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment.

Where substantial private use has occurred, section 252 of the Act provides for payments to be made by Councillors to cover that private use.

Councillors are required to report to the General Manager any substantial private use of Council facilities immediately. The amount of reimbursement to Council by the Councillor will be considered in accordance with the extent of personal use and the value of the benefit, on a case-by-case basis.

End of Section 1.

POLICY SECTION 2

PAYMENT OF EXPENSES

2.1 General Provisions

Beyond the facilities provided by Council to Councillors and the Mayor, it is expected that additional expenses will be incurred in the performance of Councillors' and the Mayor's civic duties. Accordingly, Council will provide annual allowances, together with reimbursement of reasonable expenses incurred in the performance of a Councillors' or Mayor's role.

No allowances or expenses other than those expressly contained in this policy are payable to the Mayor or Councillors.

2.2 Payment of expenses generally

2.2.1 Time limit for claiming expenses

Councillors are required to submit their application for reimbursement of expenses within 30 days of the date of the expense. Applications not submitted within 30 days of the expense being incurred are not to be subsequently paid under any circumstance.

2.2.2 Reimbursement and reconciliation of expenses

Expenses will be reimbursed to Councillors only where they have been incurred in accordance with this policy.

An expense claim form (attached as *Attachment 2* of this document) must be prepared and signed by the Councillor and submitted for approval within the time limit noted in section 2.2.1.

Supporting documentation must accompany each expense claim and constitutes:

- i. Receipts for travel and other incidental costs
- ii. A Statement of incidental expenses incurred by the councillor, where receipts are not able to be obtained.

Completed expense claim forms (*Attachment 2*) are to be submitted to the General Manager's Office in accordance with 2.2.1.

2.2.3 Payments in advance

Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and training away from home, as well as any other service or facility covered by this policy.

A completed Expense Claim Form is required, including supporting documentation, as outlined in section 2.2.2 above. The reconciliation section on the expense claim form is required to be completed to account for the advance payment and any excess to be repaid or deficit to be reimbursed.

Reconciliation must be lodged with the General Manager's office within 21 days of the payment being made. In circumstances where a reconciliation has not been completed and submitted in keeping with this policy the General Manager is to cause a report to be prepared and presented to the next convenient ordinary meeting of the Council.

2.3 Monetary Limits

Expenses will be reimbursed based on actual expenditure. However, monetary limits have been applied which set a maximum level of expenditure which Council will reimburse for each type of expense. These limits are found in *Attachment 4* of this document.

The monetary limits contained within this policy have been set based on information available on reasonable market rates for the provision of the relevant services. Regional considerations have also been addressed with respect to accommodation costs.

These limits may be varied by any amendment to this policy and will be assessed for relevance and reasonableness on an annual basis in line with the annual policy review.

2.4 Specific Expenses for Mayor and Councillors

2.4.1 Attendance at Conferences

2.4.1.1 Conference Nomination and Authorisation of Attendance Procedures

Each councillor is eligible to attend up to two (2) conferences per year, in addition to attendance at the Local Government Association's Annual Conference and the ALGA National General Assembly of Local Government.

- i. The General Manager will inform the Mayor and councillors of information regarding future conferences and seminars, as this information becomes available to Council.
- ii. The conference must be directly relevant to the operations of Council.
- iii. Councillors will advise the General Manager of their interest to attend particular conferences or seminars in order for registration and travel arrangements to be made by council staff.
- iv. Limits set for costs (eg travel, accommodation, sustenance) to Council associated with each councillor's attendance at conferences or seminars attendance, are outlined in *Attachment 4* of this Policy.
- v. Council is to be advised by written report, on a three monthly basis, of attendances at conferences and seminars by all councillors and associated costs, for that quarter. The report should be formatted as a quarterly version of the annual report required by CI 217 of the General Regulation.
- vi. The voting delegates to the Local Government Association Conference each year shall be the Mayor, Deputy Mayor and two other councillors (a total of four voting delegates) as resolved by the Council.

- vii. The voting delegate (one only) to the ALGA National General Assembly each year shall be determined by a resolution of Council.
- vii. Any Councillor wishing to attend a third or subsequent conference or seminar within the one year, will be required to request prior approval from the General Manager or via a report to Council.

2.4.1.2 Applicable Conferences

The conferences to which this Policy applies shall generally be confined to:

- i. Annual conferences and special one-off conferences called or sponsored by any of the following Associations:
 - a) Local Government Association of NSW
 - b) Australian Local Government Women's' Association of NSW
 - c) Australian Local Government Association
- ii. Other conferences as set out below:
 - a) Annual conferences of the major Professions in Local Government (e.g. Local Government Managers Association)
 - b) Conferences, which further training and development efforts of the Council and of Councillors, or which relate to or impact upon the Council's functions
 - c) Conferences or meetings of organisations or bodies to which a Councillor has been elected, or appointed as a delegate or member of the Council, or the LGA, ALGWA, or ALGA

2.4.1.3 Attendance at Conferences and Seminars

- i. Registration:

The Council will pay the normal registration costs which are charged by organisers of conferences and seminars, including the costs of related official luncheons, dinners and tours which are relevant to the interests of the Council, or in the case of the Mayor, the functions of the Office of the Mayor, or assist the councillors to discharge the functions of their civic office.
- ii. Accommodation:
 - a) Accommodation will be provided for councillors who attend business of the Council which involves an overnight stay away from home. This may include the night before and/or after the conference where that is necessary due to travel and/or conference timetables.
 - b) Where accommodation is required for a councillor, Council staff will make the bookings in advance and arrange for payment of accommodation direct with a travel agent or the accommodation provider.
 - c) The standard of accommodation booked for Councillors will be at the discretion of the General Manager, within the limits outlined in *Attachment 4* of this Policy. Councillors may arrange, at their own expense, upgrades of the standard of accommodation provided.
 - d) Accommodation shall include the provision of a standard breakfast for the Councillor. Where it is not possible to book accommodation and breakfast the councillors shall be reimbursed their actual standard breakfast cost, within the limits defined in Attachment 4.

- iii. Travel:
Reasonable travel costs will be reimbursed to councillors (within the limits as defined in *Attachment 4*) to and from the conference location and venue, in accordance with the requirements for travel as outlined in section 2.4.4 of this policy.
- iv. Out of Pocket Expenses:
Reasonable out-of-pocket expenses will be reimbursed to councillors (within the limits as defined in *Attachment 4*) associated with attendance at a conference upon presentation of a claim and receipts for the following:
- a) any hotel/motel charges associated with the Conference, other than accommodation or mini-bar alcoholic refreshments
 - b) all telephone or facsimile calls or internet charges related to Council business
 - c) reasonable refreshments, lunches, dinners and other meals incurred whilst travelling to or from the Conference and other meals occurring during the Conference but not included in the conference registration fee.
 - d) incidental expenses, e.g. parking, motorway or bridge tolls, laundry and reasonable refreshments.
 - e) Tickets to/cost of attending social functions/dinners at approved conferences.

2.4.1.4 Report to Council

Attendance at any conference, seminar, training course or workshop shall be the subject of a report to Council outlining the major issues raised at the event and its relevance to the Shellharbour City Council with recommendations for further areas of investigation. This section does not apply to a Councillor's attendance at the following annual conferences:

- Local Government Association of NSW Annual Conference
- ALGA National General Assembly of Local Government

Where a group of Councillors attend the same event, the report to Council may be submitted by the group, but must be signed by all Councillors attending.

The delegate(s) must submit this report to Council within one calendar month of the conference. The report to Council should be in writing and include the following sections:

- i. The purpose / subject matter of the conference, including the reason for the attendance of the delegate
- ii. The agenda of the conference
- iii. Any items of interest to Council discussed at the conference
- iv. Recommendations for further areas of action or investigation

A report template is provided in *Attachment 3* of this document. The written report should be provided to the General Manager no later than two full weeks prior to the Ordinary Council Meeting at which the report will be presented.

2.4.2 Attendance at dinners and other non-Council functions

Where functions are held by key community groups, politicians and businesses which are of direct relevance to Council's interest, Council will meet the cost of Councillors' attendance at these functions. The extent of the reimbursement in this section is limited to the cost of the function only.

Note: Council will not reimburse the Mayor or any Councillor attending any Political fundraising dinner or event.

Note: Councillors attending meetings or functions as community representatives will not be reimbursed under this policy for any expenses incurred.

2.4.3 Attendance at Workshops and Training Courses

All councillors are entitled to attend workshops and training courses, however there is no obligation on any councillor to attend.

Incidental costs associated with the attendance of a councillor at workshops or training courses may be claimed by the Councillor provided that the workshop or course is specifically related to the Councillor's civic functions and responsibilities. These costs are subject to the limits defined in *Attachment 4*.

2.4.4 Travel

2.4.4.1 General provisions

Payment may be made for travel to and from the Meetings of Council, the meetings of a Committee of the Council, outside committees where the councillor has been elected as Council's delegate (including the appointment to higher office flowing from that delegation), working party meetings where the councillor has been elected as Council's delegate or other meetings required for the conduct of Council business such as briefing sessions and information sessions where there is a resolution of Council to attend or attendance has been requested by the General Manager.

Payment may be made for travel to and from any business of the Council where there is a resolution of the Council that the elected member-in-question, attend the business or attendance has been requested by the General Manager. Travel shall be undertaken expeditiously by the most direct route possible. Claims for travel expenses will only be paid on the basis of the actual form of transport used, except where otherwise specifically provided by this policy.

Hire cars, taxi fares and parking costs that are reasonably required in attending conferences may also be claimed as travel expenses.

