

ATTACHMENTS

WORKSHOP MEETING

Wednesday 23 February 2022 at 6:30PM



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OFFICE OF THE GENERAL MANAGER

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REPORT NO. GM2/22

ITEM 1

1. PARTNERSHIP AGREEMENT



PARTNERSHIP AGREEMENT

Between Service NSW (ABN 37 552 837 401) and the Hornsby Shire Council (the 'Council) (the 'Parties')

Last Updated: 27 July 2021

1. Purpose

1.1. The purpose of this Agreement is to:

- A. Provide the services of Service NSW for Business, which is a division of Service NSW with a mandate of being the one front door for businesses in NSW to access government information and services.
- B. Provide the framework within which Services will be delivered.
- C. Document the responsibilities of Service NSW and the Council on the provision of Services.
- D. Provide mechanisms to manage the relationship between the Parties.
- E. Promote a collaborative approach to working together in a timely and effective manner and to act in good faith.

This Agreement is not legally binding.

2. Background

- Service NSW is a Division of the Government Service established under the Service Act. The functions of Service NSW include the exercise of customer service functions, within the meaning of the Service Act; other functions conferred by statute; and other functions relating to the delivery of Government services, as directed by the Minister responsible for Service NSW.
- 2) Section 7 of the Service Act makes provision for customer service functions to be delegated by other NSW Government agencies to the Chief Executive Officer (**'CEO'**).
- 3) The functions of the CEO are exercised by the staff of Service NSW.
- Section 8 of the Service Act enables the CEO to enter into Agreements with local government agencies for the exercise of a non-statutory customer service function of the agency; or with respect to the exercise of a customer service function delegated to the CEO.
- 5) Subsection 8(4) of the Service Act provides that an Agreement with a council, a county council or a joint organisation within the meaning of the *Local Government Act 1993* must be approved by a resolution of the council, county council or joint organisation, must be approved before it is entered into.
- Service NSW partners with the Council to promote and deliver the services of Service NSW for Business to businesses across NSW.

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7) the purpose of this collaboration is to ensure awareness and access to Government services to all businesses in NSW.

8) the Services of Service NSW for Business are free for the Council and for customers.

9) The PPIP Act and the HRIP Act set out information handling principles that apply to public sector agencies (as defined in section 3 of the PPIP Act). As public sector agencies, the parties must not do anything, or engage in any practice, that contravenes a privacy principle that applies to them.

10) Section 14 of the Service Act makes provision for the disclosure and use of information, including personal information, for the purposes of the exercise of customer service functions by the CEO. Section 14 has effect despite the provisions of any other Act, including the PPIP Act and the HRIP Act.

11) Section 15 of the Service Act makes provision for the collection of personal information for the purposes of the PPIP Act and the HRIP Act, by Service NSW.

12) Section 16 of the Service Act enables an Agreement made under the Service Act, or a delegation of a customer service function by an agency to the CEO, to provide for the exercise by Service NSW of functions relating to access to information under the Government information (Public Access) Act 2009 and functions relating to the State Records Act 1998, in connection with the functions of the council concerned. The responsibilities of Agencies under the *State Records Act 1998* include making and keeping full and accurate records of their office.

13) The Parties have agreed to enter into an Agreement under section 8 of the Service Act, incorporating the terms on this Agreement.

3. Guiding Principles

3.1. The Parties will:

- A. Work collaboratively and in good faith in a timely and effective manner, with open communication to achieve shared objectives;
- B. Facilitate a partnership relationship that promotes and achieves continuous improvement and accountability;
- C. Ensure that each of its Personnel complies with this Agreement and all applicable laws and policies relating to the Services, including the *Work Health and Safety Act 2011*;
- Comply with the agreed timelines for meeting obligations to ensure efficient and effective delivery of Services;
- E. Work together to identify and manage shared risks;
- F. Work together to prioritise initiatives and enhancements, particularly where there are limitations on time and resources; and
- G. Work together to respond to the media, advise Ministers, and consult each other when developing communications that impact on Services.

4. Roles and Responsibilities

4.1. Service NSW will:

- Provide the Services in accordance with the terms of this Agreement, subject to any Change Request;
- B. Exercise the required standard of skill, care and diligence in its performance of the Services and ensure that its Personnel have appropriate qualifications and skills to provide the Services;
- C. Take responsibility for the management of records it creates or holds as a result of the exercise of a customer service function, where required; and
- D. Take responsibility for performing necessary maintenance of its systems and data managing the impact on customers from Service NSW system outages and working in conjunction with the Council.
- 4.2. The Council will:
 - A. Provide Service NSW with all information, inputs, resources and subject matter expertise in a timely manner as required to enable Service NSW to provide the Services as set out in the Agreement;
 - B. Take responsibility for the management of records it receives or holds following the exercise of a customer service function by Service NSW.
- 4.3. The Parties undertake to maintain open channels of communication by:
 - A. Making available Personnel, data, reports and computer systems for the purposes of resolving customer issues;
 - B. Appointing a Relationship Manager with responsibility for managing the contractual and operational aspects of the Services. The Relationship Manager may be varied.

5. Services

- A. Service NSW will:
 - (i) provide the relevant information and contacts to Council to ensure its local businesses are aware and can access the Service NSW for Business services
 - (ii) provide a single point of contact for Council to ensure it can access Service NSW for Business services.
- B. the Council will:
 - (i) refer eligible customers to the Program;
 - (ii) provide guidance to Service NSW staff to assist in responding to inquiries;
 - (iii) inform customers and Service NSW of the outcome of relevant applications in line with privacy requirements
 - (iv) provide updates on changes to local government policies, guidelines or other matters which may affect the Program;
 - (v) identify local opportunities to inform customers of the program;
 - (vi) provide Service NSW with feedback on the effectiveness and performance of the Program.

6. Liability

6.1. To the full extent permitted by law, neither Council or Service NSW will be liable to the customer for the customer's actions or responsible for any liability, loss or cost suffered directly or indirectly by the business in connection with the Service NSW for Business service.

7. Data and Data Security

- 7.1. Each party retains ownership of its Data.
- 7.2. Except as required by law, neither party must, and must ensure that its Personnel will not:
 - A. use the Data belonging to the other party for any purpose other than the performance of its obligations under this Agreement; or
 - B. sell, commercially exploit, let for hire, assign rights in or otherwise dispose of any Data. or
 - C. Make the other party's Data available to a third party including another government agency or body, other than an approved Subcontractor, and only to the extent required under this Agreement.
- 7.3 Each party must establish and maintain safeguards against the destruction, loss or alteration of either party's Data in the possession or control of that party which are is consistent with and no less rigorous than those maintained by either party to secure its own data; and comply with all applicable laws and policies.
- 7.4 In particular, the Parties will ensure the secure transmission and storage of data, at standards no less than those recommended by Cyber Security NSW.

8. Confidential Information

8.1. The Parties must, in respect of any Confidential Information:

- A. Keep the Confidential Information confidential and not disclose that information to any person without the prior written consent of the disclosing party, other than to its Personnel, professional advisors or contractors requiring access to the Confidential Information in connection with providing the Services;
- B. Use the Confidential Information solely for the purpose of carrying out its obligations;
- C. Not permit the Confidential Information to be reproduced except to the extent reasonably required to carry out its obligations;
- D. Not do anything that would cause the disclosing party or its Personnel to breach their obligations under Privacy Law; and
- E. Notify the other party as soon as possible upon becoming aware of any breach of this clause.

9. Privacy

- 9.1 Each party and its Personnel must:
 - A. Comply with Privacy Laws; and
 - B. Do all that is reasonably necessary to enable the other party to comply with Privacy Laws, including the development of documentation to demonstrate compliance with Privacy Laws, as agreed between the parties;
- 9.2. In particular, Service NSW acknowledges that:
 - A. The collection of personal or health information will take place in compliance with the Privacy Laws, as modified by section 15 of the Service Act; and

B. the use, disclosure, storage and retention of such information will be in accordance with the Privacy Laws, and in accordance with applicable policies.

Schedule 3 documents the respective responsibilities of Service NSW and the Council in relation to the collection, storage, use, retention and disclosure of personal information.

- 9.4 Personal and health Information collected, used, disclosed or retained between the parties will be managed and retained by the parties in accordance with the *State Records Act 1998* (NSW) and all other applicable laws, including Privacy Laws.
- 9.5 Once either of the Parties has reasonable grounds to believe there has been unauthorised access to, unauthorised disclosure of, or a loss of Personal or Health Information, dealt with in connection with this Agreement ('Data Incident'):
 - A. The party must immediately (but in any event, no later than 72 hours of becoming aware of the Data Incident) notify the other party of that contravention together with all relevant information relating to the contravention;
 - B. Consult with the other party as to which party should have primary responsibility for investigating and dealing with the breach or possible breach;
 - C. Consider, having regard to the scope of the Data Incident and the nature of the personal or health information involved, together with any other relevant factors, whether the Data Incident is serious.
 - D. The party with primary responsibility for the breach must notify the Privacy Commissioner as soon as practicable that a serious Data Incident has occurred; and
 - E. The parties must co-operate and collaborate in relation to assessment and investigation of the Data Incident, and action required to prevent future Data Incidents.
- 9.6 If either of the Parties receives a complaint or request for an internal review of conduct in relation to a breach or alleged breach of a Privacy Law, including under section 53 of the PPIP Act, (a **'Complaint'**), the following will apply:
 - A. It is the responsibility of the party that receives the Complaint to perform a preliminary investigation to determine the party responsible for the conduct;
 - B. If responsibility lies wholly with the party that received the Complaint, then that party is responsible for responding to the complaint or conducting the internal review of conduct;
 - C. If, after performing the investigation, the relevant party reasonably considers that the Complaint should be transferred to the other party, it will (after obtaining the consent of the customer) promptly transfer the Complaint and any further information obtained by the party from its preliminary investigation, to the other party, no later than 20 days after receipt of the original Complaint;
 - D. If the Complaint relates jointly to the conduct of both parties, then the party that received the Complaint will (after obtaining the consent of the Customer) notify the other party no later than 20 days after its receipt of the original Complaint and provide any further information obtained by that party from its preliminary investigation. The parties will then work together to coordinate a joint response from the parties within 60 days of receipt of the Complaint. This response may include an internal review of conduct.

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10. Intellectual Property

- 10.1 Each party will retain the Intellectual Property Rights in its Existing Material.
- 10.2 Each party agrees to grant to the other party a non-exclusive and royalty free licence to use, sublicence, adapt, or reproduce:
 - A. Their Existing Material; and
 - B. All methodologies, processes, techniques, ideas, concepts and know-how embodied in their Existing Material,
 - C. To the extent their Existing Material is required for use by the other party, solely in connection with provision of the Services.
- 10.3 Each party represents and warrants to the other party that it has all required rights and consents for its Existing Material to be used for the Services.
- 10.4 Intellectual Property Rights in all New Contract Material will vest in the Council.
- 10.5 The Council grants a perpetual, worldwide, irrevocable and royalty free licence to the Intellectual Property Rights in all New Contract Material to Service NSW for the purpose of performing the Services.
- 10.6 Subject to clauses 10.1 and 10.4, Service NSW will own all Intellectual Property Rights in the provision of the Services, including any solution and service design.

11. Performance Management and Continuous Improvement

- 11.1 Service NSW for Business does not require any provisions in relation to performance management
- 11.2 Service NSW for Business will work collaboratively with Council to ensure continuous improvement of its services to Council.
- 11.3 Any future extension of this Agreement by Service NSW with Council will specify the relevant performance management and continuous improvement provisions required.

12. Reporting

- 12.1 Service NSW for Business does not require any reporting arrangements
- 12.2 Any future arrangements that require reporting will be outlined in a Schedule to this Agreement.

13. Change Management

- 13.1 Each party will comply with the Change Management Process set out in Schedule 4.
- 13.2 The parties agree to complete a Change Request in the form set out in Schedule 4 to add to or vary the Services.

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14. Governance

14.1 The parties agree to comply with the Governance Framework.

15. Business Continuity and Disaster Recovery

15.1 Each party will maintain Business Continuity and Disaster Recovery Plan arrangements to ensure that each party is able to continue to perform its obligations under this Agreement, or where performance is not possible, resume performance as soon as reasonably practicable in the event of a Disaster.

16. Dispute Resolution

- 16.1 In the event of a dispute between the parties, a party will:
 - Raise the dispute with the other party's Relationship Manager and use best efforts to resolve the dispute;
 - If the dispute is not resolved within a reasonable period, the Chief Executive of the Council or their delegate will meet with the Chief Executive Officer of Service NSW (or their delegate) with a view to resolving the dispute.
 - If the dispute is not resolved under clauses 16.1(b) within a reasonable period, attempt to resolve any dispute in accordance with the Premier's Memorandum M1997-26.
- 16.2 Despite the existence of a dispute, each party must continue to perform its obligations.

17. Termination

- 17.1 Either party may terminate this Agreement in whole or in part by giving the other party 90 days written notice or as otherwise agreed.
- 17.2 On notice of termination or where Service NSW is otherwise required to cease to perform some or all of the Program, the parties will work together in good faith to finalise and agree a transition out plan to facilitate smooth and orderly transition of the relevant Program to the Council or the Council's nominated third party. Where the parties cannot agree, the dispute resolution provisions in clause 16 will apply.
- 17.3 Upon termination, each party agrees to return all Data and property belonging to the other party within 30 days of the termination date and comply with the transition out plan agreed under clause 17.2.

18. Miscellaneous

18.1 Entire Agreement

This Agreement supersedes all previous Agreements, understandings, negotiations, representations and warranties and embodies the entire Agreement between the Parties about its subject matter.

18.2 Survival

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The following clauses survive termination or expiry of the Agreement: Clauses 4, 6, 7, 8, 9, 10, 14, 15, 16, 17, 18, 19 and any other clause which by its nature is intended to survive termination or expiry of the Agreement.

18.3 Notices

A notice under this Agreement must be in writing and delivered to the address or email address of the recipient party.

18.4 Variation

All variations to this Agreement and all consents, approvals and waivers made under this Agreement must be evidenced in writing and variations signed by both parties.

18.5 Waiver

If a party does not exercise (or delays in exercising) any of its rights, that failure or delay does not operate as a waiver of those rights.

10.6. Applicable law

The Agreement is governed by, and is to be construed in accordance with, the laws in force in NSW.

18.7 Counterparts

The Agreement may consist of a number of counterparts and if so, the counterparts taken together constitute one and the same instrument.

19. Execution

Hornsby Shire Council has reviewed and accepts this Agreement

Signed for and on behalf of Hornsby Shire Council by its authorised signatory	Signed for and on behalf of Service NSW by its authorised signatory
Name:	Name:
Title:	Title:
Date:	Date:
Signature:	Signature:
Witness:	Witness:
Signature:	Signature:

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Schedules

Schedule 1 - Definitions

In these Partnership Agreement, except where a contrary intention appears:

Business Continuity and Disaster Recovery Plan means a business continuity and disaster recovery plan which documents the back-up and response actions each of the parties will take to continue its obligations if a Disaster occurs;

Change Request means the request for a change to the scope of Services in the form set out in Schedule 4;

Commencement Date means the date of start of this Agreement.

Confidential Information of a party means any written or oral information of a technical, business or financial nature disclosed to the other party, including its employees or agents, by the disclosing Party (whether orally or in writing) whether before or after the Commencement Date, that:

- A. is by its nature confidential; or
- B. is designated as confidential; or
- C. the other party knows or ought to know is confidential,
- D. but does not include information which:
 - a. is or becomes public knowledge other than by breach of this Agreement; or
 - b. is in the lawful possession of the Party without restriction in relation to disclosure before the date of receipt of the information; or
 - c. is required to be disclosed by Law, government policy or legal process.

Contact Centre has the meaning set out in Schedule 2;

Continuous Improvement Principles have the meaning set out in Schedule 2;

Continuous Improvement Process has the meaning set out in Schedule 2;

Data means the data of each party and all data and information relating to their operations, Personnel, assets, customers and systems in whatever form that may exist, including Confidential Information;

Disaster means an event that causes, or is likely to cause, a material adverse effect on the provision of the Services that cannot be managed within the context of normal operating procedures including interruption, destruction or other loss of operational capacity;

Existing Material means any material that is developed prior to entering into a Partnership Agreement, or developed independently of a Partnership Agreement, and includes any enhancements and modifications to its Existing Material created as part of a Partnership Agreement;

HRIP Act means the Health Records and Information Privacy Act 2002 (NSW);

Instrument of Delegation means the instruments of delegation (including its terms and conditions) made by the Council in relation to the Delegated Functions.

Intellectual Property Rights includes patent, knowhow, copyright, moral right, design, semi-conductor, or circuit layout rights, trademark, trade, business or company names or other proprietary rights and any rights to registration of such rights, whether created before or after the Commencement Date, in Australia or elsewhere;

Middle Office has the meaning set out in Schedule 2;

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Moral Rights means the right of integrity of authorship and the right not to have authorship falsely attributed, as confined by the *Copyright Act 1968* (Cth) and the rights of similar nature anywhere in the world, whether in existence before or after the Commencement Date;

New Contract Material means new data created, other than the solution or service design;

Partnership Agreement means these terms and conditions and includes Schedules 1, 2, 3 and 4.

Personal Information has the meaning given to it in the Privacy Laws, as amended from time to time;

Personnel means the person or persons employed or otherwise contracted by either party under this Agreement, as the context requires;

PPIP Act means the Privacy and Personal Information Protection Act 1998 (NSW);

Privacy Law means any law that applies to either or both of the parties which affect privacy or any personal information or any health information (including its collection, storage, use or processing) including:

- A. the PPIP Act; and
- B. the HRIP Act.

Program means the Easy to do Business program;

Quarterly Forecast has the meaning set out in Schedule 2;

Relationship Manager means the nominated relationship managers of either party, as set out in the Service Agreement, or as otherwise nominated by a party from time to time;

Service Act means the Service NSW (One-stop Access to Government Services) Act 2013 (NSW);

Service Centre has the meaning set out in Schedule 2;

Service NSW Standard Operating Conditions means the standard operating conditions met by Service NSW in the usual course of its performance of the Services set out in Schedule 2;

Subcontractor means a third party to which Service NSW has subcontracted the performance or supply of any Services;

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Schedule 2

1. Service NSW Standard Operating Conditions

In addition to the Partnership Agreement this section covers the standard omnichannel service inclusions.

1.1. Service Centre

Similar services as those available at Service Centres may be offered through Mobile Service Centres. The Mobile Service Centre timetable is published regularly on the Service NSW website.

Inclusion	Description				
Concierge and digital assisted services	A Service NSW Concierge will greet and direct customers to the appropriate channel and dispense a ticket where applicable. If the transaction can be completed online, a Digital Service Representative will assist the customer to complete the transaction				
Customer sentiment surveys	Before leaving the centre, customers will be offered the option of leaving feedback via a digital terminal				

1.2. Contact Centre

Similar services (to that of phone-based) may be offered through a web chat feature accessible via the Service NSW website.

Inclusion	Description					
Virtual hold call back system	During high volume periods, customers will be offered the option of leaving their details with an Interactive Voice Response (IVR) auto attendant. Customers can hang up while holding their place in the queue. Their call will be returned by the next available operator					
Inbound number	Service NSW will answer all inbound enquiries on 13 77 88 as 'Service NSW'					
Call coding	A Customer Service Representative will record the customer's reason for calls and the outcome					
Customer sentiment surveys	Once the call is complete, customers will be offered the option of leaving feedback via an automated IVR system					

1.3. Middle Office

Inclusion	Description

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Enquiry triage	Service NSW will triage enquiries received to <u>info@service.nsw.gov.au</u> or via Service NSW website 'Contact Us' page and				
	 Resolve these enquiries or; Refer it to the appropriate business area at the Council 				
Enquiry coding	A Customer Service Representative will record the customer's reason for enquiring and the outcome				

1.4. Service NSW Website and Mobile App

Inclusion	Description
Scheduled maintenance and planned outages	Service NSW will conduct regularly scheduled maintenance of the website and mobile app. 10 business days of notice will be provided regarding outages from planned and scheduled maintenance
	Maintenance activities with negligible impact or outage, such as enhancements to optimise for cybersecurity or performance, may occur without notification to the Council

1.5. Service NSW for Business

Service NSW for Business provides a multi-channel service including digital, phone and face-to-face services for metro and regional businesses in NSW and develops relationships with councils and business associations to promote the offering to local businesses.

Inclusion	Description				
Relationship management	Business Customer Service staff initiate and maintain relationships with councils and business associations to promote awareness and use of the service offering by such stakeholders and their local business community. It may include, but is not limited to, information sharing, regular liaison at events and stakeholder premises and issue of surveys.				
Scheduled Maintenance and Planned Outages	Digital products controlled by Service NSW for Business will be regularly updated, upgraded and maintained without any outages.				

1.6. Training

Service NSW will provide appropriately trained Personnel to deliver the Services.

1.7. Language

Service NSW will provide services in English and may arrange translation and interpreter services for customers from non-English speaking backgrounds if required.

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1.8. Branding

Unless otherwise set out in the Partnership Agreement, Service NSW channels are singularly branded. Marketing communication is limited to Service NSW led or co-led campaigns and programs.

1.9. Contractors and Agents

Service NSW may use contractors and agents in connection with the delivery of Services. Such agents and contractors are approved persons under Part 2 Section 12 of the Service Act.

1.10. Out of Scope Services

Any item, service or deliverable that is not specified in a Partnership Agreement is deemed to be out of scope for Service NSW.

2. Operational Framework

Service NSW operational framework outlines how operations are managed on a day-to-day basis.

Operational Support	Description					
Knowledge Management	Service NSW creates and maintains support material (knowledge articles) for serving customers. These will be sent to the Council for endorsement of content accuracy bi-annually					
Complaints Management	Service NSW will record complaints and its supporting information unless resolved at the outset. Service NSW will contact the Council where assistance is required					
Issues Management	Issues relating to existing products and services should be raised via <u>partnerships@service.nsw.gov.au</u> or directly with the Relationship Manager					
	The Relationship Manager will assess the issue and facilitate a resolution within Service NSW, providing regular updates					
Quality control framework/ compliance	Service NSW has a quality control framework that governs transactional activities in line with risk assessment at the time of onboarding					
	The framework includes:					
	 Regular review of contact centre calls, including being assessed against procedure and process used by the agent during the call Daily quality checks of transactions undertaken by the service centre Quarterly compliance reviews and certifications provided by all service delivery channels 					

2.1. IT Operations & Support

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Service NSW runs a 24/7, 365 days a year service desk. Unplanned interruptions or degradations in quality of service should be raised to the Service NSW Service Desk on 1300 697 679 (option 2) or servicedesk@service.nsw.gov.au

Incident response times in our production environment are prioritised based upon urgency and impact, with associated response and resolution times.

Priority Code	Service Level Target Response/Resolution Time
P1 - Critical	Response: Immediate response, action/update within 15 minutes Resolution: 2 hours
P2 - High	Response: Immediate response, action/update within 30 minutes Resolution: 4 hours
P3 - Medium	Response: 8 hours Target Resolution: 10 working days
P4 - Low	Response: Email notification of call being logged within 2 days. Response by email or phone within 2 working days Target Resolution: 20 working days

Where vendors or other government platforms are involved, Service NSW utilises a best practice vendor governance framework for service level Agreements and for priority 1 and 2 incidents.

2.2. System and Security Maintenance

Service NSW complies with the NSW Government Cyber Security Policy and operates an information security management system that is certified against ISO 27001. These engagement Terms do not extend the certification scope to the Council's specific activities.

3. Customer Payments

Service NSW will collect payments from customers for transactions set out in the Service Agreement. Cash, cheque, money order, credit or debit card may be accepted and merchant fees plus GST will be recovered.

Service NSW will provide remittances and reconciliation files to the Council which include:

- A. Credit T+2 value for cash, cheques* and bank card payments
- B. Credit T+2 value for AMEX payments
- C. Debit any cheques dishonoured
- D. Debit any card payment chargebacks
- E. Debit any refunds processed on behalf of the Council

Cheque payments received over \$50,000 will be remitted back to the Council once the funds clear the Service NSW remitting bank account.

4. Business Continuity and Disaster Recovery

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Service NSW will maintain an Enterprise Risk Management Framework focused on managing risks to Service NSW, including mitigation of the likelihood and impact of an adverse event occurring. As a function of risk management, business continuity management will enable Service NSW to minimise disruptive risks and restore and recover its business-critical services within acceptable predefined timeframes should an adverse event or other major business disruption occur.

Recovery and timeframes may be impacted when events or disruptions are related to dependencies on partner Agencies. The Parties will agree on Recovery Point Objectives and Recovery Time Objectives and associated charges prior to designing the system and will periodically review these objectives.

All systems and technology provided by Service NSW internally and through third-party vendors, operate through multiple data centres to achieve high availability. Service NSW systems are architectured, where practicable and possible, to ensure continuity of service in the event of a data centre disruption or outage.

Definitions

Recovery Point Objectives means the age of files that must be recovered from backup storage for normal operations to resume if a computer, system, or network goes down as a result of a hardware, program, or communications failure.

Recovery Time Objectives means the targeted duration of time and a service level within which a business process must be restored after a disaster (or disruption) in order to avoid unacceptable consequences associated with a break in business continuity.

5. Continuous Improvement

Service NSW regularly reviews improvement ideas from employees and customers. We will provide you with any ideas relevant to your agency for consideration.

'Continuous Improvement' refers to identifying a process, system or policy opportunities that will deliver a benefit for our people, our customers or the NSW government. These improvements may be delivered in house where possible or by engaging our partnering agencies where further input or decisions are required under policy or legislation. A Continuous Improvement:

- A. Puts the customer first
- B. Makes the customer service job easier
- C. Improves a step in a process
- D. Changes the way a task is completed so that it doesn't take as long
- E. Reduces handling time and is cost effective
- F. Allows others to benefit from best practices
- G. Allows us to do things better locally, regionally or organisation-wide
- H. Is a low-investment process change and not a policy change
- I. Improves accountability within the various stages of the process
- J. Removes steps that don't add any value to a process

Service NSW will consider several factors such as cost to implement, cost savings, customer experience, team member experience and operational efficiency in prioritising continuous improvements.

5.1. Continuous Improvement Process

The parties will identify new continuous improvement initiatives on an annual basis, with a 6-monthly check-in on ongoing continuous improvement initiatives.

When establishing a new continuous improvement initiative, the parties will classify the initiative based on

whether it can be implemented as:

- A. part of the ongoing 'business as usual' services (cost and resourcing to be absorbed by Service NSW; or
- B. a new project initiative (cost and resourcing to be agreed by the parties).

A prioritisation process will be agreed upon between the parties to prioritise initiatives (for Service NSW, this will be performed by the Partnerships team).

The Council may be required to effect policy, system or regulatory changes to assist in delivering the service process improvement, as agreed with Service NSW. Where a review of Council policy, system or regulatory changes is requested by Service NSW from the Council, these should be conducted within timeframes agreed between the respective Relationship Managers.

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Schedule 3 – Privacy and Data Security

(a) General

- (i) Service NSW may collect, use, disclose, store and retain personal information when exercising functions for the Council:
- (ii) Where Service NSW exercises functions for the Council, Service NSW can share information it obtains with the Council without separately requesting the customer's consent. Service NSW can also share the information it obtains with any person that the Council is authorised or required to disclose the information to in accordance with the Service Act.

(b) Access to Agency Systems

(i) The Parties agree that Service NSW will not have access to the Council's information system.

(c) Collection of information

- (i) Service NSW may incidentally collect Personal Information via call recordings in the course of answering queries on behalf of Council or referring customers to Council. Personal Information collected may include: full name, address, contact number or email address.
- (ii) Service NSW will take reasonable steps to ensure that the Personal or Health Information it collects on behalf of the Council is, relevant, accurate, up-to-date and complete.
- (iii) Service NSW will provide a privacy collection notice to customers whenever it collects their information.
- (iv) If Service NSW collects personal information for its own internal purposes, when exercising functions for the Council, it will ensure that the privacy collection notice meets the requirements of section 10 of the *PPIP Act* in light of section 15(3) of the *Service Act*.
- (v) The notice will address each of the matters that a privacy collection notice is, by law, required to address. Service NSW will develop the content of the notice in consultation with Council.

(d) Internal records maintained by Service NSW

- (i) Under the *Service Act*, Service NSW is permitted to collect, maintain and use the following records for its internal administrative purposes, including for the purposes of its interactions with customers for whom functions are exercised:
 - Details of transactions between customers and Service NSW
 - The preferences of customers for transacting matters with Service NSW and **Hornsby Shire Council**, and
 - Other information about customers.
- (ii) Service NSW collects, maintains and uses the following information for its internal administrative purposes:
 - Details of transactions between customers and Service NSW
 - The preferences of customers for transacting matters with Service NSW and **Hornsby Shire Council** and
 - Other information about customers.

ATTACHMENT 1 - ITEM 1

(e) Use of information

- (i) Service NSW can use information in accordance with the Service Act, PPIP Act and HRIP Act.
- Service NSW uses Personal Information for the purposes of assisting customers in directing queries to Council, training and quality purposes.

(f) Disclosure

- (i) Service NSW can disclose information in accordance with the *Service Act*, PPIP Act and HRIP Act.
- Where Service NSW performs a transaction for a customer, when exercising functions for the Council, it will ask the customer for consent before sharing that information with a different agency,

(g) Retention

(i). Personal Information collected via call recordings is stored in Genesys. The length of data retention will be directly related to the purpose for which it was collected and retained. Data is maintained for the minimum period required. Call recordings are available for 3 months and subsequently archived. (h)

(h) Data Security

(i). Personal Information stored in Genesys follows a comprehensive User Access Matrix controlled by Government Technology Platforms Virtual Contact Centre Team. Role based access to the system is granted to users at the minimum level required to perform their duties and to protect against unauthorised access, use, modification or disclosure. Access vi SSO with dfsi.okta.com. The Genesys PureCloud environment is whitelisted and only users on the corporate network or VPN can access the platform. The User Access Matrix is reviewed monthly and a detailed review is conducted every 6 months. The User Access Matrix is a comprehensive document that shows details such as the time of last login, date the account was disabled, date of termination, date of extension, date of role review, name of the reviewer.