2.4.4.2 Use of private motor vehicles

Payment to councillors for authorised private vehicle travel expenses incurred, will be made on the basis of the Notional Agreement Preserving State Awards (NAPSA).

A Councillor's registered and insured private vehicle may be used for official travel but the General Manager must approve such usage prior to the journey. Where a private vehicle is used following the granting of the appropriate approval, payment to councillors for private vehicle travel expenses incurred will be made on the basis of the Notional Agreement Preserving State Awards (NAPSA).

Travel costs in a Councillors' private vehicle, with approval, will only be reimbursed at the designated rate for the distance of the most appropriate direct route between the Councillors' place of residence in Shellharbour City and the venue of the conference. The Council will not reimburse travelling to any other destination on the journey unless such is undertaken for authorised Council businesses.

- i. Conferences: When attending, as an authorised Council delegate, any conference as defined in this policy held outside the Shellharbour local government area, the Councillor may claim a per kilometre allowance (as defined in *Attachment 4*) for approved use of a private motor vehicle, subject to the prior approval of such usage by General Manager.
- ii. Other travel: When attending official engagements and functions where the Councillor is deputising for the Mayor, as an authorised Council delegate, or at any conference as defined in this policy held outside the Shellharbour local government area, a Councillor may claim a per kilometre allowance (as defined in *Attachment 4*) for approved use of a private motor vehicle, subject to the prior approval of such usage by the General Manager.

Travel by motor vehicle may be undertaken by Council vehicle (where available) or by private vehicle subject to prior approval from the General Manager. Persons using their own private vehicle will be paid the per kilometre allowance at the then current rate set by the appropriate Notional Agreement Preserving State Awards (NAPSA) from time to time, but subject to any such payment not exceeding the total cost of the median economy class air fares "to and from" the particular destination at the time of booking of the travel.

Where travel is by motor vehicle, the driver will be personally responsible for all traffic or parking fines incurred while travelling in private or Council motor vehicles on Council business.

2.4.4.3 Local travel arrangements and expenses

Councillors may claim expenses associated with reasonable travel expenses for travel relating to defined Council business within the local government area.

All travel by councillors should be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical considerations.

A number of transport arrangements are available to Councillors:

- i. Council Vehicle: Council vehicles may be used by councillors in order to attend to Council business where a Council vehicle is available, and

where the approval of the General Manager has first been obtained, subject to the following conditions:

- a) Council's staff will only be available to transport councillors when staff would be travelling to the destination in question in the normal course of their duties.
- b) The driver must hold a current NSW driver's licence and is personally responsible for all traffic or parking fines incurred while travelling in private or Council vehicles on Council business.

- ii. Private Vehicle: As defined in section 2.4.4.2.
- iii. Public Transport, or
- iv. Taxi

Claims for reimbursement for such uses should be made on the prescribed form, *Attachment 3* of this Policy.

2.4.4.4 Travel outside the LGA including interstate travel

Prior approval for travel outside the LGA must be granted to obtain a reimbursement of expenses. The application must be made to the General Manager and should include full details of the travel, including itinerary, costs and reasons for the travel.

Approval for travel outside the LGA for expense reimbursement must be granted prior to the travel, by the General Manager.

2.4.4.5 Overseas travel

Overseas travel by councillors should generally be avoided unless direct and tangible benefits can be demonstrated for Shellharbour City Council and the local community.

Detailed proposals for overseas travel should be developed and included in Council business papers. These proposals shall include nomination of the Councillors undertaking the trip, the purpose of the trip and expected benefits. The duration, itinerary and approximate total costs of each proposed visit should also be provided.

Overseas travel by Councillors must be approved by resolution adopted at an ordinary meeting of the Council prior to a Councillor undertaking the trip. Travel must be approved on an individual trip basis. The use of a Mayoral Minute to obtain council approval for overseas travel is not appropriate as it is not consistent with the principles of openness and transparency.

After returning from overseas, Councillors will provide a detailed written report to a full meeting of Council on the aspects of the trip relevant to Council business and/or the local community.

2.4.4.6 Flights

Authorised travel may also be undertaken by way of air travel, where such travel has been organised by Council's staff. Council staff will make

arrangements for payment of airline travel in advance, direct with a travel agent or the airline.

Councillors, when travelling by plane, will generally travel Economy Class. Consideration will be given by the General Manager to Business Class travel, dependent on the duration of the flights (International and national flights over 4 hours) and any personal medical considerations.

2.4.4.7 Loyalty Schemes

Councillors, when travelling on Council business, should not gain any personal benefit from any loyalty scheme. Any Frequent Flyer Points accrued by the Council remain the property of the Council. For example, if Council holds a frequent flyer card in the Councillors' name, for use on Council business, points may not be accrued on any personal trips taken by that councillor, nor any points on the card redeemed for personal use. Nor shall the councillor be permitted to attribute council flights/accommodation etc to a personal loyalty scheme account. Refer to Section 1.5 Private benefit.

2.4.5 Telecommunication Expenses (Mobile Phone, Facsimile and Broadband Internet)

Refer to Section 3.2.5 - Provision of Facilities (Mobile Phones and Home-based Facsimile Machines) and Section 3.2.7 (Broadband Internet) of this Policy.

2.4.6 Care and other related expenses

Council will reimburse a Councillor's reasonable costs to cover engagement of a babysitter or carer where required to allow the Councillor to attend any Council, Standing Committee, Advisory Committee Meeting or a Council workshop.

Council will meet the reasonable expenses for the care of:

- i. a child of the Councillor; or
- ii. a dependant of the Councillor (i.e. elderly, disabled and/or sick immediate family members) requiring full-time care, actually and necessarily incurred by a Councillor whilst attending Council and Committee meetings, and Council Workshops.

NOTE:

- a) Child/dependant care expenses are not to be reimbursed if the care is provided by a relative of the Councillor who ordinarily resides with the Councillor. A "relative" is defined as a spouse, defacto partner, parent, son, daughter, brother, sister or grandparent.
- b) That for any Councillor the amount payable in any one year be limited to the amount outlined in *Attachment 4*, however any Councillor be entitled to approach the General Manager for special consideration to make a recommendation to Council.
- c) Expense claims for reimbursement are to be accompanied by an itemised receipt.

2.5 Spouse, partner and accompanying persons' expenses

2.5.1 Allowable expenses for accompanying persons

The Council shall meet the following costs of an accompanying person:

i. Local Government conferences

Council shall meet the costs of registration and any official conference dinners of the Mayor's or Councillors' accompanying person in attending the following annual conferences:

- a) Local Government Association of NSW
- b) National General Assembly of Local Government

All travel expenses, additional accommodation expenses, accompanying person tours and other sundry expenses, including meals not covered above, incurred by the accompanying person shall be the personal responsibility of the individual Councillor.

ii. Official Council Functions within local government area

Costs incurred by the Mayor or a Councillor on behalf of, or by an accompanying person in attending official Council functions of a formal and/or ceremonial nature within the Shellharbour local government area, such as Australia Day awards ceremonies, citizenship ceremonies, civic receptions, Mayoral receptions and charitable functions formally supported by the Council, will be met by the Council.

Payment of expenses in attending such functions is limited to the cost of the ticket, meal and/or direct cost of attending the function.

iii. Other official functions within NSW

Consideration will be given to the reimbursement of reasonable expenses for an accompanying person of the Mayor or a Councillor (when the councillor is representing the Mayor), at an official function of the Council or carrying out an official ceremonial duty, while accompanying the Mayor/Councillor, outside the Local Government Area, but within the State.

Payment of expenses in attending such functions is limited to the cost of the ticket, meal and/or direct cost of attending the function.

2.5.2 Disallowed expenses for accompanying persons

Council will not meet expenses associated with the attendance of an accompanying person at:

- i. Any conference or event not noted in section 2.5.1
- ii. Any event or function outside the local government area, not noted above, including interstate and overseas (with the exception of attendance at the annual conferences of those bodies noted in 2.5.1).
- iii. Peripheral expenses incurred by accompanying persons such as grooming, dry cleaning/laundry, special clothing and transport.

End of Section 2

POLICY SECTION 3 PROVISION OF FACILITIES

3.1 General Provisions

It is recognised that the Mayor and Councillors have specific needs to meet the demands of civic office. Accordingly, Council will provide facilities to Councillors, together with additional exclusive facilities for the Mayor's use, to allow all Councillors to perform their duties.

All equipment and furniture provided under this section is subject to Section 4.1 of this Policy, *Acquisition and Return of Facilities and Equipment by Councillors*.

Councillors may only use Council facilities, equipment and services in the course of performing their duties as a councillor. Council facilities, equipment and services are not to be used for private use (with reference to *Section 1.5 Private Benefit* of this Policy) or to produce election material or for any other political purposes.

3.2 Provision of equipment and facilities for Councillors

Council will provide the following facilities and administrative support to Councillors to assist them in the effective discharge of their civic duties. The provision of such equipment will be of a standard deemed by the General Manager as appropriate for this purpose.

The following facilities will be made available to all Councillors:

3.2.1 Councillors' Meeting Room

A councillors' meeting room will be located in Lamerton House, and will be available to each councillor as a conference/interview facility or as an office work area during normal office hours. Bookings for use of the councillors' Meeting Room are to be made with the General Manager's office. Use of this facility outside normal business hours is subject to the prior approval of the General Manager.

3.2.2 Meeting Room - Lamerton House

The meeting room, level 2, Lamerton House is available to each councillor during normal office hours as a meeting facility for meetings where the councillors' room provides insufficient space. Bookings for use of the meeting room - Lamerton House are to be made through the General Manager's Office. Use outside normal business hours is subject to the prior approval of the General Manager.