(i) Privacy Management plans

The parties agree to update and periodically review their privacy management plans or other relevant policy documents so that any person can ascertain whether Service NSW or the Council holds personal information relating to that person and if so, the nature of the information, the main purposes for which it is used and the person's entitlement to access the information, in relation to the services covered by this Agreement.

(j) Access to and amendment of Personal Information

(i) Service NSW agrees that it will provide any individual who requests it with access to their own personal information without excessive delay and without any expense, in relation to information it holds as a result of exercising functions for the Council.

(k) Privacy Officer

The parties have nominated a Privacy Officer who is the point of contact for dealing with complaints, applications for internal reviews, data breaches, employee education and other privacy matters.

Privacy Officers can be contacted as follows:

Service NSW: Privacy Officer Service NSW 2-24 Rawson Place, Sydney NSW 2000 Phone: 13 77 88 Email: <u>privacy@service.nsw.gov.au</u>

[Name of Council Privacy Officer]:

29/3/21

Schedule 4- Change Management

1. Change Management Process

Change is defined as any alteration to services, process, technology or product. Changes may be initiated by Service NSW or the Council. Where a change to the Services is requested by a party, set out below is the following process:

- 1.1. The party requesting the change will notify the other party's Relationship Manager as soon as possible;
- 1.2. The Relationship Managers will meet within 5 days to discuss the requested change;
- 1.3. The Relationship Managers will work collaboratively to conduct a high-level change assessment of the change, and agree and draft a Change Request, considering the following factors:
 - A. Current state and desired future state outcomes;
 - B. Impacts on customers and both parties informed by end-to-end customer journey;
 - C. Additional resource effort; potential cost and timing of implementation;
 - D. Implementation and testing requirements;
 - E. Legislation/policy that may be required;
 - F. Whether variation to the Partnership Agreement will be required; and
 - G. Continuous Improvement Principles
- 1.4. The parties will sign the Change Request, which will be incorporated into this Agreement.

Where a change relates to Service NSW's IT systems, the Council will notify Service NSW within a reasonable period to outline the proposed change and requested timeframes. Service NSW will consider the change and advise whether an increased cost to implement the change is required.

Service NSW will assess the results and implement corrective action to ensure sustainability of the change to the Services. Changes to the Services will be reported on in the monthly management meeting between Relationship Managers.

2. Change Request Template

This Change Request is created in accordance with the Partnership Agreement				
Date of Change Request				
Originator of Change Request				
Proposed Implementation Date				
Cost	<cost></cost>			
Summary and scope:				
Service NSW responsibilities:				
29/3/21	21			

Council responsibilities: Change plan: Change impact (Including the effect on service levels): Change impact (Including the effect on service levels): Assumptions and exclusions: List of documents forming part of this change request: Clauses affected by this change request:

29/3/21

ATTACHMENT/S

REPORT NO. GM3/22

ITEM 2

1. 31 DECEMBER 2021 CONSOLIDATED BUDGET RESULT

2. 31 DECEMBER 2021 QUARTERLY BUDGET REVIEW STATEMENT

3. PERFORMANCE REPORT - DECEMBER 2021

	For the Period of Dec YTD			Full Year Budget			
	Year-to-Date	Year-to-Date	Year-to-Date	Total Year	Total Year	Total Year	Total Year
	2021/22	2021/22	2021/22	2021/22	2021/22	2021/22	2021/22
	Actual	Revised Budget	Variance	Original Budget	Current Revised Budget	Recommended Changes	Projected Final
	S	s	S	\$	s	s	\$
OPERATING EXPENSES							
Employee Benefits	23,459,919	25,827,000	2,367,082	51,405,167	51,623,966	(719,262)	50,904,704
Borrowing Costs	13,339	12,035	(1.304)	24,070	24,070	(,)	24,070
Materials & Contracts	20,798,221	23,527,043	2,730,822	51,176,664	53,051,684	1,137,820	54,189,504
Other Expenses	6,618,373	7,874,833	1,256,460	14,039,793	14,352,393	(0)	14,352,393
Controllable Expenses	50,887,852	57,240,912	6,353,060	116,645,694	119,052,114	418,558	119,470,671
	00,007,002	07,210,012	0,000,000	110,010,001	110,002,111	110,000	110,170,071
Internal Transfers & Depreciation	9,774,167	10,206,970	432,803	20,370,658	20,461,159	0	20,461,159
Total Operating Expenses	60,662,019	67,447,882	6,785,863	137,016,352	139,513,273	418,558	139,931,830
OPERATING INCOME							
Rates, Levies & Annual Charges	(102,171,619)	(101,312,405)	859,214	(101,523,124)	(101,505,507)	0	(101,505,507)
User charges and fees	(5,672,358)	(7.602.139)	(1,929,781)	(14,304,331)	(14,321,474)	0	(14.321.474)
Interest & Investment Revenue	(1,997,073)	(1,996,032)	1,041	(3,992,059)	(3,992,059)	0	(3,992,059)
Other Income	(2,643,634)	(3,181,036)	(537,402)	(6,562,574)	(6,493,874)	0	(6,493,874)
Grants, subsidies, contributions and donations	(5,838,658)	(4,687,489)	1,151,169	(9,612,314)	(7,809,434)	(10,000)	
Other Operating Contributions	(1,480,211)	(926,998)	553,213	(958,796)	(1,168,796)	(10,000)	(1,168,796)
Total Operating Income	(119,803,553)	(119,706,099)	97,454	(136,953,198)	(135,291,144)	(10,000)	(135,301,144)
	(**********	((100)000,1000	(((
Net Operating Result	(59,141,534)	(52,258,217)	6,883,317	63,155	4,222,129	408,558	4,630,686
CAPITAL EXPENSES	1						
WIP Expenditure	19,873,453	28,723,959	8,850,507	53,798,671	60,849,493	980,351	61,829,844
Asset Purchases	1,108,479	984,250	(124,229)	2,563,500	2,563,500	0	2,563,500
Total Capital Expenses	20,981,932	29,708,209	8,726,277	56,362,171	63,412,993	980,351	64,393,344
CAPITAL INCOME							
Grants, subsidies, contributions and donations	(12,694,707)	(431,000)	12,263,707	(300,000)	(2,907,451)	(2,170,000)	(
Proceeds from the sale of assets	(514,745)	(499,997)	14,748	(1,000,000)	(1,000,000)	0	(1,000,000)
Other Capital Contributions	(3,624,166)	(2,491,132)	1,133,034	(4,982,264)	(4,982,264)	0	(4,982,264)
Total Capital Income	(16,833,619)	(3,422,129)	13,411,490	(6,282,264)	(8,889,715)	(2,170,000)	(11,059,715)
Net Capital Result	4,148,313	26,286,080	22,137,767	50,079,907	54,523,278	(1,189,649)	53,333,629
Net Operation & Operite! Descrit							
Net Operating & Capital Result	(54,993,221)	(25,972,137)	29,021,084	50,143,062	58,745,407	(781,091)	57,964,316
FUNDING AND NON-CASH Adjustments							
External Restricted Assets	24,102,919	(976,603)	(25,079,522)	(29,544,713)	(38,210,512)	1,381,091	(34,829,421)
Internal Restricted Assets	1,349,752	(106,682)	(1,456,434)	(2,751,219)	(3,994,501)	(600,000)	
External Loan Principal Repayments/(Proceeds)	118,347	120,985	2,638	241,970	241,970	(000,000)	
Depreciation Contra	(9,882,248)	(10,197,508)	(315,260)	(20,442,227)	(20,442,227)	0	
ELE Payments	529,328	478,035	(51,294)	956,069	956,069	0	(
Total Funding Adjustments	16,218,097	(10,681,774)	(26,899,871)	(51,540,120)	(59,449,202)	781,091	(58,668,111)
	-						
Net Operating & Capital Result After Internal Funding	(38,775,123)	(36,653,911)	2,121,213	(1,397,059)	(703,795)	(0)	(703,795)

HORNSBY SHIRE COUNCIL

Quarterly Budget Review Statement

for the period 01/10/21 to 31/12/21

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1.	Responsible Accounting Officer's Statement	1
2.	Income & Expenses Budget Review Statement's	2 & 2a
3.	Capital Budget Review Statement	3 & 3a
4.	Cash & Investments Budget Review Statement	4 & 4a
5.	Key Performance Indicator (KPI) Budget Review Statement	5
6.	Contracts & Other Expenses Budget Review Statement	6
7	Consultant & Legal Expenses	7

HORNSBY SHIRE COUNCIL

Quarterly Budget Review Statement for the period 01/10/21 to 31/12/21

Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

It is my opinion that the Quarterly Budget Review Statement for HORNSBY SHIRE COUNCIL for the quarter ended 31/12/21 indicates that Council's financial position at 30/6/22 is Satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:

Duncan Chell

Responsible Accounting Officer

date:

02-02-22

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Budget review for the quarter ended 31 December 2021 Income & Expenses - All Principal Activities	2021										
	Original		Appro	Approved Changes	5		Revised	Bud Change	Notes Projected	cted	Actual
(\$000;5)	Budget 2021/22	Total QBRS Contra Changes	Sep QBRS	Dec QBRS	Mar QBRS	Jun QBRS	Budget 2021/22	Request for Dec Qtr	Year End Result	ult ult	YTD figures
Income		0					-				,
Rates & Annual Charges	-101,523,124	0	17,617	0	0	0	-101,505,507	0	-101,5	-101,505,507	-102,171,619
User Charges & Fees	-14,304,331	0	-17,143	0	0	0	-14,321,474	0	-14,3	-14,321,474	-5,672,358
Interest	-3,992,059	0	0	0	0	0	-3,992,059	0	6'£-	-3,992,059	-1,997,073
Other Revenues	-6,562,574	0	68,700	0	0	0	-6,493,874	0	-6,4	-6,493,874	-2,643,634
Operating Grants	-9,612,314	0	1,802,880	0	0	0	-7,809,434	-10,000	-7,8	-7,819,434	-5,838,658
Operating Contributions & Donations	-958,796	0	-210,000	0	0	0	-1,168,796	0	-1,1	-1,168,796	-1,480,211
Total Income from Continuing Operations	-136,953,198	•	1,662,054	•	•	•	-135,291,144	-10,000	-135,301,144		-119,803,553
Expenses											
Employee Expense	51,405,167	0	218,799	0	0	0	51,623,966	-719,262	50'3	50,904,704	23,459,919
Borrowing Expense	24,070	0	0	0	0	0	24,070	0		24,070	13,339
Materials & Contracts	46,444,545	-710,783	1,792,651	0	0	0	47,526,413	1,137,820	48,6	48,664,233	17,429,505
Depreciation-&-Amortisation	20,442,227	0	0	0	0	0	20,442,227	0	20,4	20,442,227	9,882,248
Internal Expenses	-71,569	-34,869	125,370	0	0	0	18,932	0		18,932	-108,081
Legal Expenses	1,433,301	0	50,000	0	0	0	1,483,301	0	1,4	1,483,301	284,408
Consultants	3,298,818	743,152	0	0	0	0	4,041,970	0	4,0	4,041,970	3,082,308
Other Expenses	14,039,793	2,500	310,100	0	0	0	14,352,393	0	14,3	14,352,393	6,618,373
Total Expenses from Continuing Operations	137,016,352	0	2,496,920	0	0	0	139,513,273	418,558	139,90	139,931,830	60,662,019
Net Operating Result from Continuing Operations	63,154	0	4,158,974	•	•	•	4,222,129	408,558	4,63	4,630,687	-59,141,534
- Net Operating Result before Capital Items	63,154	0	4,158,974	0	•	0	4,222,129	408,558	4,63	4,630,687	-59,141,534

Quarterly Budget Review Statement for the period 01/10/21 to 31/12/21

ITEM 2

ATTACHMENT 2 -

HORNSBY SHIRE COUNCIL

Quarterly Budget Review Statement

for the period 01/10/21 to 31/12/21

Income & Expenses Budget Review Statement Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details	
	\$	

The net impact of budget changes is \$nil for the quarter. Please refer to the body of Report CS70/21 for details.

Capital Budget - All Principal Activities	Original		Approv	Approved Changes			Revised	Bud Change	Notes	Projected	Actual
(\$.000\$)	Budget 2021/22	Total QBRS Contra Changes	Sep QBRS	Dec QBRS	Mar QBRS	Jun QBRS	Budget 2021/22	Request for Dec Qtr		Year End Result	YTD figures
Capital Expenditure											
WIP Expenditure & Asset Purchases	56,362,171	0	7,050,822	- -	- -	- -	63,412,993	980,351		64,393,344	20,981,932
rotar Vapital Experimente Capital Funding	70,002,111	5	770'000'1	•	5	Þ	000'714'00	100'000	-		700,100,02
Capital Grants	-300,000	0	-2,607,451	0	0	0	-2,907,451	-2,170,000		-5,077,451	-12,694,707
Capital Contributions & Donations	-4,982,264	0	0	0	0	0	-4,982,264	0		-4,982,264	-3,624,166
Asset Sales	-1,000,000	0	0	0	0	0	-1,000,000	0		-1,000,000	-514,745
	-6,282,264	0	-2,607,451	0	0	0	-8,889,715	-2,170,000		-11,059,715	-16,833,619
Other Funding											
External Restricted Assets	-29,544,713	0	-6,665,799	0	0	0	-36,210,512	1,381,091		-34,829,421	24,102,919
Internal Restricted Assets	-2,751,218	0	-1,243,282	0	0	0	-3,994,501	-600,000		-4,594,501	1,349,752
External Loan Principal Repayments	241,970	0	0	0	0	0	241,970	0		241,970	118,347
Employee Leave Payments	956,069	0	0	0	0	0	956,069	0		956,069	529,328
Writeback Depreciation	-20,442,227	0	0	0	0	0	-20,442,227	0		-20,442,227	-9,882,248
Total Funding	-57,822,384		0 -10,516,533	•	•	•	-68,338,917	-1,388,909	Ŧ	-69,727,826	-615,521
Net Capital Funding	-1,460,213		0 -3,465,711	0	0	0	-4,925,924	-408,558		-5,334,482	20,366,411

Quarterly Budget Review Statement for the period 01/10/21 to 31/12/21

Hornsby Shire Council

-59,141,534 -38,775,124

4,630,687 -703,795

4,222,129 -703,795

4,158,974 693,264

Net Operating Result before Capital Items Net Operating & Capital Result after Funding

ol |o

63,154 -1,397,058

408,558

c

HORNSBY SHIRE COUNCIL

Quarterly Budget Review Statement for the period 01/10/21 to 31/12/21

Capital Budget Review Statement Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Details

Notes \$

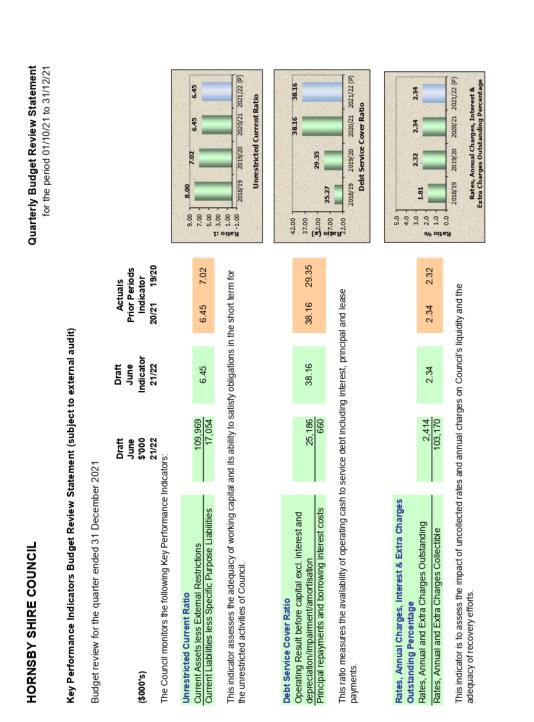
The net impact of budget changes is \$nil for the quarter. Please refer to the body of Report CS70/21 for details.

Quarterly Budget Review Statement for the period 01/10/21 to 31/12/21

	Original	Revised Budget	Actual
(s.000\$)	Budget	Projected Year End	Ę
Total Cash & Investments	2021/22 296,599,000	2021/22 296,599,000	figures 308,945,411
Externally Restricted ⁽¹⁾	195,539,000	195,539,000	204,635,090
Internally Restricted ⁽²⁾	82,223,000	82,223,000	83,655,719
Total Restrictions	277,762,000	277,762,000	288,290,809
Unrestricted (ie. available after the above Restrictions)	18,837,000	18,837,000	20,654,602
Total Cash & Investments	296,599,000	296,599,000	308,945,411

Funds that must be spent for a specific purpose
 Funds that Council has earmarked for a specific purpose

HORNSBY SHIRE COUNCIL	Quarterly Budget Rev for the period 01/1	
Cash & Investments Budget Review Statement		
<u>Investments</u>		
Investments have been invested in accordance with Coun-	cil's Investment Policy.	
<u>Cash</u>		
The value of Cash at Bank which has been included in the	Cash & Investment Statement tota	ls \$2,480,243
This Cash at Bank amount has been reconciled to Council The date of completion of this bank reconciliation is 31/12/		
Reconciliation Status		
The YTD Cash & Investment figure reconciles to the actua	l balances held as follows:	\$ 000's
GL Investments - Trial Balance GL Cash at Bank - Trial Balance GL Cash on Hand - Trial Balance		306,630 2,315 2
Reconciled Cash at Bank & Investments		308,945
Investments Investment Total	_	306,630 306,630
Cash at Bank (as per bank statements) less: Ledger transactions not yet in the bank add: Bank transactions to be posted to the ledger Cash at Bank Total	(Timing Difference) (Timing Difference)	2,480 -86 -79 2,315
Cash on Hand Total	_	2



ATTACHMENT 2 - ITEM 2

Quarterly Budget Review Statement for the period 01/10/21 to 31/12/21

Hornsby Shire Council

Key Performance Indicators Budget Review Statement (subject to external audit)

Budget review for the quarter ended 31 December 2021

	0:06	\$ 70.0 -	oite	R 50.0 +
Actuals Prior Periods Indicator 20/21 19/20		80.89 86.59		
Draft June Indicator 21/22		80.89		
Draft June \$'000 21/22		126,443	156,307	
(s.000\$)	Own Source Operating Revenue Ratio	Total continuing operating revenue (less All Grants & Contributions)	Total continuing operating revenue	



2018/19 2019/20 2020/21 2021/22 Own Source Operating Revenue) Ratio

80.9

0.08

76.0

36.6

Total contributions) - Operating revenue (excl. Capital Grants & Contributions) - Operating Expenses 5246			
	,246		
Total continuing operating revenue (excl. Capital 137,305 3.02 Grants & Contributions)		3.02 3.02	

This ratio measures Council's achievement of containing operating expenditure within operating revenue.

2018/19 2019/20 2020/21 2021/22 Operating Performance Rátio

3.82

3.82

5.32

4.45

5.0 3.0 3.0 1.0

% ones

10 3323 (States)	755	- 0.52	(su	1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	22.5 J	21.5
			N8 NC 02 CC	+0.+2 01.77		
			02 20	01.77		
			227,056	10,001		
	Cash Expense Cover Ratio	Current Years Cash and Cash Equivalents including	All Term Deposits	Payments from Cash flow of operating and financing	activities	

This liquidity ratio indicates the number of months Council can continue paying for its immediate expenses without additional cash inflow

2018/19 2019/20 2020/21 2021/22 Cash Expense Cover Ratio ^(p)

22.70

22.70

23.54

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Contracts Budget Review Statement

Budget review for the quarter ended 31 December 2021 Part A - Contracts Listing - contracts entered into during the quarter

		Contract	Start	Duration	Budgeted	Notes
Contractor	Contract detail & purpose	Value (\$)	Date	of Contract	(V/V)	
(1).	C16/2021: Construction and	Estimated value of 06-12-21 12 months with	06-12-21 1	I2 months with	×	All eight contractors
Pave-Rite Excavations, PO Box 3322, Asquith, NSW 2077.	Maintenance of Vehicular	\$1,000,000 for a	9	provision to extend		will carry out work
(2). Aston and Bourke Pty Ltd., PO Box353, Berowra, NSW 2081.	crossings and footpaths on	period of 12	0	by further 12 months.		by employing their
(3). Convil Group Pty Ltd., Unit 33/ 50-60, Cosgrove Rd. Strathfield	Schedule of Rates basis.	months.				own resources and
South, NSW 2136.						sub-contractors.
(4). All Civil Works Group Pty Ltd. PO Box 469, Mortdale NSW 2223.						
(5) NSW Kerbing Pty Ltd. PO Box 818, Rockdale NSW 2216.						
(6). Rockpave Civil Pty Ltd., PO Box A182, Enfield South, NSW 2216.						
(7) Kelbon Project Services Pty Ltd. PO Box 211 Terry Hills, NSW 2084,						
(8) Mack Civil Pty Ltd. 209 Chuter Avenue, Sans Souci NSW 2219						

Notes:

Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
 Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
 Contracts for employment are not required to be included.

Quarterly Budget Review Statement for the period 01/10/21 to 31/12/21

HORNSBY SHIRE COUNCIL

Quarterly Budget Review Statement for the period 01/10/21 to 31/12/21

Consultancy & Legal Expenses Budget Review Stateme Budget review for the quarter ended 31 December 2021 Consultancy & Legal Expenses Overview	ent	
Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	3,082,308	Y
Legal Fees	284,408	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

<u>Comments</u>

Consultancy and legal expenses are in line with budgeted amounts at the quarter end.



hornsby.nsw.gov.au

Contents

Council recognises the Traditional Owners of the lands of Hornsby Shire, the Darug and GuriNgai peoples, and pays respect to their Ancestors and Elders past and present and to their Heritage. We acknowledge and uphold their intrinsic connections and continuing relationships to Country.

Hornsby Shire Council ABN 20 706 996 972

Contact us

PO Box 37 Hornsby NSW 1630 Phone: (02) 9847 6666 Fax: (02) 9847 6999 Email: <u>hsc@hornsby.nsw.gov.au</u> <u>hornsby.nsw.gov.au</u>

Visit us

Hornsby Shire Council Chambers 296 Peats Ferry Road, Hornsby NSW 2077 Office hours: Please check the website for the latest opening hours for the Customer Service Centre and Duty Officer.

Disclaimer

Every effort has been made to provide accurate and complete information. However, the authors assume no responsibility for any direct, indirect, incidental, or consequential damages arising from the use of information in this document.

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Front cover: Biofiltration basin Cawthorne Street, Homsby Heights

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IORNSBY SHIRE COUNCIL



Councillors.

General Manager's message

At 455 square kilometres, Hornsby Shire is faraway the largest local government area by land size in Greater Metropolitan Sydney, with a Gross Regional Product estimated at \$7.26 billion. It is our aim to continue to strengthen economic development within Hornsby building upon our great base.

Many other exceptional initiatives were undertaken by Council.

At the very outset of the reporting period, Council formally adopted a draft Master Plan for our ambitious Hornsby Park project, a major new parkland to be built close to Hornsby Town Centre – and the largest single project ever undertaken by Hornsby Shire Council.

Council also began work on the first stage of a \$9 million upgrade to Mark Taylor Oval in Waitara to improve sports and community facilities and create a Cricket and Community Centre.

Council also undertook extensive refurbishments to Hornsby Library to not only make it more attractive, but also more comfortable, more up-to-date and interactive, and to provide much more amenity, adding to the pleasure of the Library experience.

The \$4.7 million makeover, now nearing completion, will see Hornsby Library re-emerge as more welcoming, more flexible and with more places to read, relax, connect, create and discover.

In ordinary times, Council's four Libraries welcome over 700,000 Library visits each year.

The Hornsby Library upgrade has been funded from development contributions and external grants from the State Library.

Perhaps at no time in our history has it been more important to promote social inclusion, and Council has taken many imaginative initiatives over the reporting period to ensure our community remains connected.

Council is supporting social inclusion by developing an effective Disability Inclusion Action Plan and Healthy Ageing Strategy, including by engaging in extensive community consultation through a wide range of digital channels, online and hard-copy surveys (including in simplified Chinese and Korean), neighbourhood pop-ups and drop-ins, online panel discussions and inter-agency and other stakeholder dialogues, among other means.

Council has also taken steps to enhance community resilience to better deal with the challenges of our times, including trialling a new online portal to help residents stay safe and receive live updates about everything from local COVID-19 outbreaks, to violent storms, to bushfires, to power outages.

This most recent reporting period has been an unusually challenging time, not least for Council and the community it serves.

But I am wholly confident that Hornsby Shire's best days are ahead of us.

Steven Head

General Manager of Hornsby Shire Council

Performance Report - December 2021

levels of service to the community during the reporting period.
The 26 June COVID lockdown of the Greater Sydney metropolitan area, and the resulting restrictions on the operations of services and facilities, saw all Council's indoor and some outdoor facilities being closed to the public, significantly affecting Council's revenue streams from many sources.
Everything from outdoor dining fees, 'learn to swim' fees at our Aquatic Centres, basketball court venue hire

As this report was being prepared, Council was

welcoming five newly elected Councillors after the formal

This report to the elected Council provides a summary on

the progress of Council's principal activities in its Delivery

Program for the six months from June to December 2021.

practical expression to the specific actions and outcomes

Council's Delivery Program and Operational Plan gives

Despite the extraordinary circumstances of the second half of 2021, not least being the ongoing impacts of the

COVID pandemic, Council delivered the highest possible

outlined in our Community Strategic Plan using the

resources available to Council.

declaration of the 2021 Local Government Elections,

along with the return of our Mayor and four re-elected

fees at our Aquatic Centres, basketball court venue hire, gym memberships and sportsground hire, to community centre hire and rents from Council-owned commercial properties, was affected.

Despite the financial impact of COVID, at its final meeting for 2021, Council was able to report it achieved a modest budget surplus for the 2020/21 financial reporting period.

This was due to Council's excellent track record in financial management and the provision of funds from the previous year's budget to cover COVID's impacts, while continuing to meet the needs of our community.

Council is also forecasting a small surplus at 30 June 2022 as income lost from facility closures has been offset with savings elsewhere in the budget.

Of course, the economic impacts of the pandemic were felt across the Shire. To promote greater collaboration between businesses across the Shire, Council in October endorsed a draft Memorandum of Understanding with the Hornsby Chamber of Commerce and continues to support the community through the Hornsby Helps package.

The Memorandum of Understanding was an outcome of Council's Economic Development and Tourism Strategy, adopted in May 2021 to both support and grow the local economy.

Introduction

The General Manager is required to report to the elected Council on progress of the principal activities in the Delivery Program at least six monthly.

What is the Delivery Program?

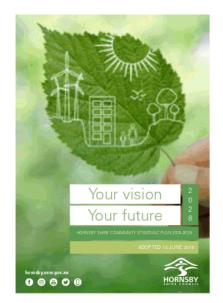
The Delivery Program is Council's commitment to the community over its political term and is in response to **Your Vision | Your Future 2028**, the Community Strategic Plan for Hornsby Shire. It is Council's job to make sure we bring our community closer to their vision over the next 10 years.

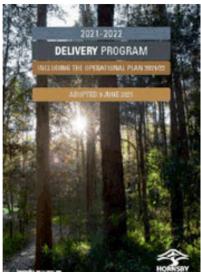
The Delivery Program and Operational Plan is where Council outlines what it intends to do towards achieving the community vision and what its priorities will be – the point at which the Strategic Goals, Community Outcomes and Focus Areas in the Community Strategic Plan are translated into service delivery and Key Initiatives.

On 9 June 2021, Council adopted the 2021-2022 Delivery Program including the 2021/22 Operational Plan and Budget. This document sets out the manner in which Council intends to deliver services and measure performance and is aligned to the strategic direction set within Council's 10-year Community Strategic Plan – *Your vision* | *Your future 2028* – through four key themes:

- LIVEABLE
- SUSTAINABLE
- PRODUCTIVE
- COLLABORATIVE.

It contains Key Initiatives, Ongoing Activities and Capital Projects that Council resolved to undertake in 2021/22, aligned to the Services that Council will provide.





Reporting on the Services, Key Initiatives and Capital Projects is designed to present clear and transparent information on Council's progress towards the Community Outcomes and Focus Areas of the Community Strategic Plan, *Your vision | Your future 2028*.

HORNSBY SHIRE COUNCIL

Introduction

This Performance Report – December 2021

This Performance Report contains mid year performance summaries for 2021/22 for each Service making up the Delivery Program.

The Report begins by outlining Highlights, and then gives some commentary and update on Council's Major Projects. Page16 onwards outlines the Services which are the principal activities of the Delivery Program broken down across the four Themes of Liveable, Sustainable, Productive and Collaborative.

Each of the four Themes begins with a snapshot of overall performance of Key Initiatives and Budget progress (operating expenditure) as at 31 December 2021. Commentary on each Service is then included outlining progress and any Key Initiatives completed or needing attention are listed.

An update on progress of Capital Projects is included after the four Themes, beginning with a snapshot of overall performance and Budget progress (capital expenditure) as at 31 December 2021. Capital Projects completed or needing attention are also listed.

Further detail available

The Delivery Program including the Operational Plan by its very nature contains a large number of Key Initiatives, Ongoing Activities and Capital Projects. All of these components are reported quarterly with an update on progress and a traffic light assigned for current status. These quarterly reports are lengthy and detailed, however relevant progress is summarised under each Service commentary within this Performance Report. Key Initiatives and Capital Projects completed or needing attention are listed under their relevant section.

How we measure progress

Below is the system of traffic light reporting used in quarterly reporting to inform this overall Performance Report:



Awards and Grants

Floating Landcare National Award

On 5 August 2021, Council won the Government Partnerships category at the National Landcare Awards.

Floating Landcare is a partnership between Northern Beaches, Central Coast and Hornsby Councils and State organisations which include NSW National Parks and Wildlife Service, Greater Sydney Local Land Services and volunteers.

The success of the program is driven by the enthusiasm and commitment of volunteers who are supported by staff to undertake bush regeneration in areas accessible by boat only in the Hawkesbury River estuary.

This award celebrates ten years of Floating Landcare and is deserving of receiving such national recognition.

Keep Australia Beautiful, Sustainable Cities Awards – River Mangroves

Council has been acknowledged for its research into propagating ecologically-vital River Mangroves as an overall finalist and Joint Winner of a Waterways and Marine Protection Award in the annual Sustainable Cities Awards, Keep Australia Beautiful acknowledging Council's "diverse and effective range of sustainability strategies and actions, whilst working with a broad range of partners who have a very strong focus on community engagement and support".

River Mangroves (Aegiceras corniculatum) are notoriously difficult to grow from seed and previous attempts internationally to propagate them have met with only very limited success. After extensive research, Council's environmental scientists found a more effective way to propagate and plant River Mangroves by using germinating seeds and cuttings. The project, dubbed 'A Helping Hand with Our Smelly Friends!' also involved Hornsby Bushcare volunteers.

Reducing Social Isolation in Seniors

This \$50,000 grant, received in December 2021, will involve working with the new Hornsby Village Hub to achieve its aim of raising the profile of social isolation in seniors.

The grant will be used across 2022 and a number of events will be run including morning teas, an historic boat tour and photography class.

Funding success – 2020 Restoration and Rehabilitation grants

Council has been awarded \$142,000 to aid the restoration of remnant Blue Gum High Forest and Sydney Turpentine Ironbark Forest from the NSW Government.

The funding will assist in supporting the recovery of these critically endangered ecological communities. The project will be delivered in collaboration with the NSW National Parks and Wildlife Service, private landowners, bushcare groups and educational institutions.

Glenorie Roll of Honour – Successful NSW CWMF Grant Application

Council has been awarded a grant of \$10,000 from Round 1 of the NSW Community War Memorials Fund for the restoration of the Glenorie Roll of Honour.

This will enable important restoration works to be completed including:

- Cleaning and removal of staining and algal growth
- Cleaning and relocation of brass plaques to the lower section of the Roll of Honour
- Repairs to damaged lettering where the brass plaques were fixed to the stone
- Removal of the steel railing that currently encircles the base of the Roll of Honour.

A program will be prepared to deliver the works in 2022.

NSW Coastal and Estuary Grant

Council received \$58,500 funding via the NSW Coastal and Estuary Grants Program. The funds will assist to improve ecological health and water quality of One Tree Reach Wetland by restoring river connectivity.

HORNSBY SHIRE COUNCIL

Council and Hornsby Chamber of Commerce sign Memorandum of Understanding to grow local economy, jobs

In October 2021, Council endorsed a draft Memorandum of Understanding with the Hornsby Chamber of Commerce to promote greater collaboration between businesses across the Shire.

At 455 square kilometres, Hornsby Shire is faraway the largest local government area by land size in Greater Metropolitan Sydney, with a Gross Regional Product estimated at \$7.26 billion.

The Memorandum of Understanding is an outcome of Council's Economic Development and Tourism Strategy, adopted in May 2021 to both support and grow the local economy. Key opportunities for collaboration between Council and the Chamber of Commerce defined by the Memorandum of Understanding include: building relationships through shared knowledge and connections; actively advocating for business through events; collaborating on capacity building initiatives; education programs especially for new and emerging businesses and sharing resources where practical to support businesses and help them to grow.



Hornsby Park Master Plan adopted

In July 2021, Council formally adopted a draft Master Plan for the Hornsby Park project, a major new parkland to be built close to Hornsby Town Centre.

The largest single project ever undertaken by Hornsby Shire Council, the Park is being created on the site of the former Hornsby Quarry, with the first stage due to open late in 2023.

New key elements will include:

- a 'Canopy Skywalk' and walking tracks designed to minimise impacts on the environment
- passive recreation spaces including green open space and bushland areas
- adventure and water-based recreation opportunities, particularly for younger residents.

Hornsby Park will feature approximately 60 hectares of bushland and open space surrounding the site of the former quarry and include features of historical and community interest.

Valued at an estimated \$130 million, the project will be undertaken in stages in line with available funding from Federal, State and Council sources and private sector investment.

Great North Walk Track Head – Cowan

In August 2021, track head works were completed at Cowan, opposite Cowan Railway Station, as part of the Great North Walk.

As part of these walks, a new fire trail gate, trail resurfacing and fencing have been installed. There has also been woody weed removal and erosion control measures undertaken, as well as approximately 800 plants from Warada Ngurang have been planted. These works will improve the serviceability of the fire trail for bush walkers and vehicles whilst improving the visual aesthetic and encourage pedestrian access to the Great North Walk and local facilities.



Community Recycling Centre – 4th birthday

The Community Recycling Centre (CRC) at Thornleigh celebrated its 4th birthday in December 2021.

Since 2017 our community has recycled over 2.3 million kilograms of materials at the CRC. Over 100,000 vehicles have dropped off materials over that period. (That equates to a line of vehicles 450km long, stretching from Sydney to Nambucca Heads.)

Hopeville Park, Hornsby Heights – Park and playground upgrade

An upgrade to Hopeville Park at Hornsby Heights has been completed featuring a new accessible path to the playground, new play equipment including accessible pieces, new park furniture, shade trees and a drinking fountain. The playground includes a colourful climbing unit, embankment slide, swings, carousel, nature play area and a musical drum piece.

A large amount of open space has been retained for active and passive recreation. Additional native trees are scheduled to be planted on low mounds around the park over the coming weeks.

Galston Recreation Reserve – Park Upgrade Works

Further upgrade works at Galston Recreation Reserve have been undertaken. Works include the installation of sandstone bollards to the carpark and within Galston Recreation Reserve. The new sandstone bollards provide an edge to the carpark and opportunities for informal seating for park users.

The installation of sandstone bollards continues the work at Galston Recreation Reserve following the construction of exercise equipment and the replacement of the shelter roof.



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Brooklyn Boardwalk Refurbishment

The Brooklyn Boardwalk was reopened to the public on 1 October after it had been closed for seven weeks whilst a \$280K refurbishment was undertaken.

The work will increase the useful life of the boardwalk to 50 years and 15 years for the piers. Interpretative signage is currently being developed and will soon be installed.



Hornsby Thematic History

The Hornsby Thematic History – the first project to be completed under the Comprehensive Heritage Study programmed over the next four years – was endorsed by Council on 13 October 2021.

A thematic history provides a broad historical context for understanding the patterns and forces that shape an area over time and identifies locally distinctive themes to structure the history. Hornsby Thematic History is an update of Hornsby's previous thematic history completed in 1993 and has been prepared to align with NSW Historical Themes and fill the gaps from the previous thematic history prepared over 25 years ago.

The <u>Hornsby Thematic History</u> can be viewed on Council's website.

Acoustic Afternoons

A short series of music events featuring local artists live-streamed on Council's Facebook page was held over six weeks in September and October 2021.

Kenley Park, Normanhurst

Construction of a pedestrian path and lighting within Kenley Park, Normanhurst has been completed.

The new path and lighting facilitates provide safe pedestrian movement throughout the park.

Further works will be undertaken on revegetating the eroded and compacted landscape areas to avoid soil erosion and to compliment the new path and lighting.



'Pot Luck Plants'

Warada Ngurang partners with the Community Recycling Centre

A joint initiative of Council's Nursery and the Community Recycling Centre (CRC), Hornsby Shire residents were able to drive through the CRC and collect three free native plants for their gardens.

'Pot Luck Plants' commenced on 10 November for a period of four weeks. Around 20 different native plants were on offer including grevillea, banksia, mint bush, eriostemon, dog rose, native fuchsia, wattle, grass tree, tea tree, wax flower, native pea, honey flower, and flax lily species to name a few. All plants were grown by nursery volunteers prior to the June lockdown.

This initiative was in lieu of the usual nursery-based native plant giveaways and 'Plants on the Run' program, which were suspended due to the COVID-19 restrictions.

Hawkesbury Floods – information page

A new educational webpage has been created to highlight the 2021 floods in the Hawkesbury. The site has been established as an innovative way to display and visualise the impact and extent of the floods within the Hawkesbury.

Such innovation was only made possible due to Council's deployment of water quality monitoring buoys in the Hawkesbury. Floods are difficult to monitor as they are unpredictable and physical measurement can be hazardous.

Despite these challenges, Council was able to monitor on a daily basis the impact of the floods and communicated this information to emergency services who were responding to the flood situation.

The <u>webpage</u> provides a summary of the spatial and temporal extent of the one in 100-year flood event for 2021, map visualisations and data interpretation.

Community Strategic Plan Review 2021 – Survey

The Community Strategic Plan is Hornsby Shire's highest-level plan, a 10-year vision that is developed collaboratively with the community. *Your vision | Your future 2028* – Hornsby Shire Community Strategic Plan – was adopted by Council in June 2018.

During September/October 2021 a survey was available on Council's website seeking feedback on the existing vision and community outcomes, as well as bold ideas, challenges, opportunities and priorities for the future. As well as being advertised in the local press, monthly and weekly eNewsletters, the footbridge digital screen, and in Facebook posts, notice of the survey was also sent to a database of known community contacts, including community and sporting organisations, schools and government bodies.

Over 1,800 responses were received, and this feedback will be used to inform a review of the Community Strategic Plan required with a newly elected Council.

Online Citizenship Ceremonies

Due to the current COVID-19 pandemic, Council hosted online Australian Citizenship Ceremonies commencing in September 2021 and through to December 2021.

Expressions of interest for an online citizenship ceremony are emailed to eligible candidates and followed up with a letter of invitation for any interested candidates.

Keeping Cats Safe at Home Project

In September 2021, the Minister for the Environment, Mr Matt Kean announced that Council has been accepted as one of ten local councils to participate in the RSPCA's Keeping Cats Safe at Home project.

In November 2020, the RSPCA wrote to local councils seeking expressions of interest to participate in the Keeping Cats Safe at Home Project, a four-year behavioural change project aimed at reducing the impact of pet cats on wildlife.

The RSPCA team will deliver the project with the support of the ten local councils to engage the local community, disseminate project messaging and assist with local project activities.

Disability Inclusion Action Plan (DIAP) and Healthy Ageing Hornsby

Council has commenced public consultation associated with the DIAP and the Healthy Ageing Hornsby Strategy. From 1 November to 5 December, Council conducted consultation, including a social media campaign; an online survey; drop-in sessions at Berowra, Hornsby and Galston; pop ups at Mt Wilga Private Rehabilitation Hospital; print media campaign; targeted emails to local service providers including care homes; hard copy survey at Council service points with simplified Chinese and Korean surveys distributed to relevant local organisations. Two online Advisory Panel meetings have also been held with members of the community with disability or their family, carers, local service providers, community organisations and staff from Northern Sydney Health. Feedback from all will be analysed to inform the development of the new DIAP and Healthy Ageing Hornsby Strategy.

0 Hornsby Shire Council

'Disaster Dashboard' to alert residents to fire, floods and other emergencies

Council is trialling a new online portal to help residents stay safe and receive live updates about any threat to the community – from local COVID-19 outbreaks, to violent storms, to bushfires, to power outages.

Council's online 'Disaster Dashboard' combines real-time information all in one place from a range of emergency services. Residents can track data on:

- Fires and floods
- Storms and weather warnings
- Road and bridge conditions (under state agency control)

- Water, power, gas and mobile network outages
- Air and water quality
- COVID-19 cases, local restrictions and vaccination clinics.

The dashboard provides short and sharp guidance on how to prepare for emergencies and where to find support after disaster has struck.

The 'Disaster Dashboard' has been made available through the Regional Disaster Preparedness Pilot project, undertaken by Resilience NSW, to ensure local communities are better equipped to manage critical incidents.

Hornsby Shire will trial our 'Disaster Dashboard' for 12 months, to be reviewed in 2022. The Dashboard is available @ <u>https://hornsby.disasterdashboards.com/</u>

Reusable Nappies and Sanitary Products Rebate

Council's Waste Team trialled a Reusable Nappies and Sanitary Products Rebate from 1 September to 25 October 2021. Reusable nappies and sanitary products are better for the environment and help to reduce waste. To encourage their use, Hornsby Shire Council offered rebates on these environmentally friendly options as an incentive to help reduce the upfront costs of reusable options and encourage the shift away from single-use products.

\$15,000 funding for the trial was approved by Council in March 2021 with each household being eligible for a rebate of up to \$150.

There was an overwhelming response to the trial and it received strong positive feedback from the community. It is envisaged that this program will be delivered on an annual basis in future.

Coffee cup swap programs available in Hornsby Shire

A new dedicated resource has been developed to support our community to minimise the massive amount of waste generated by disposable coffee cups.

It is estimated Australians use one billion disposable coffee cups each year. That's approximately 2,700,000 paper coffee cups thrown out every day! (University of Melbourne).

This new resource gives residents and businesses a step-by-step guide on how they can participate in a variety of sustainable coffee cup swap programs such as Green Caffeen, Huskee cups, Return and Claycups. The resource is available on Council's <u>website</u>.

SunSPoT – Solar potential tool now available for Hornsby Residents

Council has partnered with the Australian PV Institute to deliver the SunSPoT tool for Hornsby Shire residents over the next three years. The tool uses clever 3D spatial mapping technology to identify your rooftop, its angle and tilt, and determine the impact of shading from buildings and trees throughout the year. The results are uniquely tailored to your roof, your area and your electricity usage.

SunSPoT has been created to help homeowners, businesses and other energy users understand the savings, costs and benefits of solar PV specific to their property and energy usage. The tool is available on Council's <u>website</u> and will be promoted through workshops and Council's usual communication channels. Council also has access to an installation <u>dashboard</u> which outlines the total number of installations in the Shire, LGA benchmarking and the average cost and emission saving.

PERFORMANCE REPORT - DECEMBER 2021

Major projects

HORNS	BY LIBR	ARY SHORTTER	RM EXPANSIO	N				
		Estimated completion date		Total funding allocation		Grants component		Actual Expenditure Life to Date
		Jan 2022	95%	\$4,497,183	\$2,700,000	\$1,797,183	1,248,822	\$4,678,573

Hornsby Library is undergoing a significant makeover, becoming larger and more attractive. A brand new children's area, along with new spaces for events and computer sessions, the creation of a makerspace where people can undertake classes in various crafts such as jewellery making or coding with robots, as well as rearranging the various collections and adding more power points so people can use their laptops and other devices more conveniently, are just some of the changes that will be made.

Status update

During 2021, Council undertook a major makeover to the Hornsby Central Library, including internal alterations and fit out, making the Library larger and more attractive.

The revived Hornsby Library features a dedicated new children's area; a spacious new quiet-study space; more room for computer sessions; and more power-points for laptops and devices.

The Library's extensive collection of resources has been refreshed around a variety of seating areas and there is a wide selection of new resources to browse.

The upgrade has resulted in a Library that has more places to meet, is a more flexible space, has a larger children's area, larger meeting spaces and is lighter and airier.

The Library is scheduled to reopen in February 2022.

HORNSBYTOWN CENTRE REVIEW					
	Estimated completion date		Total funding allocation		Actual Expenditure Life to Date
	Dec 2022	85%	\$1,000,000	\$146,700	\$853,300

Council is seeking to revitalise the Hornsby Town Centre to make it a more liveable, green, and accessible centre for the community. The aim is to strengthen the economic, employment and housing capacities of the Town Centre and improve its public domain, liveability, accessibility, safety, environmental sustainability and visual appeal through quality design and landscape.

Status update

The Hornsby Town Centre project is being undertaken in two stages:

Stage 1 - Developing a draft vision statement and guiding principles

Stage 2 – Comprehensive Hornsby Town Centre Review.

Council is carefully working through our draft master planning process and traffic and transport analysis so that the revitalisation can be successfully achieved and meets the vision and principles outlined in Council's Local Strategic Planning Statement.

Different apartment building heights and densities and various workplace floorspace sizes are being evaluated to help meet the future housing and employment needs of Hornsby Town Centre.

The required traffic and transport analysis is at the stage of testing development scenarios and modelling the required traffic interventions and is nearing completion.

Further consultation is being undertaken with State Government agencies, including the Department of Planning, Industry and Environment and Transport for NSW.

Following the Local Government Elections, the new Council will be briefed on the Hornsby Town Centre Review and the results of the traffic and transport analysis. Council can then put the draft concepts on public exhibition and seek community and stakeholder feedback.



Major projects

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	Estimated completion date		Total funding allocation	Development Contributions component (pending approval)	Expenditure to date 2021/22	
Public Domain		30%	\$9,300,000	\$9,000,000	\$1,607,911	\$3,054,349

To improve streetscape amenity through the planting of advanced trees, landscaped garden beds, footpaths, shared paths, seating and signage in the following priority areas: Asquith-Mount Colah corridor, Galston Village, Waitara, Thornleigh, West Pennant Hills and Beecroft.

Status update

Council has identified priority areas to improve streetscape amenity.

Upgrade works on Peats Ferry Road, Hornsby commenced early in 2021. The works include the installation of a shared path connecting walkers and cyclists to the Hornsby Town Centre as well as a wider footpath on the south side of the road to better accommodate Asquith Boys High School and the nearby medium-density housing. The works also include the installation of rain gardens, new street tree plantings and associated gardens which will bring improved shade and scale to the medium density housing. The safety of pedestrians has also been addressed with the relocation of pedestrian crossings and bus shelters to improve sightlines for drivers.

The initial contractor engaged to undertake the Asquith-Mount Colah project has ceased operating and a new contractor will be engaged to complete the project. Works are well advanced on the shared path construction, central landscaped median strip and pavement works. It is proposed to commence Stage 2 of the Asquith-Mount Colah project. Design works are underway which will provide an opportunity to provide some basic improvements (footpath and tree planting along the Pacific Highway and the construction of pedestrian refuge(s) at selected locations).

Public Domain Guidelines have been prepared in accordance with adopted community and stakeholder engagement and include both generic controls to guide the development of the public domain across all urban areas of Hornsby Shire as well as specific projects within the nominated five housing strategy areas where major development is expected to occur: the Asquith-Mount Colah corridor, Waitara, Thornleigh, West Pennant Hills and Beecroft. The Guidelines were adopted by Council in July 2021.

A design-palette has been endorsed by Council and the first stage of installation of new gateway and suburb signs is well advanced. An additional package of signs has been manufactured and installation will commence early in 2022.

Major projects

HORNSBY PARK	– FROM QUAF	RRY TO PARK					
	Estimated completion date		Total funding allocation		Grants		Actual Life to Date
	2024	20%	\$78,034,359	\$28,034,359	\$50,000,000	\$2,872,353	\$9,112,292
De development e	6.0 1 1		1 1				1

Redevelopment of the abandoned Hornsby Quarry and adjacent Old Mans Valley on the western side of Hornsby, very close to the town centre, and transforming the site into open space for recreation and entertainment for all to enjoy. The project will be partly funded by the NSW Stronger Communities grant and development contributions.

Status update

A new major parkland close to Hornsby Town Centre is being created on the site of the former Hornsby Quarry which was handed back to Council from NorthConnex in late 2019.

The rehabilitation of the old quarry is the largest single project ever undertaken by Hornsby Shire Council. It is, of course, good planning and consultation with the community and government that created such an exceptional opportunity, one which was pursued by Hornsby Shire Council over many years.

The Hornsby Park project is a true multi-agency collaboration, that takes advantage of the construction of the NorthConnex Tunnel by turning the massive amounts of fill dirt from the tunnel to the community's advantage. The NorthConnex tunnel fill is being used to transform the old quarry site into a major recreation asset for Hornsby Shire. With its first stage due to open in 2024, this large-scale project benefits from the support of many partner organisations

and is being part-funded by the NSW Government through the NSW Stronger Communities grant scheme and by development contributions.

Bulk earthworks and site rehabilitation has commenced. These works will create the final landform for the site and address stability issues with the northern slope. Rehabilitation and regeneration of the vegetation communities on the site have been budgeted for. Master planning for the final park embellishments has been completed with a master plan adopted following community engagement at the July 2021 Council meeting. Design of the park embellishments in accordance with the adopted master plan has commenced.

WESTLEIGH PARK DEVELOPMENT

Estimated completion date		Total funding allocation		Grants component		Actual Life Da
2026	10%	\$61,079,508	\$21,079,508	\$40,000,000	\$330,053	\$22,879,87

In June 2016 Council purchased 34 hectares of land along the eastern side of Quarter Sessions Road in Westleigh from Sydney Water to provide future sportsgrounds. The purchase of the land was funded by development contributions. The project will be partly funded by the NSW Stronger Communities grant.

Status update

The development of Westleigh Park for a range of sporting and other recreation uses will address predicted sportsground shortfalls in the Shire. Westleigh Park will be a multi-purpose facility with three sports platforms designed to work within the constraints of the existing bushland vegetation and the future provision of improved road access. The project will feature bushland restoration, play facilities, bushwalking and mountain bike trails.

Negotiation with Sydney Water has secured their 'in principle' support for an extension of Sefton Road through the Thornleigh Reservoir site.

A final draft conceptual master plan for the Westleigh Park site has been completed based on the site having an active sport focus. Community engagement was undertaken on the conceptual master plan from April to June 2021. Council resolved at its July Council meeting to undertake further engagement on a range of matters prior to further considering the draft conceptual master plan. This engagement will commence in the first half of 2022.

The expectation is that stage one of the Westleigh Park project will be completed and available to the public in 2026.

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Consolidated budget summary

	For th	e Period of Dec	YTD		Full Year	Budget	
	Year-to-Date	Year-to-Date	Year-to-Date	Total Year	Total Year	Total Year	Total Year
CONSOLIDATED	2021/22	2021/22	2021/22	2021/22	2021/22	2021/22	2021/22
CONSCERATED	Actual	Revised	Variance	Original	Current		Projected
		Budget		Budget	Revised Budget	Changes	Final
OPERATING EXPENSES	\$	S	\$	S	\$	\$	\$
Employee Benefits	23,459,919	25,827,000	2,367,082	51,405,167	51,623,966	(719,262)	50,904,704
Borrowing Costs	13,339	12,035	(1,304)	24,070	24,070	0	24,070
Materials & Contracts	20,796,221	23,527,043	2,730,822	51,176,664	53,051,684	1,137,820	54, 189, 504
Other Expenses	6,618,373	7,874,833	1,256,460	14,039,793	14,352,393	(0)	14,352,393
Controllable Expenses	50,887,852	57,240,912	6,353,060	116,645,694	119,052,114	418,558	119,470,671
Internal Transfers & Depreciation	9,774,167	10,206,970	432,803	20,370,658	20,461,159	0	20,461,159
Total Operating Expenses	60,662,019	67,447,882	6,785,863	137,016,352	139,513,273	418,558	139,931,830
OPERATING INCOME							
Rates, Levies & Annual Charges	(102,171,619)	(101,312,405)	859,214	(101,523,124)	(101,505,507)	0	(101,505,507)
User charges and fees	(5,672,358)	(7,602,139)	(1,929,781)	(14,304,331)	(14,321,474)	0	(14,321,474)
Interest & Investment Revenue	(1,997,073)	(1,996,032)	1,041	(3,992,059)	(3,992,059)	0	(3,992,059)
Other Income	(2,643,634)	(3,181,036)	(537,402)	(6,562,574)	(6,493,874)	0	(6,493,874)
Grants, subsidies, contributions and donations	(5,838,658)	(4,687,489)	1,151,169	(9,612,314)	(7,809,434)	(10,000)	(7,819,434)
Other Operating Contributions	(1,480,211)	(926,998)	553,213	(958,796)	(1,168,796)	0	(1,168,796)
Total Operating Income	(119,803,553)	(119,706,099)	97,454	(136,953,198)	(135,291,144)	(10,000)	(135,301,144)
Net Operating Result	(59,141,534)	(52,258,217)	6,883,317	63,155	4,222,129	408,558	4,630,686
CAPITAL EXPENSES							
WIP Expenditure	19,873,453	28,723,959	8,850,507	53,798,671	60,849,493	980,351	61,829,844
Asset Purchases	1,108,479	984,250	(124,229)	2,563,500	2,563,500	0	2,563,500
Total Capital Expenses	20,981,932	29,708,209	8,726,277	56,362,171	63,412,993	980,351	64,393,344
CAPITAL INCOME							
Grants, subsidies, contributions and donations	(12,694,707)	(431,000)	12,263,707	(300,000)	(2,907,451)	(2,170,000)	(5,077,451)
Proceeds from the sale of assets	(514, 745)	(499,997)	14, 748	(1,000,000)	(1,000,000)	0	(1,000,000)
Other Capital Contributions	(3,624,166)	(2,491,132)	1,133,034	(4,982,264)	(4,982,264)	0	(4,982,264)
Total Capital Income	(16,833,619)	(3,422,129)	13,411,490	(6,282,264)	(8,889,715)	(2,170,000)	(11,059,715)
Net Capital Result	4,148,313	26,286,080	22,137,767	50,079,907	54,523,278	(1,189,649)	53,333,629
Net Operating & Capital Result	(54,993,221)	(25,972,137)	29,021,084	50,143,062	58,745,407	(781,091)	57,964,316
FUNDING AND NON-CASH Ad							
External Restricted Assets	24,102,919	(976,603)	(25,079,522)	(29,544,713)	(36,210,512)	1,381,091	(34,829,421)
Internal Restricted Assets	1,349,752	(106,682)	(1,456,434)	(2,751,219)	(3,994,501)	(600,000)	(4,594,501)
External Loan Principal Repayments/(Proceeds)	118,347	120,985	2,638	241,970	241,970	0	241,970
Depreciation Contra	(9,882,248)	(10,197,508)	(315,260)	(20,442,227)	(20,442,227)	0	(20,442,227)
ELE Payments	529,328	478,035	(51,294)	956,069	956,069	0	956,069
Total Funding Adjustments	16,218,097	(10,681,774)	(26,899,871)	(51,540,120)	(59,449,202)	781,091	(58,668,111)
Net Operating & Capital Result After Internal Funding Movements	(38,775,123)	(36,653,911)	2,121,213	(1,397,059)	(703,795)	(0)	(703,795)

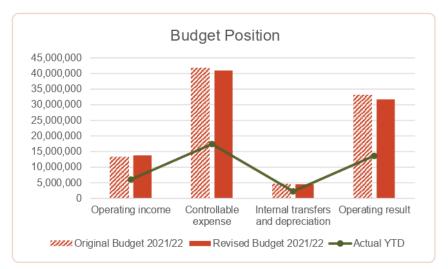
Performance Report - December 2021

ATTACHMENT 3 - ITEM 2

Liveable

Supporting all of our community to succeed and live well. We are the advocates of our community and culture.

Strategic g	goal: Residents of Hornsby Shire have a sens	se of living in a commu	nity	
مم	Headline Indicator	Benchmark 2017	Result 2020	Indicator trend
	Percentage of residents who rate their quality of life as very good to excellent	81%	80%	=



	Outcomes	Focus Areas				
1.1	Infrastructure meets the needs of the population	FA1	Celebrating diversity and working together			
1.2	People have good opportunities to participate in community life	FA2	Identifying, protecting, creating and providing access to places and spaces for people			
1.3	1.3 The area feels safe		Giving people housing choices			
		FA4	Community wellbeing and neighbourhood amenity			
		FA5	Advocating with the NSW Government for the infrastructure needs of the local area			

P16 HORNSBY SHIRE COUNCIL

Liveable Performance of Key Initiatives Completed 6% 86% On track Needs attention 0% Critical 0% On hold / Not started 3% 0% Closed Delayed COVID-19 6%

PERFORMANCE REPORT - DECEMBER 2021

Outcome 1.3 – The area feels safe

1A. Provide a management and maintenance service for Council's assets

IDENTIFYING, PROTECTING, CREATING AND PROVIDING PLACES AND SPACES FOR PEOPLE

ADVOCATING WITH THE NSW GOVERNMENT FOR THE INFRASTRUCTURE NEEDS OF THE LOCAL AREA

SERVICE COMMENTARY

The Asset Operations and Maintenance Service carries out capital renewal and maintenance works on roads, buildings, footpaths, stormwater drainage and foreshore facilities in accordance with the approved Delivery Program and Operational Plan, as well as reactive maintenance work. The Service also provides a 24/7/365 emergency response service for Council's infrastructure assets.

Operations have been provided albeit with restrictions and limitations due to COVID-19.

Progress for the first six months includes:

- The draft Flood Plain Risk Management Plan is due to be presented to Council by the end of March 2022.
- Consultant engaged to develop Public Lighting Strategy and undertake an audit of public street lighting which is progressing.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(841,904)	(746, 106)			
BUDGET	Controllable expenses	5,950,909	5,186,408			
2021/22	Internal transfers & depreciation	88,373	17,679	Operating Result	5,197,378	4,457,982
		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
	ure and Major Projects Idership costs	\$	\$		\$	\$
	Operating income	0	0			
BUDGET	Controllable expenses	291,402	296,418			
2021/22	Internal transfers & depreciation	5,212	5,212	Operating Result	296,614	301,630

P18 HORNSBY SHIRE COUNCIL

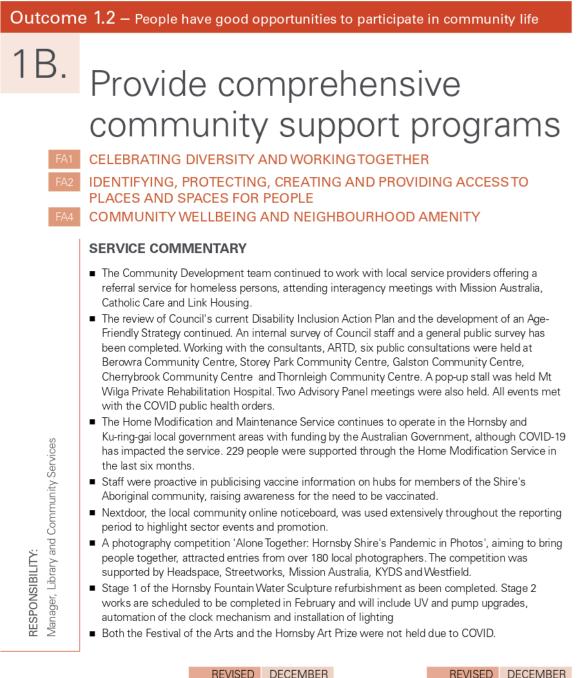
Manager, Asset Operations and

Maintenance

RESPONSIBILITY:

ATTACHMENT

Service commentary



		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(4779,457)	(674,843)			
BUDGET	Controllable expenses	808,745	638,679			
2021/22	Internal transfers & depreciation	180,067	180,067	Operating Result	509,355	143,903

Outcome 1.2 – People have good opportunities to participate in community life

1C. Manage and administer the provision of community and cultural facilities

IDENTIFYING, PROTECTING, CREATING AND PROVIDING ACCESS TO PLACES AND SPACES FOR PEOPLE

SERVICE COMMENTARY

Community Centres reopened to the public on 11 October 2021 following closure due to COVID-19 in July 2021. Reopening the centres included continuation of COVIDSafe operating plans for each site which included designated entry and exit points and initial reduced capacities to comply with the relevant NSW Health 2m² policy.