3.2.3 Stationery

Each Councillor will be provided with appropriate stationery to carry out their civic duties, including but not limited to:

- "Office of Councillor" letterhead stationery (125 p.a.)
- "With Compliments" slips (125 p.a.)
- Business cards (250 p.a.)
- Paper and consumables for printers and fax machines

- Christmas Cards, envelopes and card stamps (up to 25 of each)
- Councillor requisition book, as required
- Councillor expense claim forms, as required
- Postage associated with official council correspondence.

Requests for additional issues of stationery above these levels should be directed to the Executive Offices, General Manager's department. Requests outside these guidelines should be directed to the General Manager. Such requests if approved, may be the basis of future alteration of this policy.

3.2.4 Secretarial Support

With the prior approval of the General Manager, councillors may make reasonable use as determined by the General Manager of the services of the General Manager's office during normal business hours, to assist with routine secretarial functions associated with their civic duties.

3.2.5 Mobile Phones & Home-based Facsimile Machines

To facilitate communication, Council will establish mobile and fixed line telephone accounts in the Council's name for the Mayor and each councillor. Councillors will be supplied with a mobile phone handset and fax machine for location or installation at their place of residence for use on Council business only, subject to the following conditions:

- i. The Council shall:
 - a) Meet the capital cost of acquisition of the equipment
 - b) Meet the initial cost of installation of the equipment in the residence of the Mayor or Councillor, including installation of additional standard home facsimile quality line to the residence where required.
 - c) Meet the cost of any maintenance/servicing of the equipment including any service call charge
 - d) Be responsible for the cost of all consumables, including paper, for the equipment.
- ii. The Councillor shall be responsible for the good care and proper use of such equipment and to promptly report any faults, malfunctions or needs for service/repair to the Council.
- iii. The Councillors' telephone and facsimile numbers are to be made available to the public.
- iv. Councillors may use the installed facsimile line to make local and STD telephone calls within New South Wales (**02, 02 44, 02 46, 02 48**) and to gain access to the internet, where those calls and access facilitate the dissemination of information directly related to the business of Council and aid in communication with and between councillors.
- v. Council will agree to a request by a Councillor to utilise a pre-existing home line for a facsimile service. Any claim for reimbursement on such an account must be accompanied by a tax invoice and receipt and will be capped at 50% of the invoiced amount (up to the capped amount as outlined in *Attachment 4*) on the basis that the connection is used for both personal and Council related purposes.

NB: Premium service (190) call costs and International phone calls/International SMS message costs etc will not be reimbursed by Council.

Monthly expense limits associated with the use of these facilities are outlined in *Attachment 4* of this Policy.

3.2.6 Laptop Computers

Council is to provide all Councillors with a laptop/notebook type computer to conduct their Council business, a suitable printer, peripheral equipment, licensed software and appropriate training and support to assist councillors to conduct Council business, operate internet and email accounts to facilitate Council related business and to receive and access their Council business papers in electronic format.

Use of this equipment is subject to compliance with Council's Information Technology Internet and Email Policy and any operational protocols provided from time to time by the General Manager, for the protection of Council's computer systems. These protocols will cover areas including the following:

- Authorised and unauthorised software
- Firewall and Virus prevention
- Required maintenance routines
- Disposal of used/replaced equipment.

3.2.7 Broadband Internet

A Broadband Internet connection - to a standard equivalent to 512MB/128kps - will be provided (where available) in the Councillor's home or nominated location, or, alternatively a wireless modem for use in conjunction with the Council provided laptop computer. Such connections shall be subject to the expense limits for Broadband Internet as outlined in *Attachment 4*.

Use of this service is subject to compliance with Council's Information Technology Internet and Email Policy and any operational protocols provided from time to time by the General Manager, for the protection of Council's computer systems.

Council will agree to a request by a Councillor to utilise a pre-existing home or wireless Broadband connection. Any claim for reimbursement on such an account must be accompanied by a tax invoice and receipt and will be capped at 50% of the invoiced amount (up to the capped amount as outlined in *Attachment 4*) on the basis that the connection is used for both personal and Council related purposes.

3.2.8 Council Telephones at Lamerton House

- i. Councillors may only make local or local STD (02, 02 44, 02 46, 02 48) telephone calls from a Council-owned fixed line phone except with the prior approval of the General Manager.
- ii. Councillors may use the telephone in the councillors' room provided they have a booking to use the room in accordance with 3.2.1 above.
- iii. Councillors may use a telephone in the meeting chamber on scheduled council meeting days.
- iv. Use of Council phones for **teleconference calls** requires the approval of the General Manager, prior to the teleconference being held as it may attract an additional fee for use during this type of call.

3.2.9 Council Photocopiers

Councillors may have documents photocopied (while properly carrying out the duties of civic office as Councillor) by the General Manager's office during normal business hours (8.30am to 4.30pm). Councillors may also utilise any of the Council's libraries' photocopying facilities during their normal opening hours for the same purpose. Limits to the amount of photocopying undertaken shall be applied and restricted to the limits applied in Attachment 4 of this Policy.

3.2.10 Council Facsimile Machines

Councillors may utilise the facsimile machine in the Councillors' Room and General Manager's office during normal business hours, for reasonable council business purposes. They may also make use of the Libraries' facsimile machines during their normal hours of operation. This type of use would be expected only if the Home-based Facsimile Machine was out of service for a particular reason and while properly carrying out the duties of civic office as Councillor.

3.2.11 Building Access

- i. The Mayor and Councillors have access to the Council Meeting Chamber at scheduled meeting times.
- ii. The Mayor and Councillors have access to the Councillors' Room (Lamerton House) during normal business hours in accordance with 3.2.1 above or outside of normal business hours with the prior approval of the General Manager.
- iii. Councillors have access to the meeting room, Level 2, Lamerton House, at scheduled meeting times or when it has been booked in accordance with 3.2.2.
- iv. Access by the Mayor or Councillors to areas other than referred to in 3.2.1 and 3.2.2, shall be in accordance with current security procedures. Access to staff-only areas within Lamerton House or any other Council building (which are protected by access control doors or otherwise signposted or identified as restricted access) shall only be permitted when accompanied by an authorised member of staff.
- v. Access to and exit from the Council Chambers and Lamerton House outside normal business hours must be undertaken in accordance with the current procedures for activating and deactivating Council's security system. Councillors, therefore, must be accompanied by an authorised staff member or the Mayor.

3.2.12 Refreshments

Reasonable refreshments will be provided at Council and Council Committee meetings, Councillor briefings and meetings of the Mayor or Councillors with Parliamentary representatives, visiting dignitaries and other delegations.

3.2.13 Insignia of Civic Office

The Mayor and Councillors are provided with a navy coloured jacket, tie, badge and nameplate, indicating the wearer holds the office of Mayor or councillor as the case may be for the Council of the City of Shellharbour.

These garments and insignia are for use in official capacities only, when the Mayor or councillors are formally representing the Council. Care must be taken with these garments and insignia, to avoid any accidental misrepresentation of activities as being Council endorsed.

Insignia of Civic Office must not be worn whilst "electioneering".

3.3 Provision of additional facilities for the Mayor

As the Mayor has duties and responsibilities beyond those of other councillors it is recognised that facilities beyond those available to councillors should be made available to the Mayor.

The Mayor shall be entitled to all of the provisions under this Policy applying to councillors.

The Mayor shall also be entitled to:

3.3.1 Motor Vehicle

Council will provide a suitable and appropriate Mayoral vehicle, fully maintained, insured and registered by the Council, including fuel card, for use by the Mayor for all official, executive and social duties connected with the Office of Mayor, and private and personal use in accordance with *Attachment 1* to this Policy.

Council will, if requested by the Mayor, provide a driver to transport the Mayor to and from official functions where the Mayor is attending to represent the Council.

3.3.2 Office accommodation and secretarial/clerical support

The Mayor will be provided with an appropriately furnished office within the Administration Building. Secretarial support will be provided during normal office hours, for work directly associated with the official functions and duties of the office of Mayor.

3.3.3 Refreshments

Office and Civic and Mayoral Reception refreshments will be provided to a reasonable standard, having regard to the nature of the event.

3.3.4 Telecommunications

A telephone with unrestricted access in the Mayoral office. A telecommunications expense limit as set out in *Attachment 4*, for the office of the Mayor for the year 2008/2009 will be paid and indexed annually, for the provision of telecommunications facilities to meet Council business related requirements.

A computer with internet access under Council's information technology internet and email policy shall be available if required in the Mayor's office at Lamerton house.

End of Section 3

POLICY SECTION 4 OTHER MATTERS

4.1 Acquisition and return of facilities and equipment by Councillors

All equipment provided to the Mayor and Councillors under this policy shall remain the property of the Council and be returned in good condition to the Council upon the Mayor or Councillor ceasing to hold civic office.

Council will retain, any equity in equipment which it purchases.

The Mayor or councillor will retain, any equity in equipment purchased using the private resources of the mayor or councillor.

Council's equity in appliances may be purchased by retiring councillors at a cost that reflects an annual depreciation rate of 50% of the residual value of the item per annum applied on a monthly basis calculated at the time of sale.

Each councillor must sign a declaration indicating a thorough understanding and acceptance of these conditions before receipt of the equipment.

4.2 Insurance expenses and obligations

Council will provide, at its cost, adequate insurance to protect the interest and welfare of the Mayor and all councillors acting in good faith in carrying out the duties of civic office. Council pays on behalf of councillors for:

- Public liability and professional indemnity insurance,
- Business travel, approved interstate and overseas travel on Council business,
- Group personal injury insurance,
- Statutory and business practices liability insurance,
- Fidelity guarantee insurance.

However, these do not cover the mayor or councillors for any criminal offences.