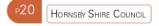


- Recent upgrades to community centres include:
- Audio Visual upgrades across 5 Community Centres
- Air Conditioning installations or upgrades across 10 Community Centres

Community centres were utilised by more than 170 regular hirers with the trend for regular hire usage remaining consistent despite the impact of COVID-19, reinforcing the need for these facilities within the Hornsby Shire.

COMPLETE	ED KEY INITIATIVES	Completion date
1C.5	Exhibit and adopt the Community and Cultural Facilities Strategic Plan	Sep 2021

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(429,842)	(121,901)			
BUDGET	Controllable expenses	788,889	624,345			
2021/22	Internal transfers & depreciation	264,032	283,040	Operating Result	623,079	785,483



Outcome 1.2 – People have good opportunities to participate in community life

1D. Provide diverse and interesting events for our community to participate in and enjoy

FA1

Manager, Library and Community Services

RESPONSIBILITY:

CELEBRATING DIVERSITY AND WORKING TOGETHER COMMUNITY WELLBEING AND NEIGHBOURHOOD AMENITY

SERVICE COMMENTARY

The Events team has prepared a slate of summer events between late-January through to the end of June 2022.

These events will be delivered in a COVID-safe manner, meeting community needs and hopes to get together and celebrate. With much uncertainty, though, around the current COVID escalating numbers, flexibility and adaptability is required.

Event planning progress for the first six months includes:

- Australia Day celebrations working in partnership with Hornsby Aquatic Centre, an afternoon of activities (free pool entry, inflatable obstacle course, food trucks and live music including Indigenous cultural immersion performance) and recognition will be held at Hornsby Park in a COVID safe way.
- Application for grant funding via the NSW Summer Fund was successful for 'Food Truck Fridays' making the event partially grant funded. 'FoodTruck Fridays' will be held on Fridays in February at Berowra, and March at Pennant Hills with COVID safety being at the forefront of event planning.
- Initial planning and development of 'Westside Vibe' in May 2022 is underway.
- Initial planning has commenced for 'Children's Voices for Reconciliation'.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	0	(20,000)			
BUDGET	Controllable expenses	225,069	131,568			
2021/22	Internal transfers & depreciation	21,246	21,246	Operating Result	246,315	132,814

Outcome 1.1 – Infrastructure meets the needs of the population

1E. Manage and coordinate design and construction of civil works



Manager, Design and Construction

RESPONSIBILITY:

 IDENTIFYING, PROTECTING, CREATING AND PROVIDING ACCESS TO PLACES AND SPACES FOR PEOPLE
 COMMUNITY WELLBEING AND NEIGHBOURHOOD AMENITY

SERVICE COMMENTARY

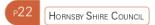
2021/2022 programmed works for catchment remediation and drainage progressing as planned.

Programmed works for local roads are generally progressing as planned, except proposed reconstruction works at Burns Road North, Beecroft which is being deferred until 2022/23. This is in part due to longer lead-times and short-term higher costs associated with construction materials due to the COVID-19 pandemic.

Programmed works for eight footpaths have been suspended as funding has been transferred to other projects.

Design and approvals have been completed and tenders called for the shared path and pedestrian bridge over Byles Creek – Stage 1 of the Pennant Hills to Epping Shared Path.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(339,699)	(1,165,223)			
BUDGET	Controllable expenses	948,632	445,647			
2021/22	Internal transfers & depreciation	284,997	269,532	Operating Result	893,930	(450,044)



Outcome 1.1 – Infrastructure meets the needs of the population

1F.

Assess applications for building development, subdivision and land use proposals

FA3 GI

GIVING PEOPLE HOUSING CHOICES

ADVOCATING WITH THE NSW GOVERNMENT FOR THE INFRASTRUCTURE NEEDS OF THE LOCAL AREA

RESPONSIBILITY: Vlanager, Development Åssessments

SERVICE COMMENTARY

- The number of Development Applications received and determined in the first six months of 2021/22 represents a 20% increase from 2020/21.
- The median processing time for assessment and determination of Development Applications was 42 days which is within the agreed 60 day performance target of the State Government's Regionally Significant Development Pilot Program.
- 100% of Development Applications determined by the Hornsby Local Planning Panel were in accordance with the officer's recommendations.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(890,496)	(1,338,554)			
BUDGET	Controllable expenses	1,757,245	1,595,966			
2021/22	Internal transfers & depreciation	210,666	210,666	Operating Result	1,077,415	468,078

Outcome 1.2 – People have good opportunities to participate in community life

1G. Provide collections, services and programs to meet the educational, cultural and recreational needs of the community

CELEBRATING DIVERSITY AND WORKING TOGETHER

IDENTIFYING, PROTECTING, CREATING AND PROVIDING ACCESS TO PLACES AND SPACES FOR PEOPLE

SERVICE COMMENTARY

- Refurbishment of the Hornsby Library has been completed but opening is awaiting receipt of Occupancy Certificate.
- Author Talks continued online during the period, including talks by Tom Keneally, Aboriginal author Larissa Behrendt, Costa Georgiadis and Judy Nunn.
- Informational talks continued online, including 'Keeping Well During the Pandemic' in Mandarin, 'Breaking Down Depression' and 'Building Resilience'.
- Children's Services continued using Facebook for events for Online Story-time and Books n Bubs, and launched its Summer Reading program with Corey Pickett in person at Pennant Hills. Christmas pantomimes were held at Pennant Hills and Berowra.
- Additional equipment has been installed in preparation for the reopening of Hornsby Library, including expanded wifi coverage, implementation of the Hublet self-service loan station for Android tablets, upgrade of the public print, copy and payment system and a new people counter system.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(102,700)	(7,523)			
BUDGET	Controllable expenses	2,335,677	2,102,930			
2021/22	Internal transfers & depreciation	696,495	700,776	Operating Result	2,929,472	2,796,183

Manager, Library and Community Services

RESPONSIBILITY:

HORNSBY SHIRE COUNCIL

Outcome 1.1 – Infrastructure meets the needs of the population

Manager, Parks, Trees and

Recreation

RESPONSIBILITY:

1H. Manage parks and sporting facilities, plan future improvements and identify areas for future green space or open space acquisition and protection

IDENTIFYING, PROTECTING, CREATING AND PROVIDING ACCESS TO PLACES AND SPACES FOR PEOPLE COMMUNITY WELLBEING AND NEIGHBOURHOOD AMENITY

ADVOCATING WITH THE NSW GOVERNMENT FOR THE INFRASTRUCTURE NEEDS OF THE LOCAL AREA

SERVICE COMMENTARY

The Service's operations have been ongoing and consistent with adopted strategies for Sportsgrounds, Play and Dog off-leash areas. Despite in the impact of COVID, open space services have been maintained.

Community sport ceased in the first three months of the year due to COVID. Notwithstanding, sports facilities were in high demand for casual and unstructured use. Community sport has now recommenced

The Northern Sydney Regional Organisation of Councils (NSROC) have been reviewing the region's sportsground strategy. Work continues to establish sportsgrounds to meet demands at Hornsby and Westleigh Parks.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(558,433)	(231,092)			
BUDGET	Controllable expenses	4,146,602	4,038,647			
2021/22	Internal transfers & depreciation	463,683	518,779	Operating Result	4,051,852	4,326,335

Outcome 1.2 – People have good opportunities to participate in community life

1i.

Manage aquatic and leisure centres (Business Activity)



IDENTIFYING, PROTECTING, CREATING AND PROVIDING ACCESS TO PLACES AND SPACES FOR PEOPLE COMMUNITY WELLBEING AND NEIGHBOURHOOD AMENITY

SERVICE COMMENTARY

During the first three months of Q1 2021/22 Council's Aquatic and Leisure Centres ceased operations due to the forced closures by the NSW Government. During these closures the Aquatics and Leisure team worked closely with NSW Health and Council's Work Health-Safety Team. This ensured COVID safety plans and risk assessments were updated and in place adhering to NSW Health's strict operational requirements for the use of public aquatic facilities.

From the 27 September the Hornsby Aquatic and Leisure Centre recommenced public lap swimming in the outdoor pool using an online booking system. The popular outdoor aqua classes returned from the 18 October with capped numbers and limited classes ensuring COVID social distancing measures were being met. Staff proved proactive educating patrons on the health guidelines to access our facilities.

From 16-24 October Council proudly supported Veteran's Health Week, which encourages service men and women to participate in swimming, by providing free entry to the Hornsby pool. Galston Aquatic and Leisure Centre remains closed for essential capital works and facility upgrades during 2021/22. These upgrades will allow for alterations and additions to the existing community swimming pool comprising of a new roof over the existing 25m pool a new learn-to-swim

changeroom comprising of toilets and showers. This will cater for the increase of patronage and user groups in Galston and the surrounding areas.

Hornsby Aquatic and Leisure Centre learn-to-swim returned in term 4 with minimal restrictions in place. It was positive to see over 2,000 of our keen Aqua Fun students returning to our water safety programs as we head into summer.

The Brickpit re-commenced operations on 11 October with COVID restrictions in place. Due to the NSW Health restrictions, the Brickpit saw a 30% drop in casual bookings and a 14% drop in permanent bookings for 2Q 2021/22. Following the return to normal operations we expect to see the return of our user groups heading into 2022.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(3,186,697)	(1,241,333)			
BUDGET	Controllable expenses	2,770,711	1,190,468			
2021/22	Internal transfers & depreciation	590,078	57,764	Operating Result	(356,908)	6,899

HORNSBY SHIRE COUNCIL

Janager, Aquatic and Brickpit

RESPONSIBILITY:

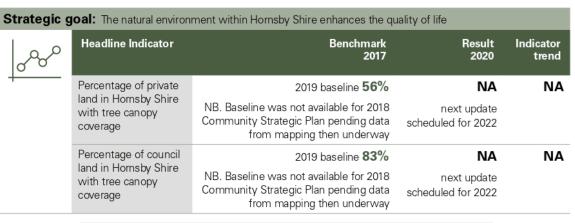


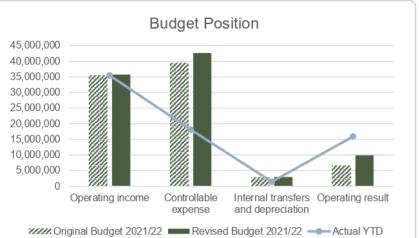
COMPLETED KEY INITIATIVES

Completion date							
1H.1	Adopt a Walking and Cyc	vities No	Nov 2021				
		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT	
		\$	\$		\$	\$	
	Operating income	(504,613)	(504,613)				
BUDGET	Controllable expenses	334,470	1,152,433				
2021/22	Internal transfers & depreciation	0	1,077	Operating Result	(170,143)	648,898	

Sustainable

Custodians of our environment, we will protect and enhance our Shire.

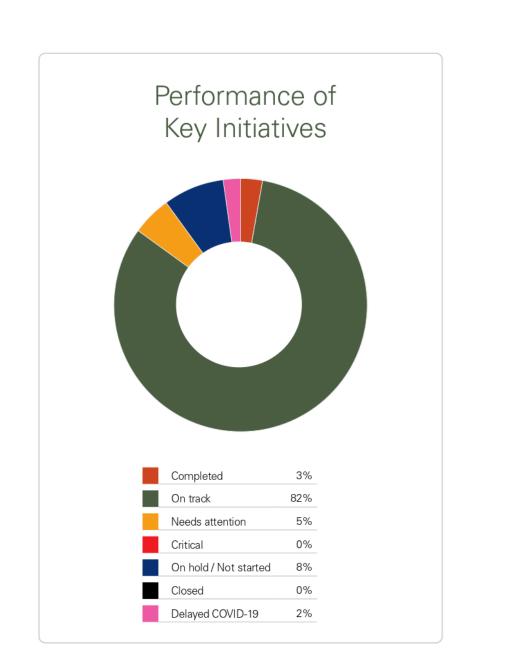




	Outcomes	Focus Areas			
2.1	The local surroundings are protected and enhanced	FA6 Valuing green spaces and landscape			
2.2	People in Hornsby Shire support recycling and sustainability initiatives	FA7 Using resources wisely			
2.3	The Shire is resilient and able to respond to climate change events and stresses	FA8 Adapting to a changing environment			
		FA9 Living with bush fire risk			
		FA10 Advocating with the NSW Government for the infrastructure needs of the local area			



Sustainable



Outcome 2.1 – The local surroundings are protected and enhanced

2A. Manage public health, safety and our natural and built environment

VALUING OUR LANDSCAPE

SERVICE COMMENTARY

Council's Regulatory Services Branch has continued to manage public, health, safety and the natural and built environment despite COVID-19 restrictions. Some deliverables have been unable to be met due to lockdowns, however the Branch has continued to strive to meet deliverables for the community.

Progress for the first six months includes:

- Council staff met with key stakeholders to seek feedback on Council's proposed On-Site Sewerage Management Policy. Further briefing will be undertaken with the new Council in 2022
- The Environmental Compliance Team closed 1,081 investigations with assistance from the **Building Certifications Team**
- 164 environmental protection assessments of Development Applications were completed within 21 days
- 129 swimming pool inspections were carried out under Council's adopted swimming pool safety program
- The Certifications Team continued to enforce fire safety as part of regulatory services
- Whilst the food safety inspection program was on hold during quarter 1 due to COVID, the Health Officers phoned food business operators to offer support and guidance on COVID safety rules. Physical inspections recommenced on 25 October and the team completed 120 inspections of cooling towers, food premises and mobile food vans
- Due to COVID, with the increased use of parks, the Animal Control Team observed a significant increase in the number of incidents relating to dogs off-leash at parks during July to September
- The free cat microchipping and desexing program recommenced on 1 November 2021 after being on hold due to COVID. Council partners with the National Desexing Network to administer the program.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(798,509)	(842,898)			
BUDGET	Controllable expenses	1,841,691	1,764,584			
2021/22	Internal transfers & depreciation	266,880	266,880	Operating Result	1,310,063	1,188,566

P30 HORNSBY SHIRE COUNCIL

Manager, Regulatory Services

RESPONSIBILITY:

Outcome 2.3 – The Shire is resilient and able to respond to climate change events and stresses

2B. Support the Hornsby / Kuring-gai District Rural Fire Service and its volunteers



ADAPTING TO A CHANGING ENVIRONMENT LIVING WITH BUSH FIRE RISK

- °	uty veneral IVIa	Intrastructure and Major	Frojecis
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SERVICE COMMENTARY

Issues raised by RFS have been addressed in accordance with agreed outcomes. No outstanding issues.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(472, 196)	(485,091)			
BUDGET	Controllable expenses	686,152	662,387			
2021/22	Internal transfers & depreciation	17,232	18,894	Operating Result	231,188	196,191

N

Outcome 2.1 – The local surroundings are protected and enhanced

2C. Conserve and enhance natural resources



VALUING OUR GREEN SPACES AND LANDSCAPE

USING RESOURCES WISELY

ADAPTING TO A CHANGING ENVIRONMENT

SERVICE COMMENTARY

Natural Resources Branch continued to undertake capital works, education, compliance, research and operational activities that sought to improve the Shire's environment.

Council is working with partner councils as part of the Hawkesbury-Nepean Coastal Management Program. The group is currently deciding on a date for a 'Hawkesbury River Day' that will celebrate the River at a number of locations along the estuary and its catchments. Planning for the celebration has been hampered by COVID-19.

Highlights for the first six months includes:

- Warada Ngurang Community Nursery signs were erected to mark the new Aboriginal name for Council's native plant nursery
- In addressing the impacts of mountain bike activity on bush land, Council developed a draft 'Response to unsanctioned bike trails in Natural Areas' and has addressed three compliance issues where there is encroachment of the activity into public bushland
- Council now has around 150 species represented in the seed collection, housing around 1,000 individual seed lots at the Warada Ngurang Community Nursery
- Catchment risk-based framework was presented (virtually) at the 2021 Coast Conference
- The Floating Landcare Program was awarded the 2021 Australian Government Partnerships for Landcare Award in August 2021. Hornsby Council is one of the program partners. Natural Resources Branch member Dr Ana Rubio was interviewed live to promote the mangrove project on Richard Glover's ABC Drive Program. Dr Rubio also presented to the global Resilient Cities network on Propagating Mangroves to Mitigate Degradation from Environmental Stresses
- New webpage developed to summarise the impacts from the March 2021 floods on water quality in the Hawkesbury River
- Successful Environmental Trust Restoration and Rehabilitation Grant Council has commenced a
 partnership with North Western Sydney Region of NPWS to restore critically endangered bushland
 (on Council and NPWS land) and foster community understanding of its value and involvement in
 its restoration
- To celebrate World Rivers Day on 26 September 2021 Council held the 'Our Hawkesbury River' photography competition. The project aimed to highlight the values of the River and its catchments. In just three weeks 363 unique submissions were made ranging from breath-taking river vistas to stunning shots of the wildlife to laughter-filled photos of family fun on our beautiful river. There were 14 finalists and the three winning submissions received NSW National Parks 'All-Parks' passes.

P32 HORNSBY SHIRE COUNCIL

Manager, Natural Resources

RESPONSIBILITY:

Workshop Meeting 23 February 2022

entary <u>REVISED</u> DECEMBER <u>BUDGET</u> DECEMBER <u>REVISED</u> DECEMBER <u>REVISED</u> DECEMBER <u>BUDGET</u> DECEMBER <u>RESULT</u> \$ \$ 288,990 277,802

Service commentary

2C.

		Operating income	REVISED BUDGET \$ (3,539,848)	DECEMBER RESULT \$ (4,391,206)		REVISED BUDGET \$	DECEMBER RESULT \$
	BUDGET	Controllable expenses	2,064,464	1,704,265			
	2021/22	Internal transfers & depreciation	380,699	395,881	Operating Result	(1,094,685)	(2,291,060)
			REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		ity and Environment n leadership costs	\$	\$		\$	\$
		Operating income	0	0			
E	BUDGET	Controllable expenses	266,603	255,415			
	2021/22	Internal transfers & depreciation	22,387	22,387	Operating Result	288,990	277,802

PERFORMANCE REPORT- DECEMBER 2021

2D.

Service commentary

Outcome 2.3 – The Shire is resilient and able to respond to climate change events and stresses

Living within a changing environment

USING RESOURCES WISELY

ADAPTING TO A CHANGING ENVIRONMENT

SERVICE COMMENTARY

Natural Resources Branch has delivered bushland, waterway and bushfire programs that will increase the community's resilience to a changing environment. In doing so, the liveability of the Shire will be improved with enhanced biodiversity condition, Shire amenity, access to natural area recreation and the provision of cooler places.

Highlights for the first six months includes:

- New stone steps and drainage works have been installed on the Ginger Meggs loop track creating an attractive and functional walkway through this previously eroded area. There were 280 linear metres of track upgraded
- A number of small boardwalks have been created along the Larool Creek track to Westleigh Park connection
- Brooklyn boardwalk improvements completed which provides walking access through the mangroves of Brooklyn
- Construction of second Boardwalk at Carrs Bush was completed with positive Facebook comments being received from Council's social media post
- Council is liaising with the Macquarie University PACE Program to assist us in the development of a website for Hornsby Herbarium
- Funds were received from Greater Sydney Local Land Services towards community planting under the Swift Parrot Recovery Plan
- The team has been working in cooperation with Crown Lands for the Great North Walk Upgrade.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(60,000)	(120,000)			
BUDGET	Controllable expenses	209,871	319,538			
2021/22	Internal transfers & depreciation	(17,631)	(17,631)	Operating Result	132,240	181,907



Vlanager, Natural Resources

RESPONSIBILITY:

HORNSBY SHIRE COUNCIL

Workshop Meeting 23 February 2022

Outcome 2.3 – The Shire is resilient and able to respond to climate change events and stresses

2E. Reduce bush fire risk



Manager, Natural Resources

RESPONSIBILITY:

ADAPTING TO A CHANGING ENVIRONMENT LIVING WITH BUSH FIRE RISK

SERVICE COMMENTARY

Natural Resources Branch has implemented risk reduction treatments which have reduced the bush fire risk to the community. These treatments include hazard reduction burning, manual clearing and education initiatives. The implementation of these treatments fulfils Council's obligations within the Hornsby Kuring-gai Bushfire Risk Management Plan.

Highlights for the first six months includes:

- Scheduled fire trail vegetation maintenance completed at Blackwattle, McKinley, Kentia, Keighran, Boundary Road, Clovelly, Lambe and Pennant Hills Park FireTrails. Emergency gate lock upgrades conducted at Rofe park and Ginger Meggs fire trails
- Support provided for hazard reduction burns at Rofe Park; Beaumont Road; Kiparra Park.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	0	0			
BUDGET	Controllable expenses	266,138	197,481			
2021/22	Internal transfers & depreciation	(4,373)	(4,373)	Operating Result	261,765	193,109

Performance Report - December 2021

Service commentary Outcome 2.1 – The local surroundings are protected and enhanced 2F. Protect and conserve trees on public and private lands VALUING OUR GREEN SPACES AND LANDSCAPE SERVICE COMMENTARY Progress includes: Public Service Requests – July-December 2021 - There were 691 received of which 667 (96.5%) were completed within Service Level Agreement and took an average of 36 days Tree Applications – During July-December 2021, 822 Tree Applications were determined and 90% were completed within 28 days taking an average of nine days to process Tree Protection - During July-December 2021 there were 272 Pre-Development Applications and Development Applications referred for Tree Protection comments, of which 142 have been determined taking on average ten days Parks, Trees and Recreation Incomplete Tree Protection – During July-December 2021 there were 14 Pre-Development Applications and Development Applications referred for Tree Protection comments. These applications are Under Assessment and to date have taken on average 13 days Commitment received from Department of Planning, Industry and Environment (DPIE) for vegetation mapping with a draft data set provided to Council in December for review The scope of the Green Offsets Policy will be reviewed once the vegetation Planning Proposal currently before DPIE is approved. This proposal seeks to include an updated terrestrial biodiversity RESPONSIBILITY: layer within the HSC Local Environment Plan which will then be used as the basis to inform the updated Green Offsets Policy Tree planting opportunities have been incorporated into all parks and open space projects. Planting Manager, is being undertaken in conjunction with a number of current playground works, including Hopeville Park, Ginger Meggs Park, Ruddock Park, Warrina Street, Brickpit Park, Hunt Reserve, Headen Park, Appletree Park.

COMPLETED KEY INITIATIVES

2F.10 Lobby with other local governments to the State Government to commit to collecting Dec 2021 high resolution vegetation mapping for Greater Sydney on a regular basis e.g. every two or five years to provide temporal data set

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(49,998)	(87,280)			
BUDGET	Controllable expenses	572,518	431,412			
2021/22	Internal transfers & depreciation	97,484	47,484	Operating Result	620,004	391,616



HORNSBY SHIRE COUNCIL

RESPONSIBILITY: Manager, Waste

Management

Service commentary

Outcome 2.2 – People in Hornsby Shire support recycling and sustainability initiatives

2G. Provide a domestic recycling and waste service

USING RESOURCES WISELY

ADAPTING TO A CHANGING ENVIRONMENT

SERVICE COMMENTARY

Council has effectively transitioned into its new domestic waste collection contract with a strong communications focus informing residents about our new bulky waste services which have been well received by the community.

The new high visibility collection fleet with waste behavioural change messaging has attracted a lot of attention with Council receiving positive feedback from the community.

All waste collection, processing and disposal services remained fully functional without interruption due to COVID impacts.

Other progress over the six months includes:

- Thirty-four apartment complexes are signed up to the Apartment Living Program. While COVID restrictions have limited the delivery of face-to-face engagement activities, over 1,000 units have been provided with tailored educational material
- All 42 primary and high schools across the local government area continue to be offered targeted support. During this period a further 15 schools requested consultation visits and were assessed to develop individualised support plans including required infrastructure and learning support
- The education and communications plan to support illegal dumping has been finalised and is now in the delivery phase
- Thirty-one online workshops were held during the period with a total of 824 participants. A highlight was the first workshop delivered in Cantonese in collaboration with a local community volunteer. The topic was Reducing Waste in the Kitchen and was attended by 70 local Cantonese speakers. Other topics included Rethink your Wardrobe, Sustainable Christmas, Waste Management in Strata by-laws, Composting and Worm Farming
- The commercial scale worm farm at Thornleigh Community Recycling Centre continues to thrive as both biological activity and worm output increased during warmer spring weather conditions. The sale of live worms recommenced on 26 September with purchasing available online only.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(29,398,376)	(29,516,702)			
BUDGET	Controllable expenses	13,496,219	12,788,226			
2021/22	Internal transfers & depreciation	710,126	684,089	Operating Result	(15,192,031)	(16,044,387)

Performance Report - December 2021

₽37

Outcome 2.3 – The Shire is resilient and able to respond to climate change events and stresses

2H. Embed sustainable action across the organisation and lead strategic studies associated with active transport

FA7

Manager, Strategy and Place Unit

RESPONSIBILITY:

USING RESOURCES WISELY ADAPTING TO A CHANGING ENVIRONMENT

SERVICE COMMENTARY

Actions within the Sustainable Hornsby 2040 Strategy continue to be implemented. Council is working towards our target of net zero emissions by 2050. The emissions inventory for 2020/21 has been completed and resulted in total emissions of 11,561.93 tCO2. This is higher than last year and is a result in higher emission values for refrigerants and contractor fuels, due to improved reporting. There has been a reduction in emissions from electricity and transport fuels.

Council has outlined our intention to participate in the accelerated roll out of LED street lighting on main roads during 2022, 2023 and 2024 which will see emission levels from electricity continue to fall in 2021.

A draft Integrated Land Use Transport Study (ILUTS) has been completed by an external consultant and is currently being finalised internally. The updated ILUTS includes a section on active transport.

COMPLET	COMPLETED KEY INITIATIVES						
2H.11	Sep 2021						
KEY INITIA	TIVES NEEDING ATTENTION	Comment	Remedial action				
2H.4	Install energy efficient and/or renewable energy measures, eg. solar panels, at Hornsby Aquatic and Leisure Centre	Need to determine appropriate contractor to undertake structural engineer's report	Increased focus next quarter				
2H.5	Install energy efficiency and/or renewable energy measures, eg. solar panels, at the Community Recycling Centre at Thornleigh	Need to determine appropriate contractor to undertake structural engineer's report	Increased focus next quarter				



ATTACHMENT 3 - ITEM 2

Service commentary

2H.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(150,000)	(4,123)			
BUDGET	Controllable expenses	1,248,175	1,409,098			
2021/22	Internal transfers & depreciation	(10,204)	(10,204)	Operating Result	1,087,971	(1,394,771)

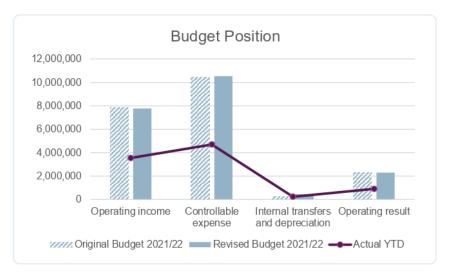
Performance Report - December 2021

Productive

\$

Creating opportunities for the local economy and fostering well-balanced and connected neighbourhoods.

Strategic goal: Our living centres are vibrant and viable						
200	Headline Indicator	Benchmark 2017	Result 2020	Indicator trend		
10	Percentage of residents who live and work in the Shire	28% (2016 Census)	NA	NA		

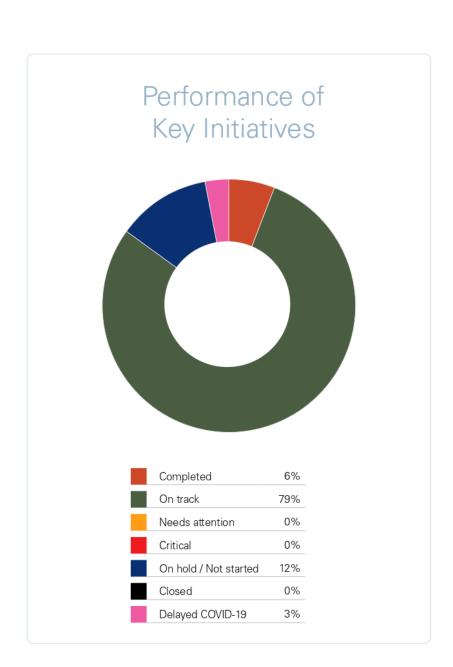


	Outcomes		Focus Areas
3.1	The prosperity of the Shire increases	FA11	A stronger economy
3.2	The commercial centres in the Shire are revitalised	FA12	Infrastructure supporting new developments
3.3	The road / path network provides for efficient vehicle and pedestrian flows	FA13	A well connected shire
		FA14	Advocating with the NSW Government for the infrastructure needs of the local area



N

Productive



Performance Report - December 2021

Director, Corporate Support

RESPONSIBILITY:

Service commentary

Outcome 3.1 – The prosperity of the Shire increases

3A. Manage Council's property portfolio

11 A STRONGER ECONOMY

SERVICE COMMENTARY

- Native Title implications for Council's properties considered as required.
- Overall key projects (commercial properties, compulsory acquisition and partial land acquisitions) progressing as planned.
- Lease invoicing and renewals have been completed by due dates. Significant support provided to tenants during COVID requiring extensive review of lease arrangements and relief provided.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
			\$		\$	\$
	Operating income	(1,424,762)	(1,447,658)			
BUDGET	Controllable expenses	353,252	423,091			
2021/22	Internal transfers & depreciation	(58,899)	(57,728)	Operating Result	(1,130,409)	(1,082,294)



Outcome 3.1 – The prosperity of the Shire increases

3B.

Manage cadastral survey services and maintain geographical information system

INFRASTRUCTURE SUPPORTING NEW DEVELOPMENTS

SERVICE COMMENTARY

As a result of an internal restructure, from May 2021 this Service is now being delivered by Services 1A. and 4F. Relevant commentary and Budget will now be wrapped-up in those Services.

RESPONSIBILITY: Vanager, Asset Operations and Vaintenance and Manager, Transformation and Technology

Performance Report - December 2021

Outcome 3.2 – The commercial centres in the Shire are revitalised

- 3C.
 - Provide strategic land use planning and urban design to highlight Council's policies to protect and enhance the environmental heritage of Hornsby
 - GIVING PEOPLE HOUSING CHOICES
 COMMUNITY WELLBEING AND NEIGHBOURHOOD AMENITY
 ADAPTING TO A CHANGING ENVIRONMENT
 A STRONGER ECONOMY
 INFRASTRUCTURE SUPPORTING NEW DEVELOPMENTS

SERVICE COMMENTARY

State Government planning reform has dominated the past six months, with staff reviewing and preparing submissions on the following proposed legislation or changes to legislation:

- Housing SEPP
- Design and Place SEPP
- Heritage Act review
- Employment zone reform
- Building Business Back Better Codes SEPP
- Fun SEPP
- Infrastructure Contributions Reform.

Council finalised and adopted the Hornsby Thematic History. Preparation of a new Aboriginal Heritage Study, Landscape Heritage Study and Archaeological Study are well underway in line with the adopted Comprehensive Heritage Study program. The Byles Creek Planning Study was publicly exhibited and feedback will be reported to Council in the coming months.



Manager, Strategic Land Use Planning

RESPONSIBILITY:

3C.

COMPLETED	KEY INITIATIVES				Con	npletion date
3C.26.1	Comprehensive Heritage	ə Study — Prepa	are a new histor	у	Oct 2021	
		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
			\$			\$
	Operating income	(150,498)	(192,838)			
BUDGET	Controllable expenses	669,231	708,947			
2021/22	Internal transfers & depreciation	66,824	66,824	Operating Result	585,557	582,933
		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
	d Compliance Division dership costs	\$	\$			\$
	Operating income	(2)	0			
BUDGET	Controllable expenses	658,167	561,179			
2021/22	Internal transfers & depreciation	99,402	99,402	Operating Result	757,567	660,581

ATTACHMENT 3 - ITEM 2

Performance Report - December 2021

Outcome 3.3 – The road / path network provides for efficient vehicle and pedestrian flows

3D. Manage traffic flows, parking, access to public transport and road safety



Deputy General Manager, Infrastructure and

Major Projects

RESPONSIBILITY:

INFRASTRUCTURE SUPPORTING NEW DEVELOPMENTS

A WELL CONNECTED SHIRE

ADVOCATING WITH THE NSW GOVERNMENT FOR THE INFRASTRUCTURE NEEDS OF THE LOCAL AREA

SERVICE COMMENTARY

During the last six months the Traffic team was working from home due to the COVID-19 pandemic. Productivity has not been affected by these arrangements. Attendance at Teams and Zoom meetings has saved many hours otherwise spent on travel to and from meetings with external stakeholders.

Progress over the six months includes:

- Crash data received from TfNSW and updated into GIS
- Traffic data collected at key locations to enable assessment of complaints and to progress key traffic projects
- Numberplate paring survey undertaken in Brooklyn to inform the parking review in the area
- Submissions made for access upgrade proposals at Normanhurst and Thornleigh Stations
- Update to signage in Parsley Bay carpark, Brooklyn completed. Monitoring of effectiveness of new signs commenced in November.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
			\$			\$
	Operating income	(285,523)	(87,111)			
BUDGET	Controllable expenses	393, 136	368,272			
2020/21	Internal transfers & depreciation	17,760	17,760	Operating Result	125,372	298,920



Outcome 3.3 – The road / path network provides for efficient vehicle and pedestrian flows

Regulate appropriate user activities on road network

A13 A WELL CONNECTED SHIRE



3E.

SERVICE COMMENTARY

Deliverables met and exceeded in relation to Council's investigation of abandoned vehicles within 28 days, and parking investigations investigated within three days. All vehicles were removed within the allocated timeframes.

As a result of COVID-19 related restrictions, and to ensure the safety of staff and the community, Council's Rangers did not pursue face to face enforcement of the Smoke Free Environment Policy in Hornsby Mall.

		REVISED BUDGET	FINAL RESULT		REVISED BUDGET	FINAL RESULT
		\$	\$		\$	\$
	Operating income	(947,704)	(731,367)			
BUDGET	Controllable expenses	657,390	526,132			
2020/21	Internal transfers & depreciation	89,982	89,982	Operating Result	(200,332)	(115,253)

PERFORMANCE REPORT - DECEMBER 2021

Management Branch

RESPONSIBILITY: Manager, Waste

Service commentary

Outcome 3.2 – The commercial centres in the Shire are revitalised

3F. Provide cleaning of public spaces

A STRONGER ECONOMY

SERVICE COMMENTARY

- The cleansing of public spaces, including Hornsby Mall, various commercial areas/strips and bus shelters across the Shire, was undertaken to litter pick, blow down pavements and scrub the Mall pavement.
- Hornsby Mall glass lifts and balustrades have been cleaned on a quarterly basis.
- Public litter bins were collected as per the approved collection schedules and as required.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$			\$
Op	perating income	0	(1,708)			
BUDGET Co	ontrollable expenses	972,334	804,062			
	ternal transfers & epreciation	(137,058)	(145,158)	Operating Result	835,277	657,196

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Outcome 3.1 – The prosperity of the Shire increases

3G. Provide a commercial waste service (Business Activity)

A STRONGER ECONOMY

USING RESOURCES WISELY

SERVICE COMMENTARY

- Over 800 local businesses were provided with garbage, recycling, paper/cardboard collection services.
- Under the new Waste Collection Contract a commercial bin asset audit was completed and where bins were of poor quality, they have now been scheduled for replacement.
- An internal Commercial Waste Services Growth Strategy project has commenced and the Strategy is expected to be finalised around March 2022.

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RESPONSIBILITY: **Manager**, Waste

Vlanagement

COMPLETED	KEY INITIATIVES	Completion date
3G.2	Transition existing business customers to new Collection Contract in 2021	Jul 2021

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
			\$			\$
	Operating income	(1,058,471)	(1,085,697)			
BUDGET	Controllable expenses	949,572	1,009,681			
2020/21	Internal transfers & depreciation	(313,532)	(314, 184)	Operating Result	(422,431)	(390,199)

Performance Report - December 2021

Outcome 3.1 – The prosperity of the Shire increases

3H.

Manager, Strategy and Place

RESPONSIBILITY:

Develop a place-management / place making function for spaces the community values and build prosperity

A11 A STRONGER ECONOMY

SERVICE COMMENTARY

The Draft Place Framework is being reviewed to provide a more instructive approach to the organisation to facilitate a better understanding of what a place-based approach entails. This is required in early 2022 but other projects have taken priority at this stage.

Progress over the first six months includes:

- In July 2021, Council resolved to pause the Brooklyn place planning process and instead focus on addressing car parking in the first instance. Work has progressed on car parking in lieu of place planning
- A funding application for the second round of the Streets As Shared Spaces program has been developed for the Hornsby Mall, with a focus on enhancing the night time economy
- Localised continues to operate as an engagement tool with and between local businesses 234 local businesses are currently members
- A draft survey of small and home-based businesses has been developed. It is anticipated the survey will be conducted during Small Business Month in March 2022
- A working group has been formed to commence development of a Smart Cities Strategy. An audit of existing smart devices used by Council has been undertaken.

CLOSED KEY	' INITIATIVES			Closed date	Reason	
3H.10	Develop a Destination Management Plan for river and rural communities with industry partners		Sep 2021	Project scheduled to commence in 2022/23		
3H.11	Develop a strategic approach to enhancing busines resilience in the Shire, including the drafting of a Disaster Recovery Plan			Sep 2021	Project scheduled in 2022/23	to commence
		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	0	0			
BUDGET	Controllable expenses	225,201	296,721			

4.400

4.400

Operating Result

0	HORNSBY SHIRE COUNCIL

Internal transfers &

depreciation

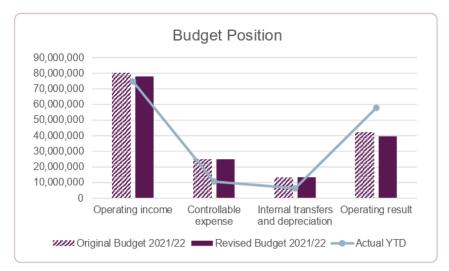
301.121

229,601

Collaborative

Working to serve our community, we will listen, be accountable and efficient

Strategic	goal: Increased overall satisfaction with Cou	ncil		
600	Headline Indicator	Benchmark 2017	Result 2020	Indicator trend
<u> </u>	Percentage of residents satisfied or very	58%	58%	
sati	satisfied with Council	Very satisfied 10%	Very satisfied 12%	
		Satisfied 48%	Satisfied 46%	

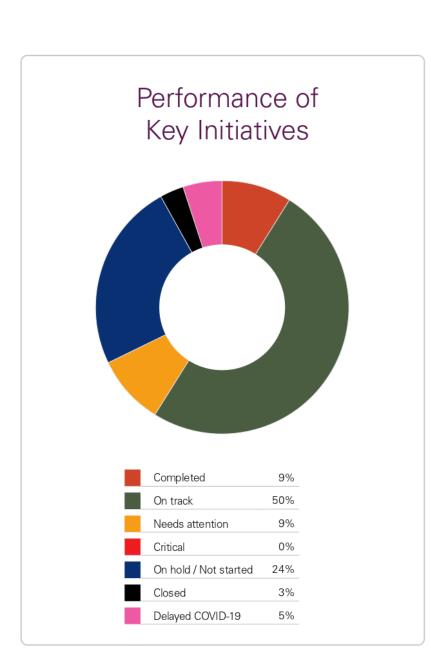


	Outcomes	Focus Areas
4.1	The community is encouraged to participate in Council's decision making	FA15 Planning well and leading with good governance
4.2	Information about Council and its decisions is clear and accessible	FA16 Being accountable to the community
4.3	Council plans well to secure the community's long term future	FA17 Finding innovative and effective ways to consult with the community
		FA18 Sharing information quickly and clearly
		FA19 Providing a helpful and efficient service
		FA20 Delivering the values of Service. Trust. Respect. Innovation.

Performance Report - December 2021

₽51

Collaborative



ATTACHMENT 3 - ITEM 2

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Outcome 4.3 - Council plans well to secure the community's long term future

4A. Formulate and deliver the strategic financial direction for the organisation

PLANNING WELL

BEING ACCOUNTABLE TO THE COMMUNITY

SERVICE COMMENTARY

Council's 2021/22 budget is progressing in line with the parameters of which it was set and is in a positive net position at 31 December 2021.

A revised version of Council's LongTerm Financial Plan will be prepared in the second half of the year after the 2022/23 Annual Budget has been drafted.

Progress over the six months includes:

RESPONSIBILITY: Chief Financial Officer

- SMS reminder messages were implemented for rate notices last year. It is intended to roll out the same process for debtors later in the year
- Cost efficiencies are currently being reviewed as part of a project to review Council's internal charging and job costing processes
- An Asset Management Strategy will be prepared after a revised Asset Management Plan for Council's Open Space assets has been prepared, which will be the last of Council's four largest asset classes to be reviewed. A revision to Council's Asset Management Policy has commenced.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	FINAL RESULT
		\$	\$		\$	\$
	Operating income	(73,703,868)	(74,352,492)			
BUDGET	Controllable expenses	914,933	(635,163)			
2021/22	Internal transfers & depreciation	9,356,674	9,042,386	Operating Result	(63,432,261)	(65,945,269)

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RESPONSIBILITY:

Officer

Service commentary Outcome 4.3 - Council plans well to secure the community's long term future 4B. Provide procurement and store services DELIVERING THE VALUES OF SERVICE. TRUST. RESPECT. INNOVATION. USING RESOURCES WISELY SERVICE COMMENTARY Store services have been provided as required. Chief Financial

A review of Council's approach to contract management is currently on hold.

2021 Sustainable Procurement Survey results showed an improvement in Council's sustainable procurement approach. Recommendations will be reviewed to determine what will be implemented.

COMPLE	TED KEY INITIATIVES	Completion date
4B.2	Include requirements from the Disability Inclusion Action Plan into Council's procurement processes	Aug 2021
	REVISED DECEMBER	REVISED DECEMBER

		BUDGET	RESULT		BUDGET	RESULT	
		\$	\$		\$	\$	
	Operating income	0	0				
BUDGET	Controllable expenses	240,009	208,259				
2021/22	Internal transfers & depreciation	(112,073)	(112,073)	Operating Result	127,936	96,185	



₽54 HORNSBY SHIRE COUNCIL RESPONSIBILITY:

General Manager

Service commentary

Outcome 4.3 - Council plans well to secure the community's long term future

4C. Demonstrate best practice in leadership

15 PLANNING WELL AND LEADING WITH GOOD GOVERNANCE

SERVICE COMMENTARY

As a result of Local Government Elections held on 4 December 2021, Council welcomed five new Councillors along with the return of our Mayor and four re-elected Councillors.

Despite the extraordinary circumstances of the second half of 2021, not least being the ongoing impacts of the COVID pandemic, Council continued to deliver the highest possible levels of service to the community. Progress on Service Key Initiatives has included:

- Documentation prepared for induction of Councillors (Councillors Orientation Booklet, Guide for Councillors) and program developed for induction weekend with an external facilitator. Training requirements to be fulfilled at the appropriate time with Councillors upon commencement
- Monthly and quarterly financial reporting completed within agreed timeframes. Impact of major
 projects cost increases and volume raised as appropriate in regards to longer term financial
 impact on sustainability
- Report on Code of Conduct statistics submitted to the November 2021 Council Meeting.

COMPLETED	KEY INITIATIVES					Corr	npletion date
4C.13	Develop a program which wishing to stand for elec	h provides pre-e tion in Septemb	election educati per 2021	on for communit	y members	Dec	2021
4C.16	Prepare list of shovel rea funding opportunities	repare list of shovel ready projects so that advantage can be taken of emerging inding opportunities					2021
KEY INITIATIN	/ES NEEDING ATTENTION	1	Comm	ent		Rem	nedial action
4C.12	Review Council's property holdings for income-generating and future development opportunities, including the Hornsby Town Centre			Components of project are underway. Assessment of commercial holdings progressing balanced against abnormal levels of request for property assistance within the organisation.			itor workflow 3rd quarter possible flow of project 022/23
4C.18	Adopt Active Leave Man	Adopt Active Leave Management Plan			on leave estrictions owever Dec/ ake-up of	Mor quar	nitor next ter
		REVISED BUDGET \$	DECEMBER RESULT \$		REVI: BUD		DECEMBER RESULT \$
	Operating income	(150)	0				
BUDGET	Controllable expenses	664,732	611,885				
2021/22	Internal transfers & depreciation	74,706	74,706	Operating Res	ult 739 ,	,288	686,591

Outcome 4.2 – Information about Council and its decisions is clear and accessible

Maintain a corporate governance framework

FA16

Manager, Governance and Customer

Service

RESPONSIBILITY:

4D.

BEING ACCOUNTABLE TO THE COMMUNITY SHARING INFORMATION QUICKLY AND CLEARLY

SERVICE COMMENTARY

The governance and customer service branch continues to maintain strong corporate governance, with no issues reported.

Progress for the six months includes:

- The initial review of the Privacy Management Plan has been completed with some minor amendments needed as a result of comments provided from the Information and Privacy Commission on a recent Privacy Internal Review
- The Local Government Elections were held on Saturday 4 December 2021. The Councillor induction process has been developed and information sessions and workshops have been scheduled from January through to the end of March. The professional development plans will be developed using the PD in a Box product
- Initial discussions have taken place with the Technology and Transformation branch to move fleet approval processes to online forms and workflows.

COMPLETED KEY INITIATIVES						Completion date	
4D.5	Assist in conduct of the	Dec	2021				
		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT	
		\$	\$		\$	\$	
	Operating income	(247,352)	(270,927)				
BUDGET	Controllable expenses	1,382,337	1,061,139				
2021/22	Internal transfers & depreciation	(471,053)	(515,190)	Operating Result	663,933	275,021	
		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT	
	Corporate Support Division leadership costs		\$		\$	\$	
	Operating income	0	0				
BUDGET	Controllable expenses	250,044	348,495				
2021/22	Internal transfers &	13,836	13,836	Operating Result	263,880	362,331	

P56 Hornsby Shire Council

depreciation

4E.

Vlanager, Governance and

Customer Service

RESPONSIBILITY:

Service commentary

Outcome 4.2 – Information about Council and its decisions is clear and accessible

Deliver an effective customer service function

PROVIDING A HELPFUL AND EFFICIENT SERVICEDELIVERING THE VALUES OF SERVICE. TRUST. RESPECT. INNOVATION.

SERVICE COMMENTARY

The Governance and Customer Service Branch continues to provide an effective customer service function to both external and internal customers. During the recent COVID lockdown, the team has continued to service the community's needs via both phone and online services.

Progress over the six months includes:

- Maintaining an average speed of answering incoming calls at 14 seconds, with 96% of telephone calls serviced
- Collaboration with internal teams in the testing and development of an online Tree Management application lodgement tool.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	0	0			
BUDGET	Controllable expenses	464,892	461,190			
2021/22	Internal transfers & depreciation	57,876	57,876	Operating Result	522,768	519,066

Performance Report - December 2021

₽57

Outcome 4.3 – Council plans well to secure the community's long term future

4F.

Provide Information, Communication and Technology infrastructure and maintain the integrity of the network

SHARING INFORMATION QUICKLY AND CLEARLY PROVIDING A HELPFUL AND EFFICIENT SERVICE DELIVERING THE VALUES OF SERVICE.TRUST. RESPECT. INNOVATION.

SERVICE COMMENTARY

Despite the first half of the 2021/22 financial year again being marked by workplace disruptions due to COVID-19, the Technology and Transformation team were able to progress a significant number of projects.

The primary achievements have been:

- Transformation of the IT infrastructure, including finalising the move to cloud-based architecture, simplifying the desktop environment, and associated networking improvements. This involved a number of interdependent projects over the past 6 months, including migration of our Pathway property and rating system to the cloud; transition to new telephony and call centre systems; implementation of a new cloud virtual desktop solution; and implementation of new device configuration tools, which will enable the rollout of portable computing devices
- Digitisation of a number of manual forms and processes (commencing a project that will span the next couple of years)
- Selection of vendor for a new leisure centre management solution
- Selection of vendor for a new online bookings system
- Commencement of various transformation projects via business process mapping that will inform the next steps for these functions
- Initial reporting and data analytics projects to improve decision making.



Vlanager, Information, Communication and Technology

RESPONSIBILITY:

4F.

KEY INITIA	ATIVES NEEDING ATTENTION	Comment	Remedial action
4F.10	Develop a Cyber Security plan to move Council to a higher level of maturity against the Australian Cyber Security Centre's guidelines	Due to operational requirements and other priorities no progress on this initiative. It is a high priority for the March quarter.	By leveraging a new partnership, initiative will be progressed during the March quarter for presentation of the plan in this financial year.
4F.18	Research and present a business case for the establishment of an integration framework to support integration to the ePlanning portal and other future requirements	ePlanning Portal live since July 2020 and interface points managed with core Property and Rating system manually to date. Review of business processes for Development Assessments will commence this financial year, allowing better understanding of the integration framework for the ePlanning portal.	Commence the business process documentation of Development Assessments, which has been planned for early 2022.
4F.22	Enhance single view of the customer	Customer dashboard developed however more streamlining necessary.	New system implemented end of 2021 allowing investigation of options for better integration. Investigations will be undertaken to source additional data.
4F.28	Improve identity and access management	Some components of project put on hold due to higher priority commitments.	Project will be prioritised in early 2022.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	0	0			
BUDGET	Controllable expenses	2,692,005	2,671,300			
2021/22	Internal transfers & depreciation	(1,806,679)	(1,806,679)	Operating Result	885,326	864,621

PERFORMANCE REPORT - DECEMBER 2021

Outcome 4.3 - Council plans well to secure the community's long term future

4G. Support an engaged, productive and healthy workforce

DELIVERING THE VALUES OF SERVICE. TRUST. RESPECT. INNOVATION.

SERVICE COMMENTARY

The People and Culture Branch continued to provide Payroll, Employment, Safety and Wellness and Learning and Development services and support to the organisation. Due to the COVID restrictions, most staff worked remotely from home.

The ongoing Workplace Health and Safety Audit Program, the review of Council's Health and Wellbeing Program and the development of a program to manage customer abuse and aggression towards staff have been on hold due to reprioritisation of workloads due to the COVID-19 pandemic.

Progress over the six months includes:

- Work continued on developing the new Workforce Plan, part of the Resourcing Strategy
- The Conditions Review is almost complete and new Determinations have been developed. The first stage of the Performance Management Process Review has been completed, and the second stage involving new process development is underway
- Progress has been made on developing a reinvigorated Leadership Development program and the procurement of an Employee Engagement Platform.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(82,500)	(130,000)			
BUDGET	Controllable expenses	1,817,328	1,862,273			
2021/22	Internal transfers & depreciation	(394,020)	(394,020)	Operating Result	1,340,808	1,338,252



Manager, People and Culture Branch

RESPONSIBILITY:

Outcome 4.3 – Council plans well to secure the community's long term future

4H. Mitigate risk for the organisation, and the community when using Council's facilities and services

PLANNING WELL BEING ACCOUNTABLE TO THE COMMUNITY

SERVICE COMMENTARY

Council maintains a Casual Hirers insurance policy which extends public liability cover to uninsured hirers of Council facilities. Council also maintains full insurance coverage for its own Public Liability risk and Property Damage risk.

Progress over the six months includes:

- Four year Internal Audit Plan was endorsed in February 2020. Audits postponed due to COVID but audit program will be commencing prior to first meeting of Audit, Risk and Improvement Committee (ARIC) in June 2022
- Council appointed ARIC Chairperson at its November 2021 meeting. Other independent members will be appointed over next quarter with view to having the first ARIC meeting held before deadline of 4 June 2022
- Next review of all policies and codes is scheduled to be undertaken within 12 months of the first term of the new Council
- Business Continuity Plan last updated July 2021.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	(2,500)	(5,268)			
BUDGET	Controllable expenses	1,787,062	1,731,266			
2021/22	Internal transfers & depreciation	(20,940)	(20,533)	Operating Result	1,763,622	1,705,465

PERFORMANCE REPORT - DECEMBER 2021

Risk and Audit Manager

RESPONSIBILITY:

₽61

Outcome 4.1 – The community is encouraged to participate in Council's decision making

4i.

Increase Council's positive profile in the community and demonstrate value for money to ratepayers



BEING ACCOUNTABLE TO THE COMMUNITY

FINDING INNOVATIVE AND EFFECTIVE WAYS TO CONSULT WITH THE COMMUNITY

SHARING INFORMATION QUICKLY AND CLEARLY

SERVICE COMMENTARY

The Communications and Engagement Team delivered a wide range of projects and campaigns in the first six months of this financial year. These have included the Facebook events series 'Acoustic Afternoons', designing a new look and feel for library resources and collateral and supporting the latest native plant giveaway initiative 'Pot Luck Plants'. This has been managed alongside regular COVID updates through Council's website and Facebook, in response to ever-changing NSW Government restrictions.

Citizenship Ceremonies were conducted online during the reporting period, again due to COVID lockdown and restrictions. This ran smoothly and successfully, helping to reduce our waiting list to less than 100 candidates.

Community consultation continued throughout the 2021 lockdown and beyond, with a new weekly eNewsletter advising subscribers of current engagements open for comment. A number of Council staff also attended International Association for Public Psrticipation IAP2 training in November, in the essentials of community engagement, as we work towards becoming a more engaging organisation.

While Facebook is still Council's strongest communications channel, with followers almost at our annual target number, we've gained positive traction with more targeted media including Indian and Mandarin print and broadcast channels and some specialty industry publications.

		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT
		\$	\$		\$	\$
	Operating income	0	0			
BUDGET	Controllable expenses	1,039,102	833,209			
2021/22	Internal transfers & depreciation	13,314	13,314	Operating Result	1,052,416	846,522



₽62

Manager, Strategy and Place

RESPONSIBILITY:

2 Hornsby Shire Council

4J.

Service commentary

Outcome 4.3 – Council plans well to secure the community's long term future

Lead the integrated planning and reporting process

5	NG WELL

- 16 BEING ACCOUNTABLE TO THE COMMUNITY
- 17 FINDING INNOVATIVE AND EFFECTIVE WAYS TO CONSULT WITH THE COMMUNITY
- 8 SHARING INFORMATION QUICKLY AND CLEARLY
- V USING RESOURCES WISELY
- AB ADAPTING TO A CHANGING ENVIRONMENT

SERVICE COMMENTARY

With the Council elections for a new Council being further delayed and held on 4 December 2021, an End of Term Report was presented to Council at its last meeting in November 2021 which outlined progress over the political term on the community outcomes in the current Community Strategic Plan, Your vision | Your future 2028.

The Service has been busy developing the new suite of Integrated Planning documents required to be reviewed and updated by an incoming Council. An online survey was open September-October 2021 to gain feedback from the community to review the Community Strategic Plan (CSP). Meetings with other government agencies have taken place, internal feedback has been provided, feedback from previous engagements has also been analysed, and drafting of an updated CSP is well underway.

The development of a Delivery Program, Long Term Financial Plan, Workforce Plan and an Asset Management Framework are key to achieving integrated planning outcomes. Development of these Plans is also underway. It will be a busy few months developing and integrating these plans which are required to be finalised by 30 June 2022.

COMPLETED	Con	Completion date					
4J.6	Prepare End of Term Rep	ort including Sta	ate of the Shire		Nov	2021	
4J.14	Review findings from the 2021 Community Satisfaction Survey and incorporate into Oct 2021 the new Community Strategic Plan						
		REVISED BUDGET	DECEMBER RESULT		REVISED BUDGET	DECEMBER RESULT	
		\$	\$		\$	\$	
	Operating income	0	0				
BUDGET	Controllable expenses	100,000	100,000				
2021/22	Internal transfers & depreciation	(10,000)	(10,000)	Operating Result	90,000	90,000	

Performance Report - December 2021

Vlanager, Strategy and Place

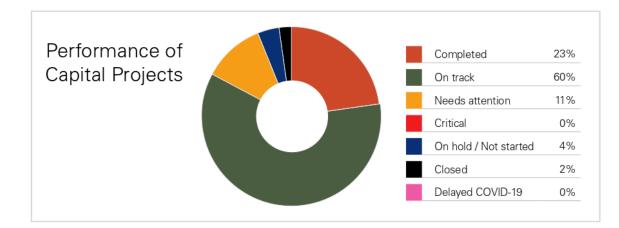
RESPONSIBILITY:

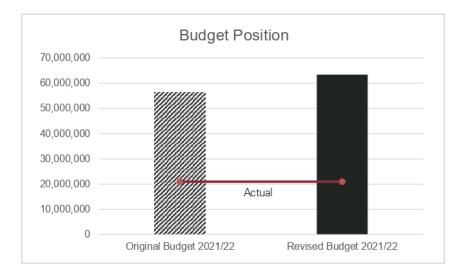
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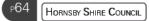
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Capital projects

new improve maintain







Capital projects

CAPITAL PROJECTS COMPLETED so far DURING 2021/22

Completed date

FOOTPATH	S		
1E.C21.18	 Grigg Avenue, North Epping 	- Devon Street to Norfolk Road	Sep 2021
1E.C21.14	 Wearne Avenue, Pennant Hills 	- Laurence Street to Thorn Street	Oct 2021
1E.C21.17	 Eastcote Road, North Epping 	- Malton Road to bend @ 31 Eastcote Road	Dec 2021
LOCAL RO	ADS		
1E.C20.01	 Arcadia Road, Galston 	- Stage 2 (The Glade to approximately number 19)	Aug 2021
1E.C20.02	 Colah Road, Mount Colah 	– Belmont Parade to Gray Street (Stage 1)	May 2021
SHARED P	ATH		
3D.C20.03	 Edgeworth David Avenue, Hornsby 	– between Hornsby CBD and Hornsby Hospital.	Sep 2021
		Project developed to address key Council strategies including the Walking and Cycling Strategy, Public Domain Guidelines and Biodiversity Conservation Plan	
TRAFFIC F	ACILITIES		
3D.C18.08	 Duffy Avenue/Chilvers Road/The Esplanade, Thornleigh 	- Realignment of intersection	Aug 2021
3D.C21.04	 School Crossing – St Patricks School 	 Pedestrian refuge near Asquith shops and Asquith train station 	Oct 2021
PARKS / PI	LAYGROUNDS		
1H.C20.13	 Richards Close, Berowra 	– Playground renewal	Dec 2021
1H.C20.24	 McKell Park Brooklyn (s7.11) 	– Walking paths and park embellishment	Nov 2021
1H.C21.07	 Hornsby Park 	- Road centre garden renewal	Oct 2021
SPORTING	FACILITIES		
1H.C20.02	Pennant Hills Park	- Sight screen renewal	Sep 2021
1H.C20.03	 Asquith Oval 	– Sight screen renewal	Dec 2021
1H.C20.06	 Normanhurst Oval (s7.11) 	– Floodlighting	Dec 2021
1H.C20.08	 Cheltenham Oval 	– Floodlighting	Nov 2021
1H.C21.01	 Brooklyn Park 	- Sports court renewal	Dec 2021
1H.C21.09	 Warrina Street Oval, Berowra (s7.11) 	– Exercise equipment	Dec 2021
COMMUNI	TY BUILDINGS		
1A.C20.05	 Installation of a Building Management System 	 To control and monitor building mechanical and electrical systems off site 	Sep 2021
1A.C20.09	 Galston Community Centre 	- Installation of air conditioning	Oct 2021
1A.C21.08	 Hornsby Leisure and Learning Centre 	– Painting works	Sep 2021
1A.C21.09	 Pennant Hills Community Centre 	– Ceiling works	Oct 2021
1A.C21.11	 Hornsby Mall 	– Tile repairs	Sep 2021

Performance Report - December 2021

Workshop Meeting 23 February 2022

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Capital projects

CAPITAL PROJECTS COMPLETED so far DURING 2021/22

Completed date

STORMWA	TER QUALITY IMPROVEMENT DEVICE	S		
2C.C20.02	 Nirimba Park, North Epping 	– Gross p remedia	oollutant trap, biofiltration basin and creek ation	dine Nov 2021
2C.C21.05	 Margaret Avenue, Hornsby Heights 	capturin	ollutant trap, to treat stormwater quality g litter and floatable waste, improving wa and enhancing downstream habitat	
BUSHLAN	O AND WATERWAYS			
Track upgra	ades			
2D.C20.02	Carrs Bush, Galston (s7.11)		iction of new elevated boardwalk and ble access path	Aug 2021
2D.C20.04	 Ginger Meggs Loop and Track Head (Bluegum Forest) Hornsby (s7.11) 	– Upgrad	e to bushwalking facilities	Sep 2021
2D.C20.09	 (Building Stronger Communities) Brooklyn foreshore 	– Boardw	valk	Sep 2021
	ROJECTS NEEDING ATTENTION		Comment	Remedial action
1E.C21.01	Local Road – Burns Road North, Beec Hannah Street to Copeland Road	roft –	Nearby construction works deferred, leading to longer timeframe and higher costs	Consider further budget input
1E.C20.18	Footpath – Azalea Grove, Pennant Hills Clement Close to Liguori Way (s7.11)			On hold pending resolution of budget
1E.C21.07	Footpath – Yallambee Road, Berowra – footpath end near Cullenya Close to Gwandalan Crescent		Funding transferred to another project	On hold pending resolution of budget
1E.C21.08	Footpath – Mount Street, Mount Colal Street to Yirra Road	h – Lady	Funding transferred to another project	On hold pending resolution of budget
1E.C21.09	Footpath – Stokes Avenue, Asquith – s gate to end	school	Funding transferred to another project	On hold pending resolution of budget
1E.C21.11	Footpath – Stuart Avenue, Normanhur Pennant Hills Road to Calga Avenue	st –	Funding transferred to another project	On hold pending resolution of budget
1E.C21.12	Footpath – Nicholson Avenue, Thornlei Quarter Sessions Road to Dobson Stre		Funding transferred to another project	On hold pending resolution of budget
1E.C21.13	Footpath – Dobson Street, Thornleigh Avenue to Nicholson Avenue	– Giblett	Funding transferred to another project	On hold pending resolution of budget
1E.C21.16	Footpath – Liguori Way, Pennant Hills - Way to Binomea Place	– Liguori	Funding transferred to another project	On hold pending resolution of budget
1A.C19.01	Drainage – Mount Colah- Kooyong Ave Myall Road	enue to	Project will require additional funding to cover significant latent conditions encountered	Determine additional funding amount and source
3D.C19.05	Traffic – Shared Path- Boardwalk Brool - Kangaroo Point to Brooklyn Road (Pro EIS and apply for DA)		Will require more funding	On hold pending resolution of budget
1H.C20.29	Sportsfield – Mark Taylor Oval Cricket of Excellence – reconstruction of oval surface		Wet weather related supply issues mean it is unlikely cricket wicket table and practise decks will be completed by the Contract end date	Cricket club games for first half of 2022/23 season will need to be away games to allow for wicket table works

P66 Hornsby Shire Council

Funding transferred to Water

sculpture refurbishment

concourse tiling

infrastructure projects

Bushland recreational improvements - Bushland

2D.C21.03

ATTACHMENT 3 - ITEM 2

Capital projects

Sep 2021

CAPITAL PR	OJECTS NEEDING ATTENTION	Comment		Remedial action
1H.C21.02	Sportsfield irrigation and surface renewal – Normanhurst Park, Normanhurst	Wet weather and COVID causing delays on other work and availability of appointed contractor – potential alternative contractors exceed budget available		Works anticipated to commence February 2022
CLOSED CA	PITAL PROJECTS	Closed date	Reason	
1A.C20.02	Hornsby Aquatic and Leisure Centre – Renew	Sep 2021	Works not	required

_				
	Performance	REPORT-	December	202

NEED HELP?