4.3 Legal assistance for Mayor and Councillors

4.3.1 Legal assistance granted for inquiries by various bodies

In the particular circumstances outlined below, the Council *may* indemnify or reimburse the reasonable legal expenses of:

- i. the Mayor or councillor defending an action arising from the performance in good faith of a function under the Local Government Act (section 731 refers); or
- ii. the Mayor or 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; or

- iii. the Mayor or councillor for proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the Tribunal or investigative body makes a finding substantially favourable to the Mayor or councillor.

Arising out of, or in conjunction with the Mayor or Councillor's performance of civic duties or exercise in good faith of the functions of a councillor under the Act, Council *shall* reimburse the Mayor or councillor for all legal expenses properly and reasonably incurred in the event of:

- a) An inquiry, investigation or hearing by any of:
- The Independent Commission Against Corruption
 - The Office of the Ombudsman
 - The Department of Local Government
 - The Police Service of NSW.
 - The Director of Public Prosecutions
 - The Local Government Pecuniary Interest Tribunal; or
 - any other tribunal or body authorised to inquire into the conduct of the Mayor or a councillor; or
- b) Legal proceedings being taken by or against the Mayor a councillor, arising out of or in connection with the Mayor or councillor's performance of his or her civic duties or exercise in good faith of his or her functions under the Act as a councillor.

Council shall reimburse the Mayor or such councillor, after the conclusion of the inquiry, investigation, hearing or proceeding, for all legal expenses properly and reasonably incurred, given the nature of the enquiry, investigation, hearing or procedure, on a solicitor/client basis, provided that:

1. the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the the Mayor or councillor on any basis.
 2. the Mayor or councillor's performance or exercise of the civic duty or function was in the opinion of Council bona fide and/or proper under the Act, and the Mayor or councillor acted in good faith as required under the Section 731 of the Local Government Act.
 3. The amount of such reimbursement shall be limited to the extent that only fees charged at a rate equivalent to the hourly rate then being charged by Council's solicitors will be paid, ie. any portion of the expenses representing any hourly charge rate higher than the hourly rate of Council's Solicitor will not be reimbursed; and
 4. The Mayor or councillor is not the plaintiff in the action.
- c) If legal advice is required relating to a pecuniary interest, conflict of interest or matter governed by the Code of Conduct which in the opinion of the General Manager requires clarification by an external legal advisor in order to clarify the Mayor or particular councillor's responsibilities in the performance of his/her duties as a Councillor, it will be at the Mayor or Councillor's own expense, except where provided by Council's Corporate Solicitor.

Attachments:

- Attachment 1:* Terms and Conditions of Use of Mayoral Vehicle
- Attachment 2:* Councillors' Expense Claim Form
- Attachment 3:* Councillors' Report Template
- Attachment 4:* Monetary Limits for Expenses
- Attachment 5:* Table of Amendments

Policy Authorised by:

Name: [Name of person authorising]

Signature: _____

Title: [Title of person authorising]

Date: _____

ATTACHMENT 1

TERMS AND CONDITIONS FOR USE OF MAYORAL VEHICLE

A vehicle is made available for use by the Mayor:

- i. To attend any function, activity or engagement whether associated with local government or not, both within and outside the Shellharbour City Council area, at any time and on any day, in the official capacity of Mayor
- ii. At any time or day to attend any meetings, inspections, sites or appointments within Shellharbour LGA as Mayor, with residents, ratepayers or people associated with Council business
- iii. For full personal or private use

1. Restrictions on Use of Vehicle

The following restrictions shall apply to the use of the Mayoral vehicle:

- i. The vehicle shall only be driven by a properly licensed person, being:
 - a) The Mayor or Acting Mayor
 - b) A Council employee, or
 - c) A Councillor of Shellharbour City Council, with the Mayor's consent
 - d) A member of the Mayor's immediate family (eg. partner / spouse / Mother / father / son / daughter / brother / sister)
 - e) A nominated person, so long as the Mayor or Acting Mayor is a passenger
- ii. The Mayor shall not use, or allow the vehicle to be used, to compete in any car rally or competition.
- iii. 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 and which has been authorised by resolution of the council.

2. Conditions of Use of Mayoral Vehicle

The following conditions apply to the use of the Mayoral vehicle:

- i. The Mayor, if he/she intends 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:
 - a) forfeit use of or access to the Mayoral vehicle, or
 - b) provide evidence of a properly licensed person who will be the driver of the vehicle whenever used by the Mayor during such period

- ii. Whenever the Mayor has the control of the vehicle, the Mayor must ensure that it is driven only by a responsible properly licensed person as above.
- iii. If the Mayor drives, or allows another person to drive the vehicle without a current driver's licence, or whilst disqualified, the Council may withdraw the vehicle from access by the Mayor.
- iv. 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.
- v. 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.
- vi. The Mayor always remains responsible for ensuring proper and adequate care and usage of the vehicle at all times including:
 - a) day to day routine maintenance (eg. fuel, oil, battery, radiator, tyre pressures etc) is carried out at regular intervals
 - b) garaging off-street and under cover wherever possible
 - c) the vehicle is to be kept in a clean condition
 - d) all maintenance/repair issues are reported to Council without delay
 - e) any accident or damage to the vehicle is immediately reported using the appropriate Accident Report Form
- vii. 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.

ATTACHMENT 2 EXPENSE CLAIM FORM



Councillor

Claim for Reimbursement of Expenses/Reconciliation of Advance

Expense Authorised by: Council Resolution [Resolution No: _____ Date: _____]
or General Manager Date: _____ or Other (specify) _____

Where claim is for Travel by Private Vehicle, indicate engine size. Under 2.5 Lt / Over 2.5 Lt

| Date | Out of Pocket Expenses Type of Expense | Description of expense incurred (use page 2 if more space is required) | Amount |
|---|---|---|-------------------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| Sub-total of expenditure as per above | | | (A) \$ |
| Amount Brought Forward from Page 2 | | | (B) \$ |
| Private Vehicle Use | | Destination/purpose (For travel outside LGA, attach copy of approval) | Amount |
| Date/s of Travel | Kilometres | | |
| | | | |
| | | | |
| | | | |
| Kilometres Brought forward from Page 2 | | (X) | <i>(Office Use)</i> (C) \$ |
| Sub-Total Kilometres this page | | (Y) | |
| TOTAL (X + Y) | | | |
| Please tick preferred method of reimbursement: | | Total Expenditure (A + B + C) = (D) \$ | |
| <input type="checkbox"/> Direct Deposit OR <input type="checkbox"/> Issue Cheque | | Amount Advanced to Councillor (must be reconciled within 21 days) (E) \$ | |
| Amount to be (i) Reimbursed to, or (ii) Repaid by Councillor (D - E) | | | \$ |

All appropriate receipts and invoices must be attached to this form. If receipts or invoices are not provided, please attach a signed statement (e.g. Statutory Declaration) to this form, outlining the expenses incurred. The absence of receipts/invoices/signed statement may delay reimbursement to Councillors, or result in any advance being repaid to Council.

| | | |
|----------------------------------|-----------|------|
| Councillor's Name (Please print) | Signature | Date |
|----------------------------------|-----------|------|

Office Use Only

| | | |
|-------------------------------------|-------------|---------|
| Approved for Payment/Reimbursement: | (Signature) | |
| Amount to be Reimbursed/Repaid | \$ | Job No. |
| Sent to Financial Services: | Date: | |

Refer to Policy - Payment of Expenses and Provision of Facilities to the Mayor and Councillors

ATTACHMENT 3
COUNCILLORS' CONFERENCE REPORT

Subject _____

To the Mayor and my fellow Councillors
Councillor's Report

Councillor: _____

Author: _____ - _____

<<Author's Name>> - <<Author's Title>>

Summary (Mandatory Section)

Recommendation (Mandatory Section)

Background (Mandatory Section)

Approved for Council's
consideration: _____

ATTACHMENT 4
MONETARY LIMITS FOR EXPENSES
(including expenses associated with the use of provided facilities)

| Doc Ref | Section name | Expense Type | Refund Basis | Limit Amount | Comment |
|---|--|--|--------------------------|--|--|
| 2.4.1 Attendance at Conferences (Requiring an overnight stay) | <u>2.4.1.3</u> Attendance at Conferences and Seminars | i. Registration Costs | Actual | None | Includes costs relating to official luncheons, dinners and tours/inspections, which are relevant to the interests of the Council and forms part of the conference agenda. |
| | | iii. Accommodation | Actual up to daily limit | Zone 1: \$300 per day Zone 2: \$250 per day Zone 3: \$200 per day | Limits are dependent on the location of accommodation, providing for regional differences in costs. <u>Zone 1:</u> State & Territory capital cities <u>Zone 2:</u> Major Regional cities (eg Newcastle) <u>Zone 3:</u> Country (eg Bega) |
| | | iii (d) Breakfast - where not included in accommodation package. iv. Out of Pocket Expenses | Actual up to daily limit | \$15.00 - over and above the limit defined below: \$83.60 per day indexed annually by CPI as at 1 July. | Expenses in this category may include: <ul style="list-style-type: none"> • Reasonable telephone, facsimile or internet usage • Newspapers • Tolls • Refreshments • Meals not included in registration fees, etc <p>The following expenses will <u>not</u> be reimbursed and are the responsibility of the Councillor:</p> <ul style="list-style-type: none"> • Alcohol from mini-bar or not consumed as part of a meal • Cigarettes <p>Note: where meals are included as part of conference registration, no reimbursement shall be made to councillors for additional meals on those days. E.g. Lunch expenses will not be reimbursed if lunch is provided as part of the conference registration.</p> |