This document contains important information. If you do not understand it, please call the Translating and Interpreting Service on 131 450. Ask them to phone 9847 6666 on your behalf to contact Hornsby Shire Council. Council's business hours are Monday to Friday, 8.30am-5pm.

Chinese Simplified

需要帮助吗?

本文件包含了重要的信息。如果您有不理解之处,请致电131 450联系翻译与传译服务中心。请他们代您致电 9847 6666联系Hornsby郡议会。郡议会工作时间为周一至周五,早上8:30 - 下午5点。

Chinese Traditional

需要幫助嗎?

本文件包含了重要的信息。如果您有不理解之處,請致電131 450聯繫翻譯與傳譯服務中心。請他們代您致電 9847 6666聯繫Hornsby郡議會。郡議會工作時間爲周一至周五,早上8:30 - 下午5點。

German

Brauchen Sie Hilfe?

Dieses Dokument enthält wichtige Informationen. Wenn Sie es nicht verstehen, rufen Sie bitte den Übersetzer- und Dolmetscherdienst unter 131 450 an. Bitten Sie ihn darum, für Sie den Hornsby Shire Council unter der Nummer 9847 6666 zu kontaktieren. Die Geschäftszeiten der Stadtverwaltung sind Montag bis Freitag, 8.30-17 Uhr.

Hindi

क्या आपको सहायता की आवश्यकता है?

इस दस्तावेज़ में महत्वपूर्ण जानकारी दी गई है। यदि आप इसे समझ न पाएँ, तो कृपया 131 450 पर अनुवाद और दुभाषिया सेवा को कॉल करें। उनसे हॉर्न्सवी शायर काउंसिल से संपर्क करने के लिए आपकी ओर से 9847 6666 पर फोन करने का निवेदन करें। काउंसिल के कार्यकाल का समय सोमवार से शुक्रवार, सुबह 8.30 बजे-शाम 5 बजे तक है।

Korean

도움이 필요하십니까?

본 문서에는 중요한 정보가 포함되어 있습니다. 이해가 되지 않는 내용이 있으시면, 통역번역서비스(Translating and Interpreting Service)로 전화하셔서(131 450번) 귀하를 대신하여 혼즈비 셔 카운슬에 전화(9847 6666번)를 걸어 달라고 요청하십시오. 카운슬의 업무시간은 월요일~금요일 오전 8시 30분~오후 5시입니다.

Tagalog Kailangan ng tulong?

Itong dokumento ay naglalaman ng mahalagang impormasyon. Kung hindi ninyo naiintindihan, pakitawagan ang Serbisyo sa Pagsasalinwika at Pag-iinterprete (Translating and Interpreting Service) sa 131 450. Hilingin sa kanilang tawagan ang 9847 6666 para sa inyo upang kontakin ang Hornsby Shire Council. Ang oras ng opisina ng Council ay Lunes hanggang Biyernes, 8.30n.u.-5n.h.

For more information visit **hornsby.nsw.gov.au**



Workshop Meeting 23 February 2022

ATTACHMENT/S

REPORT NO. CS1/22

ITEM 3

1. MODEL CODE OF MEETING PRACTICE - OFFICE OF LOCAL GOVERNMENT

2. DRAFT CODE OF MEETING PRACTICE - HORNSBY SHIRE COUNCIL

ATTACHMENT 1 - ITEM 3

MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW

20182021

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Model Code of Meeting Practice for Local Councils in NSW

1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is <u>made prescribed</u> under section 360 of the *Local Government Act* 1993 (the Act) and the *Local Government (General) Regulation* 2005-2021 (the Regulation).

Thise <u>Model Meeting</u> code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

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

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

The provisions of the Model Meeting Code that are not mandatory are indicated in red font.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

The Model Meeting Code also applies to meetings of the boards of joint organisations and county councils. The provisions that are specific to meetings of boards of joint organisations are indicated in blue font.

In adopting the Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

In adopting the Model Meeting Code, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

- Informed: Decisions are made based on relevant, quality information.
- Inclusive: Decisions respect the diverse needs and interests of the local community.
- Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole

Model Code of Meeting Practice for Local Councils in NSW

community.

Respectful:	Councillors,	staff	and	meeting	attendees	treat	each	other	with
	respect.								

- Effective: Meetings are well organised, effectively run and skilfully chaired.
- Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3 BEFORE THE MEETING

Timing of ordinary council meetings

- 3.1 Ordinary meetings of the council will be held on the following occasions: [council to specify the frequency, time, date and place of its ordinary meetings]
- 3.2 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Note: Councils must use either clause 3.1 or 3.2

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

Note: Under section 396 of the Act, county councils are required to meet at least four (4) times each year.

Note: Under section 400T of the Act, boards of joint organisations are required to meet at least four (4) times each year, each in a different quarter of the year.

Extraordinary meetings

3.3 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.3 reflects section 366 of the Act.

Notice to the public of council meetings

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

Note: Clause 3.4 reflects section 9(1) of the Act.

Model Code of Meeting Practice for Local Councils in NSW

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.
- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

3.7 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.7 reflects section 367(1) of the Act.

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

Note: Clause 3.8 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

3.9 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted [council to specify notice period required] business days before the meeting is to be held.
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.
- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject

Model Code of Meeting Practice for Local Councils in NSW

of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:

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

Questions with notice

- 3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.17 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.18 The general manager must ensure that the agenda for an ordinary meeting of the council states:
 - (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

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- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
 - (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.21 reflects section 9(2A)(a) of the Act.

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

Statement of ethical obligations

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

Availability of the agenda and business papers to the public

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

Note: Clause 3.234 reflects section 9(2) and (4) of the Act.

- 3.245 Clause 3.234 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.
 - Note: Clause 3.254 reflects section 9(2A)(b) of the Act.
- 3.256 For the purposes of clause 3.234, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.265 reflects section 9(3) of the Act.

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3.267 A copy of an agenda, or of an associated business paper made available under clause 3.234, may in addition be given or made available in electronic form.

Note: Clause 3.276 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.278 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.289 Despite clause 3.278, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:
 - (a) a motion is passed to have the business considered at the meeting, and(b) the business to be considered is ruled by the chairperson to be of great
 - urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 3.2930 A motion moved under clause 3.289(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
 - 3.301 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.289(a) can speak to the motion before it is put.
 - 3.342 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.289(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.323 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.334 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.35 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.346 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.357 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.368 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are

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required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

4 PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums may be held by audio-visual link.
- 4.23 Public forums are to be chaired by the mayor or their nominee.
- 4.34 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by [date and time to be specified by the council] before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.45 A person may apply to speak on no more than [number to be specified by the council] items of business on the agenda of the council meeting.
- 4.56 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.67 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.78 No more than [number to be specified by the council] speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.89 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 4.910 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.

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- 4.101 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than [number to be specified by the council] days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
 - 4.142 The general manager or their delegate is to determine the order of speakers at the public forum.
 - 4.123 Each speaker will be allowed [number to be specified by the council] minutes to address the council. This time is to be strictly enforced by the chairperson.
 - 4.134 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
 - 4.145 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
 - 4.156 Speakers are under no obligation to answer a question put under clause 4.145. Answers by the speaker, to each question are to be limited to [number to be specified by the council] minutes.
 - 4.167 Speakers at public forums cannot ask questions of the council, councillorscouncillors, or council staff.
 - 4.178 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to [number to be specified by the council] minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
 - 4.189 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
 - 4.1920 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policiespolicies, and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or conduct or making other potentially defamatory statements.
 - 4.201 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.4920, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker

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fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.

- 4.242 Clause 4.210 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
 - 4.223 Where a speaker engages in conduct of the type referred to in clause 4.4920, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.234 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.

5 COMING TOGETHER

Attendance by councillors at meetings

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

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

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, <u>unless permitted to</u> <u>attend the meeting by audio-visual link under this code</u>.
- 5.3 The board of the joint organisation may, if it thinks fit, transact any of its business at a meeting at which representatives (or some representatives) participate by telephone or other electronic means, but only if any representative who speaks on a matter before the meeting can be heard by the other representatives. For the purposes of a meeting held in accordance with this clause, the chairperson and each other voting representative on the board have the same voting rights as they have at an ordinary meeting of the board.

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Note: Clause 5.3 reflects <u>section clause</u>-397G of the Regulation. Joint organisations may adopt clause 5.3 and omit clause 5.2. Councils <u>must</u> not adopt clause 5.3.

- 5.4 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However<u>However</u>, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.5 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.6 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.7 reflects section 234(1)(d) of the Act.

5.8 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

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

Note: Clause 5.9 reflects section 368(1) of the Act.

5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.10 reflects section 368(2) of the Act.

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

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- 5.12 In either case, the meeting must be adjourned to a time, <u>datedate</u>, and place fixed:
 - (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the councillors present, or
 - (c) failing that, by the general manager.
- 5.13 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the <u>health</u>, safety <u>and or</u> welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or <u>bushfire)or</u> a <u>public health emergency</u>, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

Meetings held by audio-visual link

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

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<u>5.18</u>	This code applies to a meeting held by audio-visual link under clause 5.16 in- the same way it would if the meeting was held in person.	Formatted: Indent: Left: 0 cm, Hanging: 1.5 cm
	Note: Where a council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the	
	meeting.	
Attend	lance by councillors at meetings by audio-visual link	
<u>5.19</u>	Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee.	
<u>5.20</u>	A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.	
<u>5.21</u>	Councillors may request approval to attend more than one meeting by audio- visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.20.	
<u>5.22</u>	The council must comply with the Health Privacy Principles prescribed under the Health Records and Information Privacy Act 2002 when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.	Formatted: Fort: Italic
<u>5.23</u>	A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.	
<u>5.24</u>	A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state:	
	 (a) the meetings the resolution applies to, and (b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities. 	Formatted: Indent: Left: 1.5 cm, Hanging: 1.03 cm
<u>5.25</u>	If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.	Formatted: Indent: Left: 0 cm
	A decision whether to approve a councillor's request to attend a meeting by- audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, the	Formatted: Indent: Left: 0 cm, Hanging: 1.27 cm
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council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.

- 5.27 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.28 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.29 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.30 A councillor must be appropriately dressed when attending a meeting by audiovisual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

5.4631 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.1631 reflects section 10(1) of the Act.

- 5.47<u>32</u> Clause 5.<u>31</u>46 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.4833 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:
 - (a) by a resolution of the meeting, or
 - (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.
 - Note: Clause 5.48-33 reflects section 10(2) of the Act.

Note: If adopted, clauses 15.14 and 15.15 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.14

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from a council or committee	xpel any person, including a cou meeting. Alternatively, if adopted, s to expel persons other than cour neeting.	, clause	
Webcasting of meetings			
	committee of the council is to be record sual device. All meetings of the coun- be webcast on the council's website.	ncil and	
Note: Councils will be require 2019. Councils that do not curr to ensure that meetings are we	d to webcast meetings from 14 Dec ently webcast meetings should take abcast by 14 December 2019.	cember ce steps	
or recordings of meetings up time. The supplementary pro	y whether meetings are to be livestr oaded on the council's website at ovisions must also specify wheth udio visual recording of the meetin	treamed t a later her the	
с .		Formatted: Indent: Left: 0 cm	
	ot required to webcast meetings b lauses 5.19–5.22. Joint organisatio s may omit clauses 5.19–5.22.		
5.35 At the start of each meeting of t chairperson must inform the person	he council or a committee of the cour sons attending the meeting that:	incil, the	
council's website, and	orded and made publicly available neeting should refrain from makir		
5.20 <u>36</u> The recording of a meeting is to website:	be made publicly available on the c	<u>council's</u>	
	eting is taking place, or er the meetingClause 5.19 does not a en closed to the public under section		
5.24 <u>37</u> The recording of a meeting is to website for at least 12 months af		<u>council's</u>	
5.38 Clauses 5.36 and 5.37 do not a closed to the public in accordance	pply to any part of a meeting that ha	as been	
Note: Clauses 5.34 – 5.38 refle	ct clausesection 236 of the Regulat	ition.	
5.39 Recordings of meetings may be Records Act 1998.	e disposed of in accordance with the	n <u>e State</u>	
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ITEM 3

	At the start of each meeting the chairperson is to make a statement informing- those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.	Formatted: Indent: Left: 1.5 cm, Hanging: 1.03 cm
5.22	A recording of each meeting of the council and committee of the council is to	
	be retained on the council's website for [council to specify the period of time	
	the recording is to be retained on the website] Recordings of meetings	Formatted: Font: Bold, Font color: Blue
	may be disposed of in accordance with the State Records Act 1998. Note: Joint organisations are not required to webcast meetings but may	Formatted: Font: Bold, Not Italic, Font color: Blue
	choose to do so by adopting clauses 5.1934–5.2239. Joint organisations	Formatted: Font: Bold, Font color: Blue Formatted: Indent: Left: 1.5 cm
	that choose not to webcast meetings may omit clauses 5.1934–5.2239.	Formatted: Indent: Left: 1.5 cm
		Formatted: Font: Bold
Attondo	ance of the general manager and other staff at meetings	
Allenua	ance of the general manager and other stall at meetings	
5. 234 0	The general manager is entitled to attend, but not to vote at, a meeting of the	
	council or a meeting of a committee of the council of which all of the members	
	are councillors.	
	Note: Clause 5.2340 reflects section 376(1) of the Act.	
5 24/1	The general manager is entitled to attend a meeting of any other committee of	
J.24 <u>41</u>	the council and may, if a member of the committee, exercise a vote.	
	Note: Clause 5.24 <u>41</u> reflects section 376(2) of the Act.	
5. 2542	The general manager may be excluded from a meeting of the council or a	
	committee while the council or committee deals with a matter relating to the	
	standard of performance of the general manager or the terms of employment	
	of the general manager.	
	Note: Clause 5.2542 reflects section 376(3) of the Act.	
5. <u>2643</u>	The attendance of other council staff at a meeting, (other than as members of	
	the public) shall be with the approval of the general manager.	
5.44	The general manager and other council staff may attend meetings of the	
	council and committees of the council by audio-visual-link. Attendance by	
	council staff at meetings by audio-visual link (other than as members of the	(F. H. L. F.
	public) shall be with the approval of the general manager,	Formatted: Font color: Red
6 TH	E CHAIRPERSON	
The cha	airperson at meetings	
6.1	The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.	
	Note: Clause 6.1 reflects section 369(1) of the Act.	
6.2	If the mayor and the deputy mayor (if any) are absent, a councillor elected to	
J.L	chair the meeting by the councillors present presides at a meeting of the	
	council.	
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Note: Clause 6.2 reflects section 369(2) of the Act.

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

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4 The election of a chairperson must be conducted:
 - (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
 - (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.
- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of clause 6.5, the person conducting the election must:
 - (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
 - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:
 - (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
 - (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7 MODES OF ADDRESS

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.

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7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

- 8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council.
- 8.2 The general order of business for an ordinary meeting of the council shall be: [councils may adapt the following order of business to meet their needs]
 - 01-__Opening meeting
 - 02___Acknowledgement of country
 - 03-__Apologies and applications for a leave of absence or attendance by-audio-visual link by councillors
 - 04 Confirmation of minutes
 - 05___-Disclosures of interests
 - 06 Mayoral minute(s)
 - 07___Reports of committees
 - 08 Reports to council
 - 09 -Notices of motions/Questions with notice
 - 10__-Confidential matters
 - 11__-Conclusion of the meeting

Note: Councils must use either clause 8.1 or 8.2.

8.3 The order of business as fixed under clause [8.1/8.2] [delete whichever is not applicable] may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: If adopted, Part 13 allows council to deal with items of business by exception.

8.4 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
 - (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:

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- (a) is already before, or directly relates to, a matter that is already before the council, or
- (b) is the election of a chairperson to preside at the meeting, or
 (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
- (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
 - (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.
- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not <u>urgent, orurgent or</u> matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

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Staff reports

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

Reports of committees of council

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documentsinformation. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10 RULES OF DEBATE

Motions to be seconded

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

Notices of motion

10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.

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- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
 - (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendmentamendment, or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.

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- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.

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- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
 - (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

Participation by non-voting representatives in joint organisation board meetings

10.31 Non-voting representatives of joint organisation boards may speak on but must not move, second or vote on any motion or an amendment to a motion.

Note: Under section 400T(1)(c) of the Act, non-voting representatives of joint organisation boards may attend but are not entitled to vote at a meeting of the board.

Note: Joint organisations <u>must</u> adopt clause 10.31. Councils <u>must not</u> adopt clause 10.31.

11 VOTING

Voting entitlements of councillors

11.1 Each councillor is entitled to one (1) vote. Model Code of Meeting Practice for Local Councils in NSW

Note: Clause 11.1 reflects section 370(1) of the Act.

Note: Under section 400T(1) of the Act, voting representatives of joint organisation boards are entitled to one (1) vote each at meetings of the board.

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

Note: Clause 11.2 reflects section 370(2) of the Act.

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.
- 11.4 A motion at a meeting of the board of a joint organisation is taken to be lost in the event of an equality of votes.

Note: Clause 11.4 reflects clause <u>section</u> 397E of the Regulation. Joint organisations <u>must</u> adopt clause 11.4 and omit clauses 11.2 and 11.3. Councils <u>must not</u> adopt clause 11.4.

Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 11.4 must be adapted to reflect those requirements.

Voting at council meetings

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.6 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.7 The decision of the chairperson as to the result of a vote is <u>final, unless</u><u>final</u><u>unless</u> the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.
- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic

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voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

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

Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.13 may be omitted.

Voting on planning decisions

- 11.12 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.13 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

Note: Clauses 11.12-11.15 reflect section 375A of the Act.

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.

12 COMMITTEE OF THE WHOLE

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

Note: Clause 12.1 reflects section 373 of the Act.

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

Note: Clauses 10.20-10.30 limit the number and duration of speeches.

12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in fullfull, but any recommendations of the committee must be reported.

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

13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
 - (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,

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

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

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

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
 - (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
 - (a) are substantial issues relating to a matter in which the council or committee is involved, and
 - (b) are clearly identified in the advice, and
 - (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

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Note: Clause 14.5 reflects section 10B(3) of the Act.

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
 - (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the <u>Departmental</u> Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
 - (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter.
 - should not be deferred (because of the urgency of the matter), and
 should take place in a part of the meeting that is closed to the public

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

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

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by [date and time to be

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specified by the council] before the meeting at which the matter is to be considered.

- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than [number to be specified by the council] speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than [number to be specified by the council] speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed [number to be specified by the council] minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Obligations of councillors attending meetings by audio-visual link Model Code of Meeting Practice for Local Councils in NSW

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14.20 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

- 14.201 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
 - (a) the relevant provision of section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the meeting,
 (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.201 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.242 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.223 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.242 during a part of the meeting that is webcast.

15 KEEPING ORDER AT MEETINGS

Points of order

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- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

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- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
 - (a) contravenes the Act, <u>or anythe rRegulation in force under the Act</u> or this code, or
 - (b) assaults or threatens to assault another councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
 - (d) insults,—or makes personal reflectionsunfavourable personal remarks about,—on or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

Note: Clause 15.11 reflects clausesection 182 of the Regulation,

15.12 The chairperson may require a councillor: Model Code of Meeting Practice for Local Councils in NSW

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	 (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a), or (b), or (c), or (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e). 		- ITEM 3
	Note: Clause 15.12 reflects clausesection 233 of the Regulation,	Formatted: Fort: Bold	
How d	isorder at a meeting may be dealt with		
15.13	If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.		TTACHMENT
Expuls	sion from meetings		Ŧ
15.14	All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.		Ċ
15.15	All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.		TTA
	Note: Councils may use <u>either</u> clause 15.14 <u>or</u> clause 15.15.		٦
15.16	Clause [15.14/15.15] [delete whichever is not applicable], does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.		
15.17	A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.		
	Note: Clause 15.17 reflects clausesection 233(2) of the Regulation,	Formatted: Indent: Left: 1.5 cm)
15.18	A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.	Formatted: Font: Bold	J
15.19	Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.		
Model C	Code of Meeting Practice for Local Councils in NSW 33		

15.20 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting. How disorder by councillors attending meetings by audio-visual link may be dealt with Where a councillor is attending a meeting by audio-visual link, the chairperson 15.21 or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code. If a councillor attending a meeting by audio-visual link is expelled from a Formatted: Don't keep with next meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting, Formatted: No underline, Font color: Red Use of mobile phones and the unauthorised recording of meetings 15.243 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council 15.224 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee 15.235 Without limiting clause 15.18, a contravention of clause 15.24 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.224, may be expelled from the meeting as provided for under section 10(2) of the Act 15.246 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16 CONFLICTS OF INTEREST

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

Model Code of Meeting Practice for Local Councils in NSW

16.2

17.1

17.2

17.3

Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during Formatted: Font color: Red A decision supported by a majority of the votes at a meeting of the council at Note: Clause 17.1 reflects section 371 of the Act in the case of councils Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, Decisions made by the council must be accurately recorded in the minutes of Formatted: Right: 0 cm, Keep with next A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

Note: Clause 17.3 reflects section 372(1) of the Act.

the meeting at which the decision is made

Rescinding or altering council decisions

which the council or committee is voting on the matter,

which a quorum is present is a decision of the council.

and section 400T(8) in the case of joint organisations.

clause 17.1 must be adapted to reflect those requirements.

17 DECISIONS OF THE COUNCIL

Council decisions

If a notice of motion to rescind a resolution is given at the meeting at which the 174 resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

175 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10

Note: Clause 17.5 reflects section 372(3) of the Act.

176 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

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Note: Clause 17.6 reflects section 372(4) of the Act.

17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.
- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than [council to specify the period of time] after the meeting at which the resolution was adopted.
- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:
 - (a) a notice of motion signed by three councillors is submitted to the chairperson, and
 - (b) a motion to have the motion considered at the meeting is passed, and
 - (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.
- 17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

Model Code of Meeting Practice for Local Councils in NSW

- (a) to correct any error, ambiguity or imprecision in the council's resolution,
- (b) to confirm the voting on the resolution.

or

- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.
- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18 TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the council and committees of the council are to conclude no later than [council to specify the time].
- 18.2 If the business of the meeting is unfinished at [council to specify the time], the council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at [council to specify the time], and the council does not resolve to extend the meeting, the chairperson must either:
 - (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council. or
 - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:
 - individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the

Model Code of Meeting Practice for Local Councils in NSW

reconvened meeting to the attention of as many people as possible.

19 AFTER THE MEETING

Minutes of meetings

19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 19.1 reflects section 375(1) of the Act.

19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

(a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,

- (ab) details of each motion moved at a council meeting and of any amendments moved to it,
- (bc) the names of the mover and seconder of the motion or amendment,
- (ed) whether the motion or amendment was passed or lost, and
- (de) such other matters specifically required under this code.
- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 19.3 reflects section 375(2) of the Act.

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

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19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20 COUNCIL COMMITTEES

Application of this Part

20.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
 - (a) such number of members as the council decides, or
 - (b) if the council has not decided a number a majority of the members of the committee.

Functions of committees

20.5 The council must specify the functions of each of its committees when the committee is <u>established</u>, <u>butestablished but</u> may from time to time amend those functions.

Notice of committee meetings

Model Code of Meeting Practice for Local Councils in NSW

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
 - (a) the time, date and place of the meeting, and
 - (b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

- 20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:
 - (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
 - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- 20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

- 20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
 - (a) to give notice of business for inclusion in the agenda for the meeting, or
 - (b) to move or second a motion at the meeting, or
 - (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

- 20.11 The chairperson of each committee of the council must be:
 - (a) the mayor, or
 - (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
 - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of

Model Code of Meeting Practice for Local Councils in NSW

the committee.

20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.
- 20.17 A motion at a committee of a joint organisation is taken to be lost in the event of an equality of votes.

Note: Clause 20.17 reflects clause section 397E of the Regulation. Joint organisations <u>must</u> adopt clause 20.17 and omit clause 20.16. Councils <u>must not</u> adopt clause 20.17.

20.18 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

- 20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.20 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicy available minutes of the meeting.
- 20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings

20.22 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Model Code of Meeting Practice for Local Councils in NSW

Minutes of council committee meetings

- 20.23 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
 - (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
 - (ab) details of each motion moved at a meeting and of any amendments moved to it,
 - (bc) the names of the mover and seconder of the motion or amendment,
 - (ed) whether the motion or amendment was passed or lost, and
 - (ed) such other matters specifically required under this code.
- 20.24 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.25 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.29 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 IRREGULARITES

- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
 - (a) a vacancy in a civic office, or
 - a failure to give notice of the meeting to any councillor or committee member, or
 - (c) any defect in the election or appointment of a councillor or committee member, or
 - (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or

Model Code of Meeting Practice for Local Councils in NSW

(e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

Model Code of Meeting Practice for Local Councils in NSW

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22 DEFINITIONS

11 - 4 -1	H + 1 1 0 (A + 1 / 000
the Act	means the Local Government Act 1993
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion
oudio recordor	moving an amendment to that motion
audio recorder	any device capable of recording speech
<u>audio-visual link</u>	means a facility that enables audio and visual
	communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the
	person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of
	this code, and in relation to a meeting of a committee – means
	the person presiding at the meeting as provided
	by clause 20.11 of this code
this code	means the council's adopted code of meeting
this code	practice
committee of the	means a committee established by the council in
council	accordance with clause 20.2 of this code (being a
council	committee consisting only of councillors) or the
	council when it has resolved itself into committee
	of the whole under clause 12.1
council official	has the same meaning it has in the Model Code
	of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause
	11.7 of this code requiring the recording of the
	names of the councillors who voted both for and
	against a motion
foreshadowed	means a proposed amendment foreshadowed by
amendment	a councillor under clause 10.18 of this code during
	debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor
	under clause 10.17 of this code during debate on
	an original motion
open voting	means voting on the voices or by a show of hands
	or by a visible electronic voting system or similar
	means
planning decision	means a decision made in the exercise of a
	function of a council under the Environmental
	Planning and Assessment Act 1979 including any
	decision relating to a development application, an
	environmental planning instrument, a
	development control plan or a development
	contribution plan under that Act, but not including

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	the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the Local Government (General) Regulation 2005-2021
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

Model Code of Meeting Practice for Local Councils in NSW

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POLICY REGISTER

POLICY TITLE:	CODE OF MEETING PRACTICE
OLDER NUMBER:	F2007/00307
OLICY OWNER / DIVISION:	Corporate Support Division
OLICY OWNER / BRANCH:	Governance and Customer Service
UNCTION:	Governance
RELEVANT LEGISLATION:	Section 360 of the Local Government Act, 1993
OLICY ADOPTION/AMENDMENT DATE:	12 June 2019 REPORT NUMBER: CS13/19
REVIEW YEAR:	2021 2022
Amendment History:	12 August 1998 (Report CC96/98) 24 November 1999 (Report CC108/99 9 August 2000 (Report CC59/00) 28 March 2001 (Report CC22/01) 11 September 2002 (Report CC71/02 & Memo CA96/02 9 March 2005 (Report CC5/05) 10 August 2005 (Report CC52/05) 8 March 2006 (Report CC15/06) 11 April 2007 (Report CC15/06) 11 April 2007 (Report CC11/07) 12 March 2008 (Report CC27/08) 8 April 2019 (Report CC24/10) 18 August 2010 (Report CC29/10) 20 April 2011 (Report CC19/10) 20 April 2013 (Report CC1/13) 18 September 2013 (Report CS40/13) 8 April 2015 (Report CS6/15)

RELATED POLICIES:

Hornsby Shire Council Code of Conduct

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1. INTRODUCTION

This Code of Meeting Practice (the Code) is based on the Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) issued by the Office of Local Government in <u>December 20182021</u>. It is made under section 360 of the *Local Government Act* 1993 (the Act) and the *Local Government (General) Regulation* 2005-2021 (the Regulation). This Code applies to all Meetings of Council and Committees of Council of which all the members are Councillors (Committees of Council).