| Doc Ref | Section name | Expense Type | Refund Basis | Limit Amount | Comment | | | | |
|---|--|------------------------------|--------------------------|---|---|------------------------|----------------------------|---------------|--------|
| 2.4.2 Attendance at dinners and other non-council functions | Attendance at dinners and other non-council functions | Cost of service provided | Actual | None | No payment shall be reimbursed for any component of a ticket which is additional to the service cost of the function, such as a donation to a political party or candidate's electoral fund, or some other private benefit. An additional payment to a registered charity will be acceptable as part of the cost of the function subject to the prior approval of the General Manager. | | | | |
| 2.4.3 Attendance at Workshops and Training Courses (Non-Residential) | Attendance at Workshops and Training Courses (Non-Residential) | Enrolment Fees | Actual | None | In most cases, Council will arrange and fund attendance of Councillors at training courses | | | | |
| | | Incidental expenses | Actual up to daily limit | \$40 per day | Expenses in this category may include: <ul style="list-style-type: none"> Refreshments not otherwise provided for at the Workshop or Training Course The following expenses will not be reimbursed and are the responsibility of the Councillor: <ul style="list-style-type: none"> Alcohol not consumed as part of a meal Cigarettes | | | | |
| 2.4.4 Travel | Travel | Air travel | Actual | None | In most cases, Council will arrange and fund Councillors' air travel when required | | | | |
| | | Rail travel | Actual | None | In most cases, Council will arrange and fund Councillors' rail travel when required | | | | |
| | | Taxi | Actual | None | | | | | |
| | | Bus | Actual | \$20 per day | | | | | |
| | | Parking | Actual | \$40 per day | | | | | |
| | | Use of private motor vehicle | Actual | For travel outside of LGA - Subject to approval and any such payment not exceeding the total cost of the median return economy class airfare. | As defined in the Local Government (State) Award 2004: <table border="0"> <tr> <td><u>Engine capacity</u></td> <td><u>Current Rate per km</u></td> </tr> <tr> <td>Under 2500 cc</td> <td>\$0.64</td> </tr> <tr> <td>2500 cc & over</td> <td>\$0.73</td> </tr> </table> | <u>Engine capacity</u> | <u>Current Rate per km</u> | Under 2500 cc | \$0.64 |
| <u>Engine capacity</u> | <u>Current Rate per km</u> | | | | | | | | |
| Under 2500 cc | \$0.64 | | | | | | | | |
| 2500 cc & over | \$0.73 | | | | | | | | |

| Doc Ref | Section name | Expense Type | Refund Basis | Limit Amount | Comment |
|--|--|--|----------------------------|---|--|
| 2.4.5 | Telecommunications (Mobile phone, home based Facsimile & Broadband Internet) | Refer to 3.2.5 and 3.2.7 | | | |
| 2.4.6 Care and other related expenses | Care and other related expenses | Personal care or child care expenses: up to 4 hours per day | Actual up to daily limit | \$80 per day | Council will reimburse a Councillor's costs to a maximum of \$80 to cover a four (4) hour engagement of a babysitter or carer where required to allow the Councillor to attend any Council, Standing Committee, Advisory Committee Meeting or a Council workshop (as defined in the Code of Meeting Practice). The four (4) hour period shall include the period of 30 minutes prior to and after the conclusion of the meeting or workshop. |
| | | Personal care or child care: more than 4 hours per day | Actual up to hourly limit | \$15 per hour | An additional hourly rate of up to \$15 per hour will be paid for meetings and workshops that go beyond the 4 hours engagement period referred to above. |
| 2.5.1 Allowable Expenses for Accompanying Persons | i. Local Govt Annual Conf's as outlined in this section of the Policy | Partner Registration | Actual | None | Registration and official conference dinner expenses for one accompanying person only. No other accompanying person costs to be claimed. |
| | | Official Conference Dinner | Actual | None | |
| | ii. Official Council Functions within LGA | Ticket, Meal and/or direct cost of attending the Function | Actual | None | Cost for one accompanying person only. No other accompanying person costs to be claimed. |
| iii. Other Official Functions within NSW | Ticket, Meal and/or direct cost of attending the Function | Actual | None | Cost for one accompanying person only. No other accompanying person costs to be claimed. | |
| 3.2.5 Mobile Phone and Home-Based Facsimile Machines | Mobile Phone and Home-Based Facsimile Machines | Mayor's combined mobile phone and home-based facsimile accounts | Actual up to monthly limit | \$350 per month (capped at \$4,200 p.a.) | Refer to 1.5 Private benefit |
| | | Councillors' combined Mobile phone and home-based facsimile accounts | Actual up to monthly limit | \$200 per month (capped at \$2,400 p.a.) | Refer to 1.5 Private Benefit |

| Doc Ref | Section name | Expense Type | Refund Basis | Limit Amount | Comment |
|---|---|--|-------------------------------------|-------------------------------------|--|
| 3.2.7 Broadband Internet | Broadband Internet | Access fee | Actual up to monthly limit | \$50 per month | |
| 3.2.9 Council Photocopiers | Copies made at Council Administration center and council libraries. | Photocopying fees as applied under Council's Fees and Charges. | Actual up to Monthly Limit | \$25 per month | |
| 4.3 Legal Assistance | Legal assistance for Mayor and Councillors | Legal assistance granted for enquiries by various bodies | As determined by Council resolution | Determined by resolution of council | Subject to conditions as noted in policy |

ATTACHMENT 5 TABLE OF AMENDMENTS

| Date of Amendment (Resolution date) |
|-------------------------------------|
| <i>Amended 2008</i> |
| <i>Amended 13 November 2007</i> |
| <i>Amended 27 February 2007</i> |
| <i>Amended 14 December 2004</i> |
| <i>Amended 28 October 2003</i> |
| <i>Amended 10 October 2000</i> |
| <i>Adopted 20 June 1994</i> |



Shellharbour City Council

Business Paper

30 September 2008

Attachment to
General Manager's Division
Item no. 3.3

Committees and Working Parties



Shellharbour City Council

Committees and Working Parties 2008-2009

as at 30 September 2008

COUNCIL STANDING COMMITTEES

| | |
|-----------------------|---|
| Staff Committee | 3 |
|-----------------------|---|

COUNCIL ADVISORY COMMITTEES

| | |
|---|---|
| Australia Day/Special Promotions Committee | 3 |
| Shellharbour Aboriginal Advisory Committee..... | 4 |
| Disabilities Services Advisory Committee | 4 |
| Shellharbour Links Advisory Committee | 5 |
| Economic Development Advisory Committee | 5 |
| Illawarra Regional Airport Management Advisory Committee..... | 5 |

MISCELLANEOUS COUNCIL COMMITTEES – INTERNAL

| | |
|--|---|
| Workplace Consultative Committee | 6 |
|--|---|

MISCELLANEOUS COUNCIL COMMITTEES – EXTERNAL

| | |
|---|---|
| Shellharbour Traffic Committee | 7 |
| Council Development Advisory Committee | 7 |
| Elliot Lake – Little Lake Floodplain Management Committee | 8 |
| Horsley Creek Floodplain Risk Management Committee | 8 |

WORKING PARTIES

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|--|----|
| Strategic Development of Sport & Recreation in Shellharbour Working Party..... | 9 |
| Swimming Pools/Beaches Working Party | 9 |
| Illawarra Regional Airport Operations Working Party..... | 10 |
| Waste Minimisation and Recycling Working Party | 11 |
| Environmental Technical Working Party | 11 |
| Strategic Planning Working Party | 11 |
| Donations Working Party | 12 |
| Library Planning Working Party..... | 12 |

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| | |
|------------------------------------|----|
| Tourism Shellharbour..... | 13 |
| Illawarra Bushfire Committee | 13 |

| | |
|--|----|
| Shellharbour Rural Fire Service Liaison Committee - Service Level Agreement | 14 |
| Illawarra Community Housing Trust | 14 |
| Illawarra Regional Information Service | 14 |
| Southern Councils Group (SCG), formerly IROC..... | 15 |
| Illawarra Area Assistance Scheme – Local Committee | 15 |
| Illawarra Area Assistance Scheme – Regional Advisory Committee | 15 |
| Shellharbour City Sports Assistance Fund..... | 16 |
| Healthy Cities Illawarra Management Committee | 16 |
| Shellharbour Community Safety Team | 16 |
| Estuary Management Study – Minnamurra River Joint Working Party | 17 |
| Nuclear Free Zone Secretariat..... | 17 |
| Illawarra Noxious Weeds Authority | 17 |
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COUNCIL STANDING COMMITTEES

STAFF COMMITTEE

Recommended Delegate

Administrator (or his delegate)

Secretary

Manager Executive Offices

Meets

As and when required at Lamerton House

Charter

This Committee meets to consider all aspects of the General Manager's performance based contractual position. This Committee can only make recommendations to Council unless specially delegated to make decisions.

COUNCIL ADVISORY COMMITTEES

AUSTRALIA DAY COMMITTEE

Recommended Delegates

Administrator (or his delegate)
Manager Media & Communications
Events & Promotions Coordinator
Communications Assistant

Secretary

Corporate Meetings Officer

Meets

When required at 5.15 pm at Lamerton House.

Community Representatives

Mr Harry Spicer
Mrs Barbara Street
Ms Norelle Pullen
Ms Lylea McMahon (Member for Shellharbour)
Ms Marianne Saliba (rep for Member for Kiama)
Mr Matt Brown MP (Member for Kiama)
Mr Neil Greig (rep for Member for Throsby)

Charter

- a. To set the direction of Shellharbour City's Australia Day activities, including the selection of citizens award winners.
- b. To consider and adopt a yearly plan of events (this should include all major community events organised by Council departments)

RECOMMENDED ACTION: That this Committee's name and function revert back to: policy consideration and determining the Award winners and Australia Day and related activities, with charter points c. and d. deleted as not relevant:

- c. To consider public submissions for new or special events.
- d. To make a recommendation to Council each year on which additional community events should receive Council funding.

SHELLHARBOUR ABORIGINAL ADVISORY COMMITTEE

Recommended Delegates

Administrator (or his delegate)
General Manager (or his delegate)

Meets

Every two months on a Tuesday at 3 pm at
Lamerton House

Secretary

Corporate Meetings Officer

Community Members

Mr Richard Davis
Ms Beverly Armer Pittman
Mr Geoff McAdam
Ms June Lowe
Mr Gerald Brown
Mr Shane Ford
Mr Darrell Brown
Mr Barry Lenihan
Mr Blaan Henry
Ms Veronica Archibald
Ms Cheyenne Rose
Mr Barry Bird
Mr James Mulholland
Ms Agnes Donovan
Ms Rhonda Cruse-Rawiri
Mr Gerry Moore
Ms Jodi Edwards
Ms Vanessa Martins
Ms Lorraine Brown
Ms Iriaka Ross

Staff Attending

Manager Community Development
Aboriginal Community Liaison Officer

Charter

The Committee aims to act as a formal liaison point between Council and the Aboriginal and Torres Strait Islanders (ATSI) communities of Shellharbour. The objectives of the Aboriginal Advisory Committee are to encourage the recognition of Aboriginal history, culture and people to ensure equitable access to a range of services in the community and the participation of Aboriginal people in determining the future of the local area.

Note: It is to be determined that Ms Christine Jeffreys will be appointed as the General Manager's delegate.

DISABILITIES SERVICES ADVISORY COMMITTEE

Recommended Delegates

Director Community Planning & Strategies
Group Manager Community Services
Group Manager Technical Services

Staff Attending

Manager HACC Services & Development
Manager Compliance

Community Representatives

Spinal Cord Injuries Australia
Illawarra Disabled Persons Action Assoc.
Department of School Education
Up to 3 residents living with, or caring for,
a person with a disability
Up to 3 other representatives from
organisations providing a service to people
with a disability in Shellharbour City.

Secretary

Corporate Meetings Officer

Meets

Bi - annually on a Wednesday at 3:00 pm at Albion
Park Home & Community Care Centre or as required.

Charter

To advise and recommend to Council on matters pertaining to improvements which can be made to the lifestyles of persons with disabilities including better access and conditions in shopping centres and public places within Council resources.

SHELLHARBOUR LINKS ADVISORY COMMITTEE

GM's comment:

This Committee was originally set up to negotiate with all parties to ensure a speedy consideration of all outstanding policy issues in relation to Shellharbour Links prior to the execution of the lease documentation..

RECOMMENDED ACTION: That this committee be disbanded as it is no longer required.

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

Charter

To provide advice to Council on economic development issues and recommend the implementation of plans and policies to increase economic development and business activity in the city.

RECOMMENDED ACTION: That this committee be disbanded.

Council's economic development team would continue operating as it has been, with reference to stakeholders on a needs basis. These stakeholders include Federal and State Government representatives, local Members of Parliament (State and Federal), Chambers of Commerce, other members of the business community, other council staff and staff from other councils.

ILLAWARRA REGIONAL AIRPORT MANAGEMENT ADVISORY COMMITTEE

Recommended Staff Convenor

Director Operations & Services

Staff Representative

Economic Development Manager

Recommended Council Representatives

Administrator (or his delegate)

General Manager

Meets

As and when required

Regional Business Representatives

Wollongong Council (1)

Kiama Council (1)

State & Regional Development (1)

Illawarra Area Consultative Committee (1)

South Coast Regional Tourism Organisation (1)

Bluescope Steel (1)

Qantas Link (1)

Purpose

To advise on policy and strategies to encourage business growth and development at the airport and to strengthen the airport's role in providing transport services, tourism and business opportunities within the region.

MISCELLANEOUS COUNCIL COMMITTEES - INTERNAL

WORKPLACE CONSULTATIVE COMMITTEE

Delegates

Delegates no longer required. See Min
No.488 Extraordinary Meeting 26/9/2006

Alternative Delegate

Not required

Management Representatives

Director Operations & Services
Director Community Planning & Strategies
Group Manager Development & Technical
Services

Charter

To provide a forum for consultation between Council and its employees to negotiate workplace change issues. This committee makes recommendations to the General Manager, who is the head of staff under the Local Government Act.

This Committee is a requirement of a Notional Agreements Preserving a State Award (NAPSA) and the scope of the Committee is provided for in the NAPSA.

In the future this Committee will no longer form part of the report to the usual September Extraordinary Meeting business paper.

Union/Assoc Representatives

USU Wages Rep (3) (plus 2 Alternatives)
USU Salaried Rep (2) (plus 2 Alternatives)
LG Engineers Assoc. (1) (plus Alternative)
DEPA (1) (plus alternative)
Library & other remote sites (1) (plus alternative)

Secretary

Human Resources Administrative Officer

Meets

2:30 pm on 1st Thursday of every second month at
Lamerton House

MISCELLANEOUS COUNCIL COMMITTEES - EXTERNAL

SHELLHARBOUR TRAFFIC COMMITTEE

Note: The membership of this Committee is identical to the Council Development Advisory Committee except that local Members of Parliament are voting members.

Recommended Delegate
Group Manager Technical Services

Staff Attending
Traffic Engineer

Recommended Alternative Delegate
Director of Operations & Services

Secretary
Corporate Meetings Officer

Community Representatives
Mr Matt Brown MP
Ms Lylea McMahon MP
Police Wollongong & Warilla
RTA

Meets
Monthly - first Wednesday of every month
commencing at 9.30 am at Lamerton House

Charter

Traffic Committee consists of one representative from Council, one from the RTA and one from Traffic Branch of the Police Services. This Committee considers all matters pertaining to roads and traffic control. This Committee makes recommendations to Council. Should Council disagree with a decision of this Committee, then the matter is referred to the head of the body of the State Traffic Authority.

CDAC – COUNCIL DEVELOPMENT ADVISORY COMMITTEE

Note: The membership of this Committee is identical to the Shellharbour Traffic Committee except that Local MPs are not voting members. This committee meets as and when required immediately preceding the Shellharbour Traffic Committee meetings.

Recommended Delegate
Group Manager Technical Services

Staff Attending
Senior Subdivision and Development Engineer

Recommended Alternative Delegate
Director of Operations & Services

Community Representatives
Police Wollongong & Warilla
RTA

Secretary
Corporate Meetings Officer

Meets
As required immediately following Shellharbour Traffic
Committee Meeting

Charter

The Council Development Advisory Committee (CDAC) was formed to deal with Schedule 2 SEPP 11 development matters with regards to traffic issues in accordance with relevant legislative requirements and guidelines. The formal (voting) members are Council (Chairperson), Police and RTA as indicated by the Guide to Traffic Generating Developments.

ELLIOT LAKE - LITTLE LAKE FLOODPLAIN MANAGEMENT COMMITTEE

Recommended Delegate
Senior Design Engineer

Staff Attending
Group Manager Planning Services
Flood Engineer

Recommended Alternate Delegate
Group Manager Technical Services

Community Representatives

| | |
|--------------|--|
| R Upreti | Department of Environment and Climate Change |
| T Pennington | Department of Environment and Climate Change |
| B Buchanan | Environmental Protection Agency |
| R Lyster | Roads & Traffic Authority |
| J Turpin | NSW Fisheries |
| R Hart | State Emergency Services |
| T Frost | Warilla Sports Club |
| D Lowe | Land Owner |
| G Pearse | Land Owner/Land Care Group |

Purpose
To be advised

Meets
As and when required

HORSLEY CREEK FLOODPLAIN RISK MANAGEMENT COMMITTEE

Recommended Delegate
Senior Design Engineer

Staff Attending
Group Manager Planning Services
Senior Administration Coordinator
Flood Engineer

Recommended Alternate Delegate
Group Manager Technical Services

Meets
As and when required

Community Representatives
Not yet appointed

State Government Authorities
Department of Environment and Climate Change
RTA
SES

Purpose

The principal objective of the committee is to assist Council in the development and implementation of a Floodplain Risk Management Plan for the Horsley Creek Floodplain. The committee acts as both a focus and forum for the discussion of technical, social, economic, ecological and cultural issues for inclusion into a Floodplain Risk Management plan which will be developed for the Horsley Creek Catchment Area.

MACQUARIE RIVULET CATCHMENT FLOODPLAIN RISK MANAGEMENT COMMITTEE

Resolution of Council 13 November 2007 See Minute No. 574

Recommended Delegate
Senior Design Engineer

Staff Attending
Group Manager Planning Services

Recommended Alternate Delegate
Group Manager Technical Services

Meets
As and when required

Community Representatives
Not yet appointed

State Government Authorities
Department of Environment and Climate Change
. RTA
. SES

Purpose

The principal objective of the committee is to assist Council in the development and implementation of a Floodplain Risk Management Plan for the Macquarie Rivulet Catchment Floodplain. The committee acts as both a focus and forum for the discussion of technical, social, economic, ecological and cultural issues for inclusion into a Floodplain Risk Management plan which will be developed for the Macquarie Rivulet Catchment Area.