This Code does not contain provisions that are inconsistent with the mandatory provisions of the Model Meeting Code. Where supplementary provisions have been included in this Code they are noted as separated clauses and prefaced as "Additional Clause adopted by Council".

Where Clauses in this Code are reflective of provisions within the Local Government Act, a reference to the relevant clause is provided as follows (S1.1).

2. MEETING PRINCIPLES

2.1 Council and Council Committee Meetings should be:

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

3. BEFORE THE MEETING

Timing of ordinary council Meetings

- 3.1 Not Applicable.
- 3.2 Council shall, by resolution at its September General Meeting (or as soon as possible thereafter), set the frequency, time, date and place of its ordinary Meetings (defined below).

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3.2(a) Ordinary Meetings of Council are defined as:

General Meetings which are held at 6.30pm on the second Wednesday of each month (excluding January) to consider all relevant matters.

Workshop Meetings which are held at 6.30pm on the first, third, fourth and/or fifth Wednesdays of each month as required (excluding January) to consider all relevant matters, especially those where a presentation by Council staff or an external person or organisation is required

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

Extraordinary Meetings

3.3 If the mayor receives a request in writing, signed by at least two (2) Councillors, the mayor must call an Extraordinary Meeting of Council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two Councillors requesting the Meeting. (S366)

Notice to the public of council Meetings

- 3.4 Council must give notice to the public of the time, date and place of each of its Meetings, including Extraordinary Meetings and of each Meeting of Committees of Council. (S9(1))
- 3.5 For the purposes of clause 3.4, notice of a Meeting of Council and of a Committee of council is to be published before the Meeting takes place. The notice must be published on Council's website, and in such other manner that Council is satisfied is likely to bring notice of the Meeting to the attention of as many people as possible.
- 3.6 For the purposes of clause 3.4, notice of more than one (1) Meeting may be given in the same notice.

Notice to Councillors of ordinary council Meetings

- 3.7 The General Manager must send to each councillor, at least three (3) days before each Meeting of Council, a notice specifying the time, date and place at which the Meeting is to be held, and the business proposed to be considered at the Meeting. (S367(1))
- 3.8 The notice and the agenda for, and the business papers relating to, the Meeting may be given to Councillors in electronic form, but only if all Councillors have facilities to access the notice, agenda and business papers in that form. (S367(3))

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Notice to Councillors of Extraordinary Meetings

3.9 Notice of less than three (3) days may be given to Councillors of an Extraordinary Meeting of Council in cases of emergency. (S367(2))

Giving notice of business to be considered at council Meetings

- 3.10 A councillor may give notice of any business they wish to be considered by Council at its next ordinary Meeting by way of a Notice of Motion . To be included on the agenda of the Meeting, the Notice of Motion must be in writing and must be submitted by 5pm on the Friday nine business days before the Meeting is to be held.
- 3.11 A councillor may, in writing to the General Manager, request the withdrawal of a Notice of Motion submitted by them prior to its inclusion in the agenda and business paper for the Meeting at which it is to be considered.
- 3.12 If the General Manager considers that a Notice of Motion submitted by a councillor for consideration at an ordinary Meeting of Council has legal, strategic, financial or policy implications which should be taken into consideration by the Meeting, the General Manager may prepare a report in relation to the Notice of Motion for inclusion with the business papers for the Meeting at which the Notice of Motion is to be considered by Council.
- 3.13 A Notice of Motion for the expenditure of funds on works and/or services other than those already provided for in Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the Notice of Motion. If the Notice of Motion does not identify a funding source, the General Manager must either:
 - (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the Meeting at which the Notice of Motion is to be considered by Council, or
 - (b) by written notice sent to all Councillors with the business papers for the Meeting for which the Notice of Motion has been submitted, defer consideration of the matter by Council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

- 3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the General Manager about the performance or operations of Council.
- 3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the General Manager or a member of staff of Council, or a question that implies wrongdoing by the General Manager or a member of staff of Council.
- 3.16 The General Manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant Meeting of Council or orally at the Meeting.

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Agenda and business papers for ordinary Meetings

- 3.17 The General Manager must cause the agenda for a Meeting of Council or a Committee of Council to be prepared as soon as practicable before the Meeting.
- 3.18 The General Manager must ensure that the agenda for an ordinary Meeting of Council states:
 - (a) all matters to be dealt with arising out of the proceedings of previous Meetings of Council, and
 - (b) if the mayor is the Chairperson any matter or topic that the Chairperson proposes, at the time when the agenda is prepared, to put to the Meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of Council Committees, to be considered at the Meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a Meeting under clause 9.6.
- 3.20 The General Manager must not include in the agenda for a Meeting of Council any business of which due notice has been given if, in the opinion of the General Manager, the business is, or the implementation of the business would be, unlawful. The General Manager must report, without giving details of the item of business, any such exclusion to the next Meeting of Council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the Meeting is closed to the public, the General Manager must ensure that the agenda of the Meeting:
 - (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the Meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

(S9(2A)(a))

3.22 The General Manager must ensure that the details of any item of business which, in the opinion of the General Manager, is likely to be considered when the Meeting is closed to the public, are included in a business paper provided to Councillors for the Meeting concerned. Such details must not be included in the business papers made available to the public; and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

3.23 Business papers for all ordinary and extraordinary meetings of the Council and Committees of the Council must contain a statement reminding Councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

Availability of the agenda and business papers to the public

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- 3.2324 Copies of the agenda and the associated business papers, such as correspondence and reports for Meetings of Council and Committees of council, are to be published on Council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of Council, at the relevant Meeting and at such other venues determined by Council. (S9.2 and 9.4)
- 3.2425 Clause 3.23-24 does not apply to the business papers for items of business that the General Manager has identified under clause 3.21 as being likely to be considered when the Meeting is closed to the public.(S9(2A)(b))
- 3.2526 For the purposes of clause 3.2324, copies of agendas and business papers must be published on Council's website and made available to the public at a time that is as close as possible to the time they are available to Councillors. (S9(3))
- 3.2627 A copy of an agenda, or of an associated business paper made available under clause 3.2324, may in addition be given or made available in electronic form. (S9(5))

Agenda and business papers for Extraordinary Meetings

- 3.2728 The General Manager must ensure that the agenda for an Extraordinary Meeting of Council deals only with the matters stated in the notice of the Meeting.
- 3.2829 Despite clause 3.2728, business may be considered at an Extraordinary Meeting of Council, even though due notice of the business has not been given, if:
 - (a) a motion is passed to have the business considered at the Meeting, and
 - (b) the business to be considered is ruled by the Chairperson to be of great urgency on the grounds that it requires a decision by Council before the next scheduled ordinary Meeting of Council.
- 3.2930 A motion moved under clause 3.2829(a) can be moved without notice but only after the business notified in the agenda for the Extraordinary Meeting has been dealt with.
- 3.3031 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.2829(a) can speak to the motion before it is put.
- 3.3132 A motion of dissent cannot be moved against a ruling of the Chairperson under clause 3.2829(b) on whether a matter is of great urgency.

Pre-Meeting briefing sessions

- 3.3233 Prior to each ordinary Meeting of Council, the General Manager may arrange a pre-meeting briefing session to brief Councillors on business to be considered at the Meeting. Pre-meeting briefing sessions may also be held for Extraordinary Meetings of Council and Meetings of Committees of Council.
- 3.3334 Pre-meeting briefing sessions are to be held in the absence of the public.

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Additional Clause Adopted by Council

- 3.3334(a) The pre-meeting briefing sessions referred to in 3.33-34 will generally be held on the Wednesday in the week prior to the ordinary Meeting.
- 3.35 Pre-meeting briefing sessions may be held by audio-visual link
- 3.34<u>36</u> The General Manager or a member of staff nominated by the General Manager is to preside at premeeting briefing sessions.
- 3.3537 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or Council Committee Meeting at which the item of business is to be considered.
- 3.3638 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or Council Committee Meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by Councillor who made the declaration.

4. PUBLIC FORUM

Clauses 4.1 – 4.23-24 - Not Applicable.

Additional Clauses Adopted by Council

- 4.2425 Council will allocate time during Meetings for the purpose of hearing addresses by members of the public in accordance with the following:
- 4.2526 Items on the Agenda
 - (a) Generally, on any given item there will be a maximum of four speakers, usually two speakers for and two speakers against. The number of speakers on any one item may be limited or increased by Council.
 - (b) The Mayor/Chairperson is to ensure that each person is given a maximum of three (3) minutes to speak on an item, unless the number of speakers for any one item is such that a reduction in the maximum time allowed is considered appropriate by Council.

4.2627 Non-agenda Items

(a) Persons who wish to speak on matters which are not included on the agenda will be permitted to do -so after all items on the Business Paper, in respect of- which there is a Public Forum speaker, -have been finalised by Council.

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(b) The Mayor/Chairperson is to ensure that each person is given a maximum of three (3) minutes to speak on any subject, unless the number of speakers at any one Meeting is such that a reduction in the maximum time allowed is considered appropriate by Council.

4.2728 General Procedures

- (a) To speak at Public Forum a person should register with Council prior to the day of the meeting and must identify the item of business on the agenda which they wish to speak on <u>and provide</u> <u>a copy of the address to Council</u>.
- (b) Persons who wish to speak who have not registered prior to the Meeting should contact the Meeting Attendant immediately upon arrival at the Meeting to have their name and item number or subject matter recorded on a Speaker's registration form.
- (c) Generally, preference will be given to speakers who have pre-registered with Council.
- (d) Public Forum speakers are not entitled to ask questions of Council, Councillors or staff.
- (e) Information recorded on Speaker's registration forms may be included in Council's official minutes of the Meeting.
- (f) Persons who wish-have registered to speak on a particular agenda item must raise their hand when the item is called by the Mayor/Chairperson.
- (g) The person is to be asked by the Mayor/Chairperson to introduce themselves prior to commencing to speak, and if they are speaking on behalf of a community group, to be invited to provide details of:
 - the name of the group
 - what position they hold in the group
 - the number of members in the group
 - the authorisation by the group to make representation to Council on the matter

Such details are to be recorded on a Speaker's registration form available from the Meeting Attendant.

- (h) Once all speakers for a topic have finished speaking, the Mayor/Chairperson may call for questions to the speakers from Councillors. Questions put to a speaker must be direct, succinct, and without argument. Speakers are under no obligation to answer the question/s. Any answers by the speaker are to be limited to one minute for each question put. Once these questions are addressed, the speakers are directed to resume their seats.
- (i) The Mayor/Chairperson is responsible for maintaining order. Speakers must obey any direction given by the Mayor/Chairperson. Speakers should confine their remarks to matters relevant to the issue at hand and must refrain from making personal comments or criticisms.
- (j) Public Forum speakers will be permitted to circulate photographs or printed material at Meetings of Council and Committees. This shall be done via the Meeting Attendant only.

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(k) If a member of the public wishes to have electronic material displayed on the screens during the Meeting they must submit this material to Council by 4pm on the day before the Meeting.

5. COMING TOGETHER

Attendance by Councillors at Meetings

5.1 All Councillors must make reasonable efforts to attend Meetings of Council and of Committees of Council of which they are members.

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

- 5.2 A councillor cannot participate in a Meeting of Council or of a Committee of Council unless personally present at the Meeting- unless permitted to attend the meeting by audio-visual link under this Code.
- 5.3 Not Applicable.
- 5.4. Where a councillor is unable to attend one or more ordinary Meetings of Council, the councillor should request that Council grant them a leave of absence from those Meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a Meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.5 A councillor's request for leave of absence from council Meetings should, if practicable, identify (by date) the Meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

Additional clause adopted by Council

- 5.5 (a) The application should be made in writing (via email is acceptable) to the General Manager.
- 5.6 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary Meetings of Council without prior leave of Council, or leave granted by Council at any of the Meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because Council has been suspended under the Act, or as a consequence of a compliance order under section 438HA. (S234(1)(d))
- 5.8 A councillor who intends to attend a Meeting of Council despite having been granted a leave of absence should, if practicable, give the General Manager at least two (2) days' notice of their intention to attend.

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The quorum for a Meeting

- 5.9 The quorum for a Meeting of Council is a majority of Councillors of Council who hold office at that time and are not suspended from office. (S368(1))
- 5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of Council. (S368(2))
- 5.11 A Meeting of Council must be adjourned if a quorum is not present:
 - (a) at the commencement of the Meeting where the number of apologies received for the Meeting indicates that there will not be a quorum for the Meeting, or
 - (b) within half an hour after the time designated for the holding of the Meeting, or
 - (c) at any time during the Meeting.
- 5.12 In either case, the Meeting must be adjourned to a time, date and place fixed:
 - (a) by the Chairperson, or
 - (b) in the Chairperson's absence, by the majority of the Councillors present, or
 - (c) failing that, by the General Manager.
- 5.13 The General Manager must record in Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a Meeting of Council, together with the names of the Councillors present.
- 5.14 Where, prior to the commencement of a Meeting, it becomes apparent that a quorum may not be present at the Meeting, or that the <u>health</u>, safety <u>and-or</u> welfare of Councillors, council staff and members of the public may be put at risk by attending the Meeting because of a natural disaster <u>or</u> <u>a public health emergency</u> (such as, but not limited to flood or bushfire), the mayor may, in consultation with the General Manager and, as far as is practicable, with each councillor, cancel the Meeting. Where a Meeting is cancelled, notice of the cancellation must be published on Council's website and in such other manner that Council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a Meeting is cancelled under clause 5.14, the business to be considered at the Meeting may instead be considered, where practicable, at the next ordinary Meeting of Council or at an Extraordinary Meeting called under clause 3.3.

Attendance by councillors at meetings by audio-visual link

- 5.19 Councillors may attend and participate in meetings of the Council and Committees of the Council by audio-visual link with the approval of the Council or the relevant Committee.
- 5.20 A request by a Councillor for approval to attend a meeting by audio-visual link must be made in writing to the General Manager prior to the meeting in question and must provide reasons why the Councillor will be prevented from attending the meeting in person.

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	Councillors may request approval to attend more than one meeting by audio-visual link. Where a
	Councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.20.
<u>5.22</u>	The Council must comply with the Health Privacy Principles prescribed under the Health Records and Information Privacy Act 2002 when collecting, holding, using and disclosing health information in connection with a request by a Councillor to attend a meeting by audio-visual link.
<u>5.23</u>	A Councillor who has requested approval to attend a meeting of the Council or a Committee of the Council by audio-visual link may participate in the meeting by audio-visual link until the Council or Committee determines whether to approve their request and is to be taken as present at the meeting The Councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
5.24	A decision whether to approve a request by a Councillor to attend a meeting of the Council or a Committee of the Council by audio-visual link must be made by a resolution of the Council or the Committee concerned. The resolution must state:
	 (a) the meetings the resolution applies to, and (b) the reason why the Councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.
5.25	If the Council or Committee refuses a Councillor's request to attend a meeting by audio-visual link their link to the meeting is to be terminated.
5.26	A decision whether to approve a Councillor's request to attend a meeting by audio-visual link is a the Council's or the relevant Committee's discretion. The Council and Committees of the Council must act reasonably when considering requests by Councillors to attend meetings by audio-visual
	link. However, the Council and Committees of the Council are under no obligation to approve a Councillor's request to attend a meeting by audio-visual link where the technical capacity does no exist to allow the Councillor to attend the meeting by these means.
<u>5.27</u>	Councillor's request to attend a meeting by audio-visual link where the technical capacity does no
<u>5.27</u>	Councillor's request to attend a meeting by audio-visual link where the technical capacity does no exist to allow the Councillor to attend the meeting by these means. The Council and Committees of the Council may refuse a Councillor's request to attend a meeting by audio-visual link where the Council or Committee is satisfied that the Councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this Code on one or more previous occasions they have attended a meeting of the Council or a

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	<u>5.30</u>	A Councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the Council or the Committee into disrepute.
	<u>Entitlem</u>	ent of the public to attend council Meetings
	5. 16<u>31</u>	Everyone is entitled to attend a Meeting of Council and Committees of Council. The council must ensure that all Meetings of Council and Committees of Council are open to the public. (S10(1))
	5.17 <u>32</u>	Clause 5.4631 does not apply to parts of Meetings that have been closed to the public under section 10A of the Act.
	5.48 <u>33</u>	A person (whether a councillor or another person) is not entitled to be present at a Meeting of Council or a Committee of Council if expelled from the Meeting:
		 (a) by a resolution of the Meeting, (S10(2)(a)) or (b) by the person presiding at the Meeting if Council has, by resolution, authorised the person presiding to exercise the power of expulsion (S10(2)(b)).

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Webcasting of Meetings

5. 19<u>34</u>	All Meetings of Council and Committees of Council are to be webcast on Council's website. Each
	meeting of the Council or a Committee of the Council is to be recorded by means of an audio or
	audio-visual device.

5.35 At the start of each meeting of the Council or a Committee of the Council, the chairperson must inform the persons attending the meeting that:

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

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

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

Additional Clause Adopted by Council

- 5.4936(a) In line with Clauses 5.4934-36, all Council Meetings will be video streamed live via Council's website and also audio recorded for the purposes of: providing a record of public comment at the Meeting, supporting the democratic process, broadening knowledge and participation in community affairs, and demonstrating Council's commitment to openness and accountability. The audio and video recordings of the non-confidential parts of the Meeting will be made available on Council's website once the Minutes have been finalised.
- 5.37 The recording of a meeting is to be made publicly available on the Council's website for at least 12 months after the meeting.
- 5.38 Clauses 5.36 and 5.37 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.
- 5.39 Recordings of meetings may be disposed of in accordance with the State Records Act 1998.
- 5.20 Clause 5.19 does not apply to parts of a Meeting that have been closed to the public under section 10A of the Act.
- 5.21 At the start of each Meeting the Chairperson is to make a statement informing those in attendance that the Meeting is being webcast and that those in attendance should refrain from making any defamatory statements.
- 5.22 A recording of each Meeting of Council and Committee of Council is to be retained on Council's website for a minimum of six months. Recordings of Meetings may be disposed of in accordance with the State Records Act 1998.

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Attendance of the General Manager and other staff at Meetings

- 5.2340 The General Manager is entitled to attend, but not to vote at, a Meeting of Council or a Meeting of a Committee of Council of which all of the members are Councillors. (S376(1)
- 5.2441 The General Manager is entitled to attend a Meeting of any other Committee of Council and may, if a member of the Council Committee, exercise a vote. (S376(2))
 - 5.2542 The General Manager may be excluded from a Meeting of Council or a Council Committee while Council or Council Committee deals with a matter relating to the standard of performance of the General Manager or the terms of employment of the General Manager. (S376(3)
 - 5.2643 The attendance of other council staff at a Meeting, (other than as members of the public) shall be with the approval of the General Manager.
 - 5.44 The General Manager and other Council staff may attend meetings of the Council and Committees of the Council by audio-visual link. Attendance by Council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the General Manager.

6. THE CHAIRPERSON

The Chairperson at Meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at Meetings of Council. (S369(1))
- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the Meeting by the Councillors present presides at a Meeting of Council. (S369(2))

Election of the Chairperson in the absence of the mayor and deputy mayor

- 6.3 If no Chairperson is present at a Meeting of Council at the time designated for the holding of the Meeting, the first business of the Meeting must be the election of a Chairperson to preside at the Meeting.
- 6.4 The election of a Chairperson must be conducted:
 - (a) by the General Manager or, in their absence, an employee of Council designated by the General Manager to conduct the election, or
 - (b) by the person who called the Meeting or a person acting on their behalf if neither the General Manager nor a designated employee is present at the Meeting, or if there is no General Manager or designated employee.
- 6.5 If, at an election of a Chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the Chairperson is to be the candidate whose name is chosen by lot.

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- 6.6 For the purposes of clause 6.5, the person conducting the election must:
 - (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
 - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the Chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the Meeting.

Chairperson to have precedence

- 6.9 When the Chairperson rises or speaks during a Meeting of Council:
 - (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
 - (b) every councillor present must be silent to enable the Chairperson to be heard without interruption.

7. MODES OF ADDRESS

- 7.1 If the Chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the Chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

8. ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

- 8.1 At its September General Meeting (or as soon as possible thereafter), the Council will determine its general order of business for the ensuing 12 months.
- 8.2 Not Applicable.
- 8.3 The order of business as fixed under clause 8.1 may be altered for a particular Meeting of Council if a motion to that effect is passed at that Meeting. Such a motion can be moved without notice.

Note: Part 13 allows council to deal with items of business by exception.

8.4 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

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9. CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council Meeting

- 9.1 The council must not consider business at a Meeting of Council:
 - (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to Councillors in accordance with clause 3.7 in the case of an ordinary Meeting or clause 3.9 in the case of an Extraordinary Meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a Meeting, if the business:
 - (a) is already before, or directly relates to, a matter that is already before Council, or
 - (b) is the election of a Chairperson to preside at the Meeting, or
 - (c) subject to clause 9.9, is a matter or topic put to the Meeting by way of a mayoral minute, or
 - (d) is a motion for the adoption of recommendations of a Council Committee, including, but not limited to, a Committee of Council.
- 9.3 Despite clause 9.1, business may be considered at a Meeting of Council even though due notice of the business has not been given to the Councillors if:
 - (a) a motion is passed to have the business considered at the Meeting, and
 - (b) the business to be considered is ruled by the Chairperson to be of great urgency on the grounds that it requires a decision by Council before the next scheduled ordinary Meeting of Council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 9.3(b).

Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the Chairperson at a Meeting of Council, the mayor may, by minute signed by the mayor, put to the Meeting without notice any matter or topic that is within the jurisdiction of Council, or of which Council has official knowledge.
- 9.7 A mayoral minute, when put to a Meeting, takes precedence over all business on Council's agenda for the Meeting. The Chairperson (but only if the Chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by Council, a resolution of Council.

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- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent; or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by Council before the next scheduled ordinary Meeting of Council.
 - 9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in Council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, Council must defer consideration of the matter, pending a report from the General Manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

9.11 A recommendation made in a staff report is, so far as it is adopted by Council, a resolution of Council.

Reports of Committees of council

- 9.12 The recommendations of a Committee of Council are, so far as they are adopted by Council, resolutions of Council.
- 9.13 If in a report of a Committee of Council distinct recommendations are made, Council may make separate decisions on each recommendation.

Questions

9.14 A question must not be asked at a Meeting of Council unless it concerns a matter on the agenda of the Meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.

Additional Clause adopted by Council

- 9.14(a) Clause 9.14 does not apply to questions asked of Public Forum speakers in line with Clause 4.27(eh).
 - 9.15 A councillor may, through the Chairperson, put a question to another councillor about a matter on the agenda.
 - 9.16 A councillor may, through the General Manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the General Manager at the direction of the General Manager.
 - 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to decuments information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the Meeting at which it is put, they may take it on notice and report the response to the next Meeting of Council.
 - 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.

Page 18 of 40 Date printed: 27-23 March-February 202219 9.19 The Chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

Additional Clause Adopted by Council

Petitions

9.20. A Councillor may without notice present a petition to the Council during that part of the Meeting designated for the presentation of petitions.

10. RULES OF DEBATE

Motions to be seconded

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

Notices of motion

- 10.2 A councillor who has submitted a Notice of Motion under clause 3.10 is to move the motion the subject of the Notice of Motion at the Meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a Notice of Motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the Meeting at which it is to be considered have been sent to Councillors, the councillor may request the withdrawal of the motion when it is before Council.
- 10.4 In the absence of a councillor who has placed a Notice of Motion on the agenda for a Meeting of Council:
 - (a) any other councillor may, with the leave of the Chairperson, move the motion at the Meeting, or
 - (b) the Chairperson may defer consideration of the motion until the next Meeting of Council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the Chairperson at a Meeting of Council to receive and put to the Meeting any lawful motion that is brought before the Meeting.
- 10.6 The Chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the Chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment, or other matter that the Chairperson has ruled out of order is taken to have been lost.

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Motions requiring the expenditure of funds

10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, Council must defer consideration of the matter, pending a report from the General Manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before Council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the Chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before Council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before Council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.

Page 20 of 40 Date printed: 27-23 March-February 202219 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a Meeting of Council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of Council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the Chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, Council may resolve to shorten the duration of speeches to expedite the consideration of business at a Meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
 - (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) Councillors have spoken in favour of the motion or amendment and at least two (2) Councillors have spoken against it.
- 10.26 The Chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the Chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the Chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All Councillors must be heard without interruption and all other Councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.

Page 21 of 40 Date printed: 27-23 March-February 202219 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the Chairperson must not allow further debate on the matter.

Participation by non-voting representatives in joint organisation board Meetings

10.31 Not Applicable.

11. VOTING

Voting entitlements of Councillors

- 11.1 Each councillor is entitled to one (1) vote. (S370(1))
- 11.2 The person presiding at a Meeting of Council has, in the event of an equality of votes, a second or casting vote. (S370(2))
- 11.3 Where the Chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.
- 11.4 Not Applicable.

Voting at council Meetings

- 11.5 A councillor who is present at a Meeting of Council but who fails to vote on a motion put to the Meeting is taken to have voted against the motion.
- 11.6 Not Applicable.
- 11.7 Not Applicable.
- 11.8 Not Applicable.
- 11.9 Not Applicable.
- 11.10 Voting at a Meeting, including voting in an election at a Meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, Council may resolve that the voting in any election by Councillors for mayor or deputy mayor is to be by secret ballot.
- 11.11 All voting at council Meetings, (including Meetings that are closed to the public), must be recorded in the minutes of Meetings with the names of Councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

Voting on planning decisions

11.12 The General Manager must keep a register containing, for each planning decision made at a Meeting of Council or a Council Committee (including, but not limited to a Committee of Council), the names of the Councillors who supported the decision and the names of any Councillors who opposed (or

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- 11.13 Not Applicable.
- 11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.15 Clauses 11.12–11.14 apply also to Meetings that are closed to the public. (S375A)

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.

12. COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a Council Committee to consider any matter before Council. (S373))
- 12.2 All the provisions of this code relating to Meetings of Council, so far as they are applicable, extend to and govern the proceedings of Council when in Committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.20-10.30 limit the number and duration of speeches.

- 12.3 The General Manager or, in the absence of the General Manager, an employee of Council designated by the General Manager, is responsible for reporting to Council the proceedings of the Committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the Committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the Committee) is recorded in Council's minutes. However, Council is not taken to have adopted the report until a motion for adoption has been made and passed.

13. DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a Committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before Council or Council Committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the Chairperson must list the items of business to be adopted and ask Councillors to identify any individual items of business listed by the Chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or Council Committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.

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- 13.4 Not Applicable.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of Council's code of conduct.

Additional Clause Adopted by Council

13.8 The Council must not resolve to adopt any item of business under Clause 13.1 for which a public speaker has indicated an intention to speak.

14. CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which Meetings can be closed to the public

- 14.1 The council or a Committee of Council may close to the public so much of its Meeting as comprises the discussion or the receipt of any of the following types of matters:
 - (a) personnel matters concerning particular individuals (other than Councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of Council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of Council, Councillors, council staff or council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of Council's code of conduct.
- 14.2 Council or a Committee of Council may also close to the public so much of its Meeting as comprises a motion to close another part of the Meeting to the public. (S10A(3))

Matters to be considered when closing Meetings to the public

- 14.3 A Meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
 - (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality,

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(b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless Council or Council Committee concerned is satisfied that discussion of the matter in an open Meeting would, on balance, be contrary to the public interest.

(S10B(1))

- 14.4 A Meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
 - (a) are substantial issues relating to a matter in which Council or Council Committee is involved, and
 - (b) are clearly identified in the advice, and
 - (c) are fully discussed in that advice.

(S10B(2))

- 14.5 If a Meeting is closed during the discussion of a motion to close another part of the Meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the Meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1. (S10B(3))
- 14.6 For the purpose of determining whether the discussion of a matter in an open Meeting would be contrary to the public interest, it is irrelevant that:
 - (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to Council or Council Committee concerned, or to Councillors or to employees of Council, or
 - (ii) cause a loss of confidence in Council or Council Committee.

(S10B(4))

14.7 In deciding whether part of a Meeting is to be closed to the public, Council or Council Committee concerned must consider any relevant guidelines issued by the <u>Departmental</u> Chief Executive of the Office of Local Government. (S10B(5))

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a Meeting of Council, or of a Committee of Council, may be closed to the public while Council or Council Committee considers a matter that has not been identified in the agenda for the Meeting under clause 3.21 as a matter that is likely to be considered when the Meeting is closed, but only if:
 - (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) Council or Council Committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:

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- (i) should not be deferred (because of the urgency of the matter), and
- (ii) should take place in a part of the Meeting that is closed to the public.