WORKING PARTIES

STRATEGIC DEVELOPMENT OF SPORT & RECREATION IN SHELLHARBOUR WORKING PARTY

Recommended Staff Convenor
Manager Environment & Recreation

Staff Representatives
Group Manager Customer & Environmental Services
Group Manager Planning Services
Group Manager Corporate Planning
Environment & Recreation Officer
Asset Manager

Community/Sports Association Representation
Keith Wallace – Dept Sport & Recreation Ray Clay
Otto Bader
Barry Templeman
Bruce Badcock

Meets
as required

Purpose

The role of the new Sport and Recreation Working Party is to:

1. Provide a forum for cooperation between representatives of the community, sports associations, Department of Sport & Recreation, Council and management
2. Develop a Draft Strategic Plan for the future use and development of Sport & Recreation in our City.
3. To recommend criteria to:
 - a. Identify sport and recreation facilities of City wide significance.
 - b. Prioritise proposals for new sport and recreation facilities
 - c. Assess facility booking applications and allocate times of use.
 - d. Resolve facility booking application conflicts.
4. Review and offer comments on applications for new facilities
5. Prioritise and offer recommendations to relevant Director/s on applications for grant funding to the Department of Sport and Recreation.
6. Provide recommendations to the relevant Director/s on Sport and Recreation Management Issues.

AQUATIC FACILITIES WORKING PARTY

Recommended Staff Convenor
Manager Environment & Recreation

Staff Representatives
Group Manager Customer & Environmental Services
Aquatic Services Manager
Asset Manager

Meets
As and when required.

Purpose

To investigate future community needs for aquatic facilities and to make recommendations to management

ILLAWARRA REGIONAL AIRPORT OPERATIONS WORKING PARTY

Recommended Staff Convenor
Director Operations & Services

Staff Representative
Assets Manager
Airport Groundsman

Meets
As and when required

Aerodrome Operators Representatives
Aerodrome tenant (1 each)
or Designated Operator (1 each)

Community Representatives (local)

Positions became vacant on 30 September 2008.

Note: Nominations for Community Representatives will be called within the next month by an expression of interest process.

Purpose

To advise on airport operational issues including annual capital works and maintenance programs, airport security, local operational plans (emergency etc), review aircraft complaints and development applications within the airport precinct.

WASTE MINIMISATION AND RECYCLING WORKING PARTY

Purpose

To advise Council Management in relation to formulation and review of Waste Management Strategies and policies.

RECOMMENDED ACTION : It is recommended that this Working Party be disbanded as this matter is an operational issue and will in future report to Manex.

ENVIRONMENTAL TECHNICAL WORKING PARTY

Purpose

To undertake tasks as required by Council including:

- i. Providing advice on and assisting in preparations for environmental grants.
- ii. Provision of input and advice to Council's State of the Environment Report.
- iii. Provision technical advice on environmental issues as prioritised in accordance with the work program approved by Council.
- iv. As required to participate in any Community Forums established by Council.

RECOMMENDED ACTION : It is recommended that this Working Party be disbanded as it has been subsumed by the in-house Sustainability Working Group.

STRATEGIC PLANNING WORKING PARTY

RECOMMENDED ACTION: It is recommended that this Working Party be disbanded. It was not required to meet during the previous term of Council and is deemed to be no longer required..

DONATIONS WORKING PARTY

Purpose

To make recommendations to Council in regard to the bi-annual applications for Donations. To maintain a consistent, open and equitable approach to the distribution of Council's donation budget, whilst endeavouring to ensure that local community needs can be addressed on a priority basis.

NOTE: This Working Party is subject to a separate report at Council's Meeting on 30 September 2008.

RECOMMENDED ACTION: It is recommended that this Working Party be disbanded and continue as an operational program.

LIBRARY PLANNING WORKING PARTY

Purpose

To make recommendations to Council Management on development of the City Library and the redevelopment of the Shellharbour Branch Library.

RECOMMENDED ACTION: It is recommended that this Working Party be disbanded as it is no longer required as its purpose has been achieved.

DELEGATES TO OUTSIDE COMMITTEES AND ORGANISATIONS

TOURISM SHELLHARBOUR (Shellharbour Tourist & Visitors Assoc. Inc)

Council Delegate

Director Shell Cove Business Division

Secretary

Jenny Burch

Treasurer

Phil Woodcock

Community Representatives

Tracy Freeman - Chairperson
Brad Johns – Vice Chairperson
Jenny Burch - Secretary
Dee Kramer
Wayne Hockey
Peter Gavin
May Hudson
Tony Palmer

Meets

Third Tuesday of each month at 8 am at Lamerton House

Staff Representatives

Tourism Manager
Shell Cove/Tourism Office Coordinator

Charter

To increase visitation to the City of Shellharbour to enhance economic growth.

ILLAWARRA BUSHFIRE COMMITTEE

Recommended Council Delegate

Environmental and Recreation Officer

Staff Representatives

Administration Officer
Director Operations & Services
Environment Officer

Recommended Alternate Delegate

Group Manager Customer and Environmental Services

Rural Fire Service Representatives

Illawarra RFS Manager

Fuel Management Sub-committee – Manager
Environmental & Recreation
Operations Sub-committee – Group Manager Works & Services

Charter

To consider a plan for trail maintenance funding allocations, the development of a strategic radio network and radio frequencies, bushfire equipment, Bushfire Act amendments, training programs and other general bushfire related business.

SHELLHARBOUR RURAL FIRE SERVICE LIAISON COMMITTEE SERVICE LEVEL AGREEMENT

Council Delegate

Director of Operations & Services
KMC Councillor representative
WCC Council representative

Staff Representatives

WCC & KMC Management representatives

Recommended Alternate Council Delegate

Group Manager Customer and Environmental Services

Meets

Every 3 months

Rural Fire Service Representatives

NSW RFS Regional Manager
Illawarra RFS Manager
RFS Volunteer Member

Secretary

Collette Hoobin – Rural Fire Service

Charter

This committee reviews the performance criteria set out in the Shellharbour RFS Management Plan. The Director Operations & Services reports to the Rural Fires Service Commissioner on issues of unsatisfactory performance. Meetings are held each three months.

ILLAWARRA COMMUNITY HOUSING TRUST

Recommended Council Delegate

Director Community Planning and Strategies

Meets

Bi-monthly, third Thursday at 4.00 pm at the Trust Offices, Wollongong

Recommended Alternate Council Delegate

Group Manager Community Services

Charter

To use funds allocated from State Government and Local Government to provide housing accommodation with reduced rent for low-income earners in Wollongong, Shellharbour and Kiama, to compliment the activities of the NSW Department of Housing.

ILLAWARRA REGIONAL INFORMATION SERVICE (IRIS)

Recommended Council Delegate

Group Manager Corporate Planning

Meets

Bi-monthly, fourth Thursday at 3.30 pm at the University of Wollongong, Porter St Annex

Recommended Alternate Council Delegate

Director Community Planning & Strategies

Charter

To provide users with a wide range of information that will assist both the social and economic development of the region including information such as economic and statistical data, demographic data and projections, directories and inventories of existing facilities, information on Government expansion and other research information.

SOUTHERN COUNCILS GROUP (SCG)

Recommended Council Delegates
Director Community Planning & Strategies

Staff Representatives
General Manager

Recommended Alternate Council Delegate
General Manager

Meets
Bi-monthly, second Friday - rotation basis of member Councils

Charter

To consider the needs and foster Local Government within the Illawarra Region and to submit to the Commonwealth and NSW Government requests for financial assistance, policy changes and additional resources to accommodate the said needs and also to strengthen the role of Local Government in Regional affairs and to encourage co-operation between Councils on problems and projects of joint interest.

ILLAWARRA AREA ASSISTANCE SCHEME LOCAL COMMITTEE

Recommended Delegates
Director Community Planning & Strategies
Group Manager Community Services

Meets
Usually one half day meeting in October to set local priorities and another to evaluate and rank submissions.

Recommended Alternates:
Two other Council officers as nominated by the General Manager

Charter

Evaluate applications for funding under the Illawarra Area Assistance Scheme, prioritising same, and makes recommendations for funding accordingly to the NSW Minister for Planning.

ILLAWARRA AREA ASSISTANCE SCHEME REGIONAL ADVISORY COMMITTEE

Appointment by Southern Councils Group (representing Southern Councils Group)

Director Community Planning & Strategies

Note: This appointment is shared among member Councils and our Council may be asked to take this role in 2008/09. This person should be on the Local Committee.

Meets
Up to three times a year - as arranged by the NSW Department of Community Services

Charter

Evaluate applications for funding under the Illawarra Area Assistance Scheme, prioritising same, and makes recommendations for funding accordingly to the NSW Minister for Planning.

SHELLHARBOUR CITY SPORTS ASSISTANCE FUND

Recommended Council Delegate
General Manager

Treasurer
M Lackenby

Meets
As and when required at Lamerton House

Community Representatives

Mr W Buckley
Mr R J McIntyre

Mr K Docherty
Mr J Sinclair
Mr K Moore

Charter

To assist with the expenses of eligible competitors and qualified coaches representing at official State or Australian levels, to manage funds received from Council, corporate and community donations, affiliation fees and ticket sales, and to consider nominations received for various Sports Awards to be presented at the Annual Sport Star of the Year Dinner.

HEALTHY CITIES ILLAWARRA MANAGEMENT COMMITTEE

Council Delegate
Manager Community Development

Meets
Every third Wednesday of every month at
10.30 am at Auburn Street, Wollongong

Charter

To develop, implement and test a collaborative structure at Local Government level to ensure that every institution within the community is held accountable to every citizen's right to an optimum level of health.

SHELLHARBOUR COMMUNITY SAFETY TEAM

Recommended Council Delegate
Coordinator, Safer Communities Campaign

Meets
Quarterly at Lamerton House at times to be advised

Staff Representatives
Manager, Community Development
Manager, Youth Services
Coordinator, Good Neighbour Scheme

Community members

Marlene Calleja
Supt Wayne Dedden
Snr Sgt Greg Mahon
Sgt John Klepczarek
Sandra Pearson
Pauline Donohoe
Harry Spicer OAM
Fran Crittle
Const Heide Hage
Cathryn Dorahy
DET Representative
Cecily Driscoll

Charter

This committee will oversee and participate in the formulation of the Safer Cities Crime Prevention Plan as well as implement strategies to address issues of community safety and crime prevention.

ESTUARY MANAGEMENT STUDY - MINNAMURRA RIVER JOINT WORKING PARTY

Charter

This committee has no formal charter its main objectives are to implement the objectives of the State Government Estuary Management Study Policy in accordance with the Minnamurra Estuary Management Plan adopted by both Shellharbour and Kiama Councils.

RECOMMENDED ACTION: This working party is not currently active and has not met for a number of years. It is recommended that Council no longer nominate a delegate to this Working Party and advise Kiama Council accordingly.

NUCLEAR FREE ZONE SECRETARIAT

Charter

A commitment to the issues of peace and disarmament. Focussing on nuclear free activities, highlighting problems caused by the disposal of radioactive wastes, the continued proliferation of nuclear weapons.

RECOMMENDED ACTION: That Council no longer nominate a delegate to this Secretariat.

ILLAWARRA DISTRICT NOXIOUS WEEDS AUTHORITY

Council Delegate

Asset Engineer

Staff Representative

Parks & Gardens Supt.

Meets

Bi-monthly, second Friday at 12 pm (to coincide with SCG) (Technical Advisory Committee meets when advised at rotating Councils)

Charter

To control noxious weeds through suppression and destruction within the Local Government areas of Wollongong, Shellharbour and Kiama.

MT TERRY PRIMARY SCHOOL NEIGHBOURHOOD CENTRE MANAGEMENT COMMITTEE

Charter

To manage, care for and maintain the Hall and Neighbourhood Centre; to hire or otherwise make the hall and neighbourhood centre available to the community; to determine the scale of charges to be paid; to accept hiring fees; to carry out improvements to the hall and neighbourhood centre.

RECOMMENDED ACTION: That Council no longer nominate a delegate to this Committee.

PUBLIC LIBRARIES NSW - COUNTRY

Charter

1. Unified and strong representation to all levels of government, members of Parliament and other bodies on matters of common interest and concern for public libraries in country New South Wales.
2. Specifically to represent the public library interests of members to relevant Ministers, the Local Government and Shires Associations, The Australian Library and Information Association, the Association of Local Government Librarians and other professional and administrative bodies.
3. To support the particular community roles played by country libraries, to promote understanding of the value of public libraries and to promote their use in country districts.
4. To encourage mutual assistance in the development of library services, to share experience of service provision and co-operatively to undertake suitable review of services and standards.
5. To demonstrate solidarity and self-help among country councils and libraries, fostering confidence and mutual support
6. To undertake and encourage research and development on matters of interest to public libraries in New South Wales.
7. CPLA has the ability to apply for grants and raise finance for specific purposes.

RECOMMENDED ACTION: That Council no longer nominate a delegate to this Association as staff are already attending as members of this group.

LAKE ILLAWARRA FLOODPLAIN MANAGEMENT COMMITTEE

Recommended Council Delegate
Group Manager Technical Services

Staff Representative
Flood Engineer

Recommended Alternate Council Delegate
Senior Design Engineer

Meets
As needed

Community Reps

Mr Doug Prosser (LIA)
Ms Shirley Massey (ICMC)
Representatives from Wollongong City Council

Charter

To be advised.

LAKE ILLAWARRA MANAGEMENT PLAN ADVISORY COMMITTEE

Charter

The principal objective of the Committee is to assist Council in development and implementation of a Floodplain Management Plan for the Lake Illawarra Foreshore areas within Council's jurisdiction.

The Committee can also assist Council in:

Directing and monitoring the progress and findings of the Lake Illawarra Flood Study and Floodplain Management Study leading to the development of a Plan.

Developing strategies for the implementation of the Floodplain Management Plan.

Determining appropriate controls for conditional developments.

Formulating interim development controls for use until the plan is completed, approved and implemented by Council.

RECOMMENDED ACTION: That Council no longer nominate a delegate to this Committee as the Lake Illawarra Authority has advised that following the completion of the Estuary Management Study and the Strategic Plan, this committee is now defunct and these matters are now dealt with directly by the LIA Committee.

INTERNATIONAL COUNCIL OF LOCAL ENVIRONMENTAL INITIATIVES (ICLEI) – Water Campaign

Recommended Council Delegate

Manager Environment & Recreation

Charter

The International Council of Local Environmental Initiatives (ICLEI) is an international association of local governments implementing sustainable development. ICLEI develops programs for use by Local Government that assists Councils to achieve sustainable development.

The ICLEI Water Campaign

The Water Campaign is a program that helps local government to reduce water consumption and improve water quality. The program was launched at the Global Cities 21 ICLEI World Congress in June 2000 as a strategic approach to water management in the local government sector.

INTERNATIONAL COUNCIL OF LOCAL ENVIRONMENTAL INITIATIVES (ICLEI) – Cities for Climate Protection Program

Recommended Council Delegate
Manager Environment & Recreation

Charter

The International Council of Local Environmental Initiatives (ICLEI) is an international association of local governments implementing sustainable development. ICLEI develops programs for use by Local Government that assists Councils to achieve sustainable development.

Cities for Climate Protection™ Program

The CCP™ is an innovative program that assists Local Government and their communities to work together to reduce greenhouse gas emissions and their impact. CCP™ is a program of ICLEI with over 600 local governments from around the world participating.

LOCAL GOVERNMENT & SHIRES ASSOC SOCIAL ISSUES REFERENCE GROUP

Charter

Provide advice, support and assistance to the Standing Committee on Community Planning and Services Associations staff on dealing with current and potential issues relating to social issues, social planning, community and/or service development and general community facilities and services.

Review and update the Associations' policy statement covering social issues, social planning, community and/or service development and general community facilities and services for consideration by the Annual Conferences of each of the Local Government Association and the Shires Association.

Liaison with Councillors or staff representing the Associations on external committees, such as Children's Services Forum, Youth Interagency Taskforce, CSGP Roundtable, Public Health/Social Planning Project Steering Committee, committee for Framework Multiculturalism Locally and Community Development and Support Expenditure Scheme (CDSE) Committee.

RECOMMENDED ACTION: That Council no longer nominate a delegate to this reference group as nomination is by application to the LGSA by a councillor specifically.

LOCAL GOVERNMENT & SHIRES ASSOC AGEING AND DISABILITIES REFERENCE GROUP

Charter

Provide advice, support and assistance to Associations' staff and the Standing Committee on Community Planning and Services Associations staff on dealing with current and potential issues relating to social planning, community and/or service development and facilities and services for older people and people with a disability, with a specific strong emphasis on population ageing. Review and update the Associations' policy statement covering social planning, community and/or service development and facilities and services for older people and people with a disability, for consideration by the Annual Conferences of each of the Local Government Association and the Shires Association.

RECOMMENDED ACTION: That Council no longer nominate a delegate to this group as nomination is by application to the LGSA by a councillor specifically.

WOLLONGONG CONSERVATORIUM OF MUSIC

Recommended Council Delegate

General Manager

Meets

As required

Purpose

Wollongong Conservatorium of Music is a vibrant centre for music education and performance, providing a diverse range of opportunities for learning and appreciation in the arts. It is situated in one of the most beautiful locations on the coast, 80 km south of Sydney, Australia.

For the people of the Illawarra and the South Coast, it provides an increasingly wide range of instrumental and vocal music tuition in popular, classical, jazz and ethnic traditions. It caters for individuals and groups ranging from pre-school to mature-age. Music theory and speech and drama classes are also provided. Special [programs](#) are available to accommodate students from interstate and overseas.

The Conservatorium administers the Noel Lamerton Scholarship - funded by Shellharbour City Council, to assist the City's young musicians.

DUNMORE LAKES SAND QUARRY STAGE 1 COMMUNITY CONSULTATIVE COMMITTEE

Purpose

The Committee is to liaise with the community for the life of the project on environmental issues such as noise, dust and traffic issues, site rehabilitation and landscaping and the long-term management of the site.

Note: This committee is defunct and therefore no action is required.

DUNMORE QUARRY COMMUNITY CONSULTATIVE COMMITTEE

Recommended Delegate

Manager Development Services

Staff Attending

Senior Development Assessment Officer

Meets

6 monthly

Community Representatives

Two representatives from the Applicant

Independent Chairperson – Mr James Bailey from Hansen Consulting

Margrit Stocker

Bill Cornue

Dennis Fogarty

Cindy Neaves

Kathryn Burton

Dept Planning, Dept Natural Resources & DEC

Purpose

To review and provide advice on the environmental performance of the quarry.

MINISTERIAL APPOINTMENTS

TRUSTEES OF THE KILLALEA STATE PARK

Appointment

To be advised following advice from the Killalea State Trust

Meets

Various times throughout the year

Charter

To foster relations with the Trust and Council and in turn to be productive to Council and the Department of Land and Water Conservation for mutual benefit.

LAKE ILLAWARRA AUTHORITY

Council Delegate

To be advised following advice from the Lake Illawarra Authority

Staff Representative

Director Operations & Services

Membership is for two years. Current period expires 31 August 2009.

ADMINISTRATOR'S APPOINTMENTS

ILLAWARRA ACADEMY OF SPORT BOARD OF MANAGEMENT

Present Council Representative

General Manager (as Administrator's nominee)

Meets

Bi-monthly, at SCG Council venues