(S10C)

Representations by members of the public

- 14.9 The council, or a Committee of Council, may allow members of the public to make representations to or at a Meeting, before any part of the Meeting is closed to the public, as to whether that part of the Meeting should be closed. (S10A(4))
- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the Meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the Meeting under clause 3.21 as a matter that is likely to be considered when the Meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to Council in the approved form. Applications must be received by 6.30pm before the Meeting at which the matter is to be considered.
- 14.12 The General Manager (or their delegate) may refuse an application made under clause 14.11. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than two speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to Council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the General Manager or their delegate is to determine who will make representations to Council.
- 14.15 The General Manager (or their delegate) is to determine the order of speakers.
- 14.16 Where Council or a Committee of Council proposes to close a Meeting or part of a Meeting to the public in circumstances where the matter has not been identified in the agenda for the Meeting under clause 3.21 as a matter that is likely to be considered when the Meeting is closed to the public, the Chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the Meeting is moved and seconded. The Chairperson is to permit no more than two speakers to make representations in such order as determined by the Chairperson.
- 14.17 Each speaker will be allowed three minutes to make representations, and this time limit is to be strictly enforced by the Chairperson. Speakers must confine their representations to whether the Meeting should be closed to the public. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.

Expulsion of non-Councillors from Meetings closed to the public

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- 14.18 If a Meeting or part of a Meeting of Council or a Committee of Council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the Meeting when requested, may be expelled from the Meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the Meeting, fails to leave the place where the Meeting is being held, a police officer, or any person authorised for the purpose by Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the Meeting.

Obligations of Councillors attending meetings by audio-visual link

 14.20
 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight

 or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing Meetings to the public

- 14.2021 The grounds on which part of a Meeting is closed must be stated in the decision to close that part of the Meeting and must be recorded in the minutes of the Meeting. The grounds must specify the following:
 - (a) the relevant provision of section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the Meeting,
 - (c) the reasons why the part of the Meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open Meeting would be, on balance, contrary to the public interest.

(S10D)

Resolutions passed at closed Meetings to be made public

- 14.2422 If Council passes a resolution during a Meeting, or a part of a Meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the Meeting, or the relevant part of the Meeting, has ended, and the resolution must be recorded in the publicly available minutes of the Meeting.
 - 14.2223 Resolutions passed during a Meeting, or a part of a Meeting, that is closed to the public must be made public by the Chairperson under clause 14.24-22 during a part of the Meeting that is webcast.

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15. KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A councillor may draw the attention of the Chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The Chairperson must suspend the business before the Meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The Chairperson must then rule on the point of order either by upholding it or by overruling it.

Questions of order

- 15.4 The Chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the Chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the Chairperson to the matter.
- 15.6 The Chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of Council.
- 15.7 The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the Chairperson on a point of order or a question of order. If that happens, the Chairperson must suspend the business before the Meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a Meeting of Council or a Committee of Council:
 - (a) contravenes the Act, or anythe Rregulation in force under the Act or this Ccode, or

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- (b) assaults or threatens to assault another councillor or person present at the Meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of Council or the Council Committee, or addresses or attempts to address Council or the Council Committee on such a motion, amendment or matter, or
- (d) insults, or makes personal reflections on unfavouirable personal remarks about or imputes improper motives to any other <u>Ceouncil official</u>, or alleges a breach of Council's code of conduct, or
- (e) says or does anything that is inconsistent with maintaining order at the Meeting or is likely to bring Council or the Council Committee into disrepute.
- 15.12 The Chairperson may require a councillor:
 - to apologise without reservation for an act of disorder referred to in clauses 15.11(a), or (b), or (e) or
 - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
 - (c) to retract and apologise without reservation for <u>any statement that constitutes</u> an act of disorder referred to in clauses 15.11(d) and (e).

How disorder at a Meeting may be dealt with

15.13 If disorder occurs at a Meeting of Council, the Chairperson may adjourn the Meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the Chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.

Expulsion from Meetings

- 15.14 Not Applicable.
- 15.15 All Chairpersons of Meetings of Council and Committees of Council are authorised under this code to expel any person other than a councillor, from a council or Committee Meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of Council or the Council Committee of Council.
- 15.16 Clause 15.15, does not limit the ability of Council or a Committee of Council to resolve to expel a person, including a councillor, from a council or Council Committee Meeting, under section 10(2)(a) of the Act.
- 15.17 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a Meeting of Council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the Meeting for that reason does not prevent any other action from being taken against Councillor for the act of disorder concerned.
- 15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a Meeting of Council for engaging in or having engaged in disorderly conduct at the Meeting.

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- 15.19 Where a councillor or a member of the public is expelled from a Meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the Meeting.
- 15.20 If a councillor or a member of the public fails to leave the place where a Meeting of Council is being held immediately after they have been expelled a police officer, or any person authorised for the purpose by Council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the Meeting.

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

- 15.21
 Where a Councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the Councillor's audio link to the meeting for the purposes of enforcing compliance with this Code.
- 15.22 If a Councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson may terminate the Councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of Meetings

- 15.2423 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during Meetings of Council and Committees of Council.
- 15.2224 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a Meeting of Council or a Committee of Council without the prior authorisation of Council or the Council Committee.
 - 15.2325 Without limiting clause 15.18, a contravention of clause 15.24 or an attempt to contravene that clause constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.2224, may be expelled from the Meeting as provided for under section 10(2) of the Act.
- 15.2426 If any such person, after being notified of a resolution or direction expelling them from the Meeting, fails to leave the place where the Meeting is being held, a police officer, or any person authorised for the purpose by Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the Meeting.

16. CONFLICTS OF INTEREST

16.1 All Councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at Meetings of Council and Committees of Council in accordance with Council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the Meeting at which the declaration was made.

Page 30 of 40 Date printed: 27-23 March-February 202219 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the Council's Code of Conduct. Where a Councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the Councillor's audio-visual link to the meeting must be suspended or terminated and the Councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the Council or Committee, or at any time during which the Council or Committee is voting on the matter.

17. DECISIONS OF THE COUNCIL

Council decisions

- 17.1 A decision supported by a majority of the votes at a Meeting of Council at which a quorum is present is a decision of Council. (S371)
- 17.2 Decisions made by Council must be accurately recorded in the minutes of the Meeting at which the decision is made.

Rescinding or altering council decisions

17.3 A resolution passed by Council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10. (372(1))

Additional Clause Adopted by Council

- 17.3(a) If it is proposed to move a further motion in the event that a rescission motion is carried, the motion proposed to be moved should be foreshadowed at the same time as the Notice of Rescission Motion is lodged.
- 17.4 If a Notice of Motion to rescind a resolution is given at the Meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with. (372(2))
- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10. (S372(3))
- 17.6 A Notice of Motion to alter or rescind a resolution, and a Notice of Motion which has the same effect as a motion which has been lost, must be signed by three (3) Councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost. (372(4))
- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the Meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same. (372(5))
- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment. (372(7))

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- 17.9 A Notice of Motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the Notice of Motion.
- 17.10 Not Applicable.
- 17.11 A motion to alter or rescind a resolution of Council may be moved on the report of a Committee of Council and any such report must be recorded in the minutes of the Meeting of Council. (372(6))
- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:
 - (a) a notice of motion signed by three councillors is submitted to the chairperson, and
 - (b) a motion to have the motion considered at the meeting is passed, and
 - (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.
- 17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

- 17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
 - (a) to correct any error, ambiguity or imprecision in the council's resolution, or
 - (b) to confirm the voting on the resolution.
- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.
- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18. TIME LIMITS ON COUNCIL MEETINGS

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- 18.1 Meetings of Council and Committees of Council are to conclude no later than 11pm.
- 18.2 If the business of the Meeting is unfinished at 11pm, Council or the Council Committee may, by resolution, extend the time of the Meeting.
- 18.3 If the business of the Meeting is unfinished at 11pm, and Council does not resolve to extend the Meeting, the Chairperson must either:
 - defer consideration of the remaining items of business on the agenda to the next ordinary Meeting of Council, or
 - (b) adjourn the Meeting to a time, date and place fixed by the Chairperson.
- 18.4 Clause 18.3 does not limit the ability of Council or a Committee of Council to resolve to adjourn a Meeting at any time. The resolution adjourning the Meeting must fix the time, date and place that the Meeting is to be adjourned to.
- 18.5 Where a Meeting is adjourned under clause 18.3 or 18.4, the General Manager must:
 - (a) individually notify each councillor of the time, date and place at which the Meeting will reconvene, and
 - (b) publish the time, date and place at which the Meeting will reconvene on Council's website and in such other manner that the General Manager is satisfied is likely to bring notice of the time, date and place of the reconvened Meeting to the attention of as many people as possible.

19. AFTER THE MEETING

Minutes of Meetings

- 19.1 The council is to keep full and accurate minutes of the proceedings of Meetings of Council. (S375(1))
- 19.2 At a minimum, the General Manager must ensure that the following matters are recorded in Council's minutes:
 - (a) the names of Councillors attending a Council meeting and whether they attended the meeting in person or by audio-visual link,
 - (ab) details of each motion moved at a council Meeting and of any amendments moved to it,
 - (bc) the names of the mover and seconder of the motion or amendment,
 - (cd) whether the motion or amendment was passed or lost, and
 - (de) such other matters specifically required under this Ceode.
- 19.3 The minutes of a council Meeting must be confirmed at a subsequent Meeting of Council. (S375(2))
- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the Meeting they relate to.

Additional Clauses Adopted by Council

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- 19.4(a) Wherever possible, a Councillor who believes or suspects that any part of a set of minutes to be confirmed at a Meeting of the Council is not full or accurate, must notify the Governance and Customer Service Branch prior to the Meeting at which the minutes are to be confirmed to enable the fullness and accuracy of the minutes to be clarified.
- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent Meeting. (S375(2))
- 19.6 The confirmed minutes of a Meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the Meeting.
- 19.7 The confirmed minutes of a council Meeting must be published on Council's website <u>http://www.hornsby.nsw.gov.au/council/about-council/Meetings</u>. This clause does not prevent Council from also publishing unconfirmed minutes of its Meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a Meeting

- 19.8 The council and Committees of Council must, during or at the close of a Meeting, or during the business day following the Meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the Meeting. (S11(1))
- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the Meeting when the Meeting was closed to the public. (S11(2))
- 19.10 Clause 19.8 does not apply if Council or the Council Committee resolves at the Meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act. (S11(3))
- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of Council

19.12 The General Manager is to implement, without undue delay, lawful decisions of Council. (S335(b))

Additional Clause Adopted by Council

19.12(a) Any resolution of Council that has not been substantially implemented within two (2) months is to be detailed in a quarterly report to Council (in February, May, August and November) which outlines the reasons for not being finalised and/or any impediments to the implementation of the resolution.

20. COUNCIL COMMITTEES

Application of this Part

Page 34 of 40 Date printed: 27-23 March-February 202219 20.1 This Part only applies to Committees of Council whose members are all Councillors.

Council Committees whose members are all Councillors

- 20.2 The council may, by resolution, establish such Committees as it considers necessary.
- 20.3 A Committee of Council is to consist of the mayor and such other Councillors as are elected by the Councillors or appointed by Council.
- 20.4 The quorum for a Meeting of a Committee of Council is to be:
 - (a) such number of members as Council decides, or
 - (b) if Council has not decided a number a majority of the members of the Committee.

Functions of Committees

20.5 The council must specify the functions of each of its Council Committees when the Committee is established, but may from time to time amend those functions.

Notice of Committee Meetings

- 20.6 The General Manager must send to each councillor, regardless of whether they are a Committee member, at least three (3) days before each Meeting of the Committee, a notice specifying:
 - (a) the time, date and place of the Meeting, and
 - (b) the business proposed to be considered at the Meeting.
- 20.7 Notice of less than three (3) days may be given of a Council Committee Meeting called in an emergency.

Attendance at Committee Meetings

- 20.8 A Committee member (other than the mayor) ceases to be a member of a Committee if the Committee member:
 - (a) has been absent from three (3) consecutive Meetings of the Committee without having given reasons acceptable to the Committee for the member's absences, or
 - (b) has been absent from at least half of the Meetings of the Committee held during the immediately preceding year without having given to the Committee acceptable reasons for the member's absences.
- 20.9 Clause 20.8 does not apply if all of the members of Council are members of the Committee.

Non-members entitled to attend Committee Meetings

20.10 A councillor who is not a member of a Committee of Council is entitled to attend, and to speak at a Meeting of the Committee. However, Councillor is not entitled:

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- (a) to give notice of business for inclusion in the agenda for the Meeting, or
- (b) to move or second a motion at the Meeting, or
- (c) to vote at the Meeting.

Chairperson and deputy Chairperson of council Committees

- 20.11 The Chairperson of each Committee of 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 Council, or
 - (c) if Council does not elect such a member, a member of the Committee elected by the Committee.
- 20.12 The council may elect a member of a Committee of Council as deputy Chairperson of the Committee. If Council does not elect a deputy Chairperson of such a Committee, the Committee may elect a deputy Chairperson.
- 20.13 If neither the Chairperson nor the deputy Chairperson of a Committee of Council is able or willing to preside at a Meeting of the Committee, the Committee must elect a member of the Committee to be acting Chairperson of the Committee.
- 20.14 The Chairperson is to preside at a Meeting of a Committee of Council. If the Chairperson is unable or unwilling to preside, the deputy Chairperson (if any) is to preside at the Meeting, but if neither the Chairperson nor the deputy Chairperson is able or willing to preside, the acting Chairperson is to preside at the Meeting.

Procedure in Committee Meetings

- 20.15 Subject to any specific requirements of this code, each Committee of Council may regulate its own procedure. The provisions of this code are to be taken to apply to all Committees of Council unless Council or the Committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a Meeting of the Committee is equal, the Chairperson of the Committee is to have a casting vote as well as an original vote unless Council or the Committee determines otherwise in accordance with clause 20.15.
- 20.17 Not Applicable.
- 20.18 Voting at a council Committee Meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of Committee Meetings to the public

20.19 The provisions of the Act and Part 14 of this code apply to the closure of Meetings of Committees of Council to the public in the same way they apply to the closure of Meetings of Council to the public.

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- 20.20 If a Committee of Council passes a resolution, or makes a recommendation, during a Meeting, or a part of a Meeting that is closed to the public, the Chairperson must make the resolution or recommendation public as soon as practicable after the Meeting or part of the Meeting has ended, and report the resolution or recommendation to the next Meeting of Council. The resolution or recommendation must also be recorded in the publicly available minutes of the Meeting.
- 20.21 Resolutions passed during a Meeting, or a part of a Meeting that is closed to the public must be made public by the Chairperson under clause 20.20 during a part of the Meeting that is webcast.

Disorder in Committee Meetings

20.22 The provisions of the Act and this code relating to the maintenance of order in council Meetings apply to Meetings of Council in the same way as they apply to Meetings of Council.

Minutes of council Committee Meetings

- 20.23 Each Committee of Council is to keep full and accurate minutes of the proceedings of its Meetings. At a minimum, a Committee must ensure that the following matters are recorded in the Committee's minutes:
 - (a) the names of Councillors attending a meeting and whether they attended the meeting in person or by audio-visual link
 - (ab) details of each motion moved at a Meeting and of any amendments moved to it,
 - (bc) the names of the mover and seconder of the motion or amendment,
 - $(\underline{e\underline{d}})$ whether the motion or amendment was passed or lost, and
 - (de) such other matters specifically required under this code.
- 20.24 All voting at Meetings of Committees of Council (including Meetings that are closed to the public), must be recorded in the minutes of Meetings with the names of Councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.25 The minutes of Meetings of each Committee of Council must be confirmed at a subsequent Meeting of the Committee.
- 20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the Meeting they relate to.
- 20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent Meeting.
- 20.28 The confirmed minutes of a Meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the Meeting.
- 20.29 The confirmed minutes of a Meeting of a Committee of Council must be published on Council's website. This clause does not prevent Council from also publishing unconfirmed minutes of Meetings of Committees of Council on its website prior to their confirmation.

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21. IRREGULARITES

21.1 Proceedings at a Meeting of a council or a council Committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the Meeting to any councillor or Committee member, or
- (c) any defect in the election or appointment of a councillor or Committee member, or
- (d) a failure of a councillor or a Committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or Committee Meeting in accordance with Council's code of conduct, or
- (e) a failure to comply with this code.

(S374)

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22. DEFINITIONS

the Act	means the Local Government Act 1993
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment
	to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between
	persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or
	part of which is observed as a public holiday throughout New South Wales
Chairperson	in relation to a Meeting of Council - means the person presiding at the
	Meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of
	this code, and
	in relation to a Meeting of a Committee – means the person presiding at
	the Meeting as provided by clause 20.11 of this code
this code	means Council's adopted code of Meeting practice
Committee of Council	means a Committee established by Council in accordance with clause
	20.2 of this code (being a Committee consisting only of Councillors) or
	Council when it has resolved itself into Committee of the whole under
	clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local
	Councils in NSW
day	means calendar day
division	means a request by two Councillors under clause 11.7 of this code
	requiring the recording of the names of Councillors who voted both for and
	against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under
	clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this
	code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic
	voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under
	the Environmental Planning and Assessment Act 1979 including any
	decision relating to a development application, an environmental planning
	instrument, a development control plan or a development contribution plan
	under that Act, but not including the making of an order under Division 9.3
	of Part 9 of that Act
performance improvement	means an order issued under section 438A of the Act
order	
quorum	means the minimum number of Councillors or Committee members
	necessary to conduct a Meeting
the Regulation	means the Local Government (General) Regulation 2005-2021
webcast	a video or audio broadcast of a Meeting transmitted across the internet
	either concurrently with the Meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June
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Date printed: 27-23 March February 202219

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ATTACHMENT/S

REPORT NO. CS17/22

ITEM 4

1. HSC INVESTMENT SUMMARY REPORT DECEMBER 2021

2. HSC INVESTMENT SUMMARY REPORT NOVEMBER 2021

3. HSC INVESTMENT SUMMARY REPORT OCTOBER 2021

4. HSC BORROWINGS SCHEDULE DECEMBER 2021

5. HSC BORROWINGS SCHEDULE NOVEMBER 2021

6. HSC BORROWINGS SCHEDULE OCTOBER 2021

December 2021





ATTACHMENT 1 - ITEM 4

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Hornsby Shire Council Investment Holdings Report - December 2021

		Ħ	6	A+	8	+	-+
		Credit	Ratin	A	BBB	BBB+	-AA-
		Institution		Macquarie Bank	AMP Bank	ME Bank	Westpac Group
		Current	Yield	0.4000%	0.5500%	0.2000%	0.4500%
-	Cash Accounts	Face C	Value (\$)	10,058,940.44	10,006,706.43	10,475,047.59	21,749,586.79

Face Current Value (\$) Vield	Institution	on Credit Rating	t Fund Name	Current Value (\$)
23,051,135.37 9.9932%	NSW T-Corp (MT)		TCm Medium Term Growth	23,051,135.37
23,051,135.37 9.9932%				23,051,135.37
	NSW T-Corp (M		Medium Term Growth	

Purchase	Maturity	Term	Face		ta affreid an	Credit	Book	Current
Date	Date	Days	Value (\$)	kate	TUSCIENTION	Rating	Value (\$)	Value (\$)
11-Aug-21	5-Jan-22	147	2,000,000.00	0.4100%	Bank of Queensland	BBB+	2,000,000.00	2,003,190.14
5-Feb-20	9-Feb-22	735	3,000,000.00	1.6500%	ING Bank (Australia)	А	3,000,000.00	3,044,753.42
12-Feb-20	14-Feb-22	733	5,500,000.00	1.6000%	Westpac Group	-AA-	5,500,000.00	5,577,873.97
22-Feb-19	22-Feb-22	1096	3,000,000.00	3.0500%	Newcastle Permanent Building Society	BBB	3,000,000.00	3,078,464.38
17-Nov-21	17-May-22	181	140,000.00	0.1500%	Westpac Group	-AA-	140,000.00	140,025.89
19-0ct-21	19-May-22	212	50,000.00	0.2000%	Westpac Group	AA-	50,000.00	50,020.27
15-Dec-21	15-Jun-22	182	91,313.00	0.1500%	Westpac Group	-AA-	91,313.00	91,319.38
8-Jul-20	8-Jul-22	730	2,500,000.00	1.2000%	AMP Bank	BBB	2,500,000.00	2,514,547.95
30-Nov-21	29-Jul-22	241	5,000,000.00	0.6100%	Bank of Queensland	BBB+	5,000,000.00	5,002,673.97
1-Dec-21	2-Aug-22	244	5,000,000.00	0.6100%	Bank of Queensland	BBB+	5,000,000.00	5,002,590.41

HORNSBY

Current Value (\$)

10,058,940.44 10,006,706.43 10,475,047.59 21,749,586.79 27,872.94 52,318,154.19

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NSW T-Corp (Cash)

0.4093% 0.1911%

52,318,154.19 27,872.94

ITEM 4

ATTACHMENT 1 -

HORNSBY

erm Deposits

Investment Holdings Report - December 2021

Hornsby Shire Council

118,825,955.68	117,781,313.00			1.3976%	117,781,313.00			
3,022,109.59	3,000,000.00	-AA-	National Australia Bank	1.0000%	3,000,000.00	1461	7-Apr-25	7-Apr-21
9,213,041.10	9,000,000.6	A+	Rabobank Australia	3.0000%	9,000,000.00	1821	13-Mar-24	19-Mar-19
10,236,712.33	10,000,000.00	A+	Rabobank Australia	3.0000%	10,000,000.00	1814	6-Mar-24	19-Mar-19
10,009,945.21	10,000,000.00	-AA-	Westpac Group	1.2100%	10,000,000.00	733	5-Dec-23	2-Dec-21
5,006,838.36	5,000,000.00	-AA-	Westpac Group	1.2800%	5,000,000.00	730	23-Nov-23	23-Nov-21
10,015,410.96	10,000,000.00	-AA-	Westpac Group	1.2500%	10,000,000.00	728	15-Nov-23	17-Nov-21
5,011,972.60	5,000,000.00	BBB+	Bank of Queensland	0.9500%	5,000,000.00	1098	4-0ct-23	1-0ct-20
5,012,883.56	5,000,000.00	BBB+	Bank of Queensland	0.9500%	5,000,000.00	916	29-Mar-23	24-Sep-20
5,014,931.51	5,000,000.00	BBB+	Bank of Queensland	1.0000%	5,000,000.00	912	15-Mar-23	14-Sep-20
5,001,746.58	5,000,000.00	-AA-	National Australia Bank	0.7500%	5,000,000.00	364	14-Dec-22	15-Dec-21
2,503,219.18	2,500,000.00	BBB	AMP Bank	1.0000%	2,500,000.00	365	15-Nov-22	15-Nov-21
5,204,164.38	5,000,000.00	BBB+	Bank of Queensland	1.8000%	5,000,000.00	1001	21-Sep-22	26-Sep-19
4,011,868.49	4,000,000.00	BBB+	Bank of Queensland	0.9500%	4,000,000.00	728	7-Sep-22	9-Sep-20
5,006,961.64	5,000,000.00	-AA-	Commonwealth Bank of Australia	0.4200%	5,000,000.00	356	24-Aug-22	2-Sep-21
5,007,019.18	5,000,000.00	-AA-	Commonwealth Bank of Australia	0.4200%	5,000,000.00	350	17-Aug-22	1-Sep-21
3,041,671.23	3,000,000.00	BBB+	Bank of Queensland	1.0000%	3,000,000.00	728	10-Aug-22	12-Aug-20
Current Value (\$)	Book Value (\$)	Credit Rating	Institution	Rate	Face Value (\$)	Term Days	Maturity Date	Purchase Date

Current Value (\$)

Book

Value (\$) 15,000,000.00

Credit Rating

Security Name

Current Rate

Face Value (\$)

15,000,000.00

1826

Attachment to Report No. CS17/22 Page 4

15,011,272.60 15,009,419.01

15,000,000.00 15,000,000.00 15,000,000.00

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ANZ Banking Group BBSW+1.00% Westpac Group BBSW+0.98% ANZ Banking Group BBSW+1.00%

> 1.0418%1.0615%

15,000,000.00 15,000,000.00

1827

11-Sep-23 12-Sep-23

1826

4-Sep-23 3-Sep-23

15,000,000.00

1826

12-Sep-18

1.0550% 1.0387%

Westpac Group BBSW+0.98%

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15,012,379.03

15,008,288.42

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Term loating Rate Term Deposits Maturity Date Purchase Date

3-Sep-18 4-Sep-18 10-Sep-18

Investment Holdings Report - December 2021

Floating Rate Term Deposits	Term Depos	sits						
Purchase Date	Maturity Date	Term	Face Value (\$)	Current Rate	Security Name	Credit Rating	Book Value (\$)	Current Value (\$)
			60,000,000.00	1.0493%			60,000,000.00	60,041,359.06
Floating Rate Notes	Notes							
Purchase Date	Maturity Date	Term	Face Value (\$)	Current Rate	Security Name	Credit Rating	Book Value (\$)	Current Value (\$)
19-0ct-18	19-Jan-22	1188	2,500,000.00	1.0452%	BEN Snr FRN (Jan22) BBSW+1.01%	BBB+	2,512,350.00	2,506,137.99
26-Sep-18	26-Sep-23	1826	9,000,000.00	.9918%	NAB Snr FRN (Sep23) BBSW+0.93%	AA-	9,120,960.00	9,102,793.66
16-Nov-18	16-Nov-23	1826	7,000,000.00	.9949%	WBC Snr FRN (Nov23) BBSW+0.95%	-AA-	7,100,450.00	7,095,646.93
24-Oct-19	24-Oct-24	1827	1,500,000.00	1.1620%	GSB Snr FRN (Oct24) BBSW+1.12%	BBB	1,490,610.00	1,526,542.23
4-Feb-20	4-Feb-25	1827	4,200,000.00	1.1650%	NPBS Snr FRN (Feb25) BBSW+1.12%	BBB	4,166,778.00	4,270,523.18
2-Dec-20	2-Dec-25	1826	3,400,000.00	.5785%	BEN Snr FRN (Dec25) BBSW+0.52%	BBB+	3,400,000.00	3,380,774.63
9-Dec-20	9-Dec-25	1826	10,000,000.00	.5407%	MAC Snr FRN (Dec25) BBSW+0.48%	A+	10,000,000.00	9,941,772.85
24-Feb-21	24-Feb-26	1826	2,100,000.00	.4950%	SUN Snr FRN (Feb26) BBSW+0.45%	A+	2,100,000.00	2,085,647.22
18-Aug-21	24-Aug-26	1832	4,700,000.00	.4550%	NAB Snr FRN (Aug26) BBSW+0.41%	AA-	4,700,000.00	4,659,174.38
9-Sep-21	15-Sep-26	1832	4,250,000.00	.5421%	SUN Snr FRN (Sep26) BBSW+0.48%	A+	4,250,000.00	4,206,235.56
21-Sep-21	23-Dec-26	1919	6,000,000.00	.4721%	CBA Green Snr FRN (Dec26) BBSW+0.41%	AA-	6,000,000.00	5,933,558.40
			54,650,000.00	.7471%			54,841,148.00	54,708,807.03
Total Investments	nents							
			Face Value (\$)					Current Value (\$)
			307,800,602.56					308,973,284.27

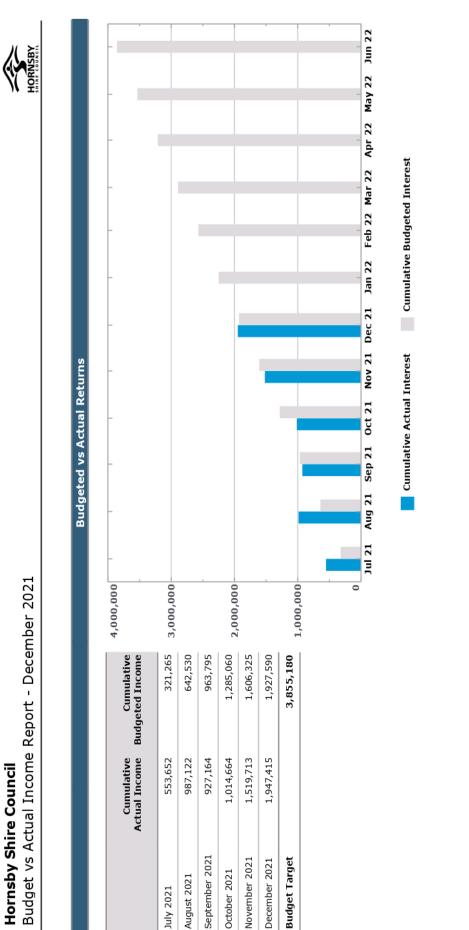
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ITEM 4

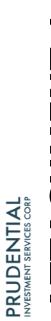
ATTACHMENT 1 -











Current B					
	Current Breakdown		Hist	Historical Portfolio Exposure to Non Fossil Fuel Lending ADIs	
ADI Lending Status *	Current Month (\$)	Previous Month (\$)	320M		9 -
Fossil Fuel Lending ADIs					
AMP Bank	15,006,706	15,002,034	MORC		80
ANZ Group	30,000,000	30,000,000			
Bank of Queensland	39,000,000	45,000,000			V
ING Bank Australia	3,000,000	3,000,000			5
Macquarie Bank	20,058,940	20,055,534	160M -		
National Australia Bank	21,700,000	16,700,000			40
Westpac Group	64,530,900	62,023,083			
	193,296,547 63%	191,780,651 62%	80M -		
Non Fossil Fuel Lending ADIs					- 20
Bendigo and Adelaide Bank	5,900,000	5,900,000			
Great Southern Bank	1,500,000	1,500,000	N		ĉ
Members Equity Bank	10,475,048	14,473,269	Jan 21	Feb 21 Mar 21 Apr 21 May 21 Jun 21 Jul 21 Aug 21 Sep 21 Oct 21 Nov 21 C	Dec 21
Newcastle Permanent Building Society	7,200,000	7,200,000			
Rabobank Australia	19,000,000	19,000,000		Portfolio Size (LHS)	
Suncorp Bank	6,350,000	6,350,000		% Invested in Non-Fossil Fuel Lending ADIs and Socially Response Investments (RHS)	
	50,425,048 16%	54,423,269 18%			
Other				% Invested in Non-Fossil Fuel Lending ADIs (RHS)	
NSW T-Corp (Cash)	27,873	27,868		% Invested in Socially Responsible Investments (RHS)	
NSW T-Corp (MT)	23,051,135	22,865,414			
	23,079,008 7%	22,893,282 7%			
Socially Responsible Investment					
CBA (Green)	16,000,000	26,000,000			
Westpac Group (Green TD)	25,000,000	15,000,000			
	41,000,000 13%	41,000,000 13%			
	307,800,603	310,097,202			

20%

%0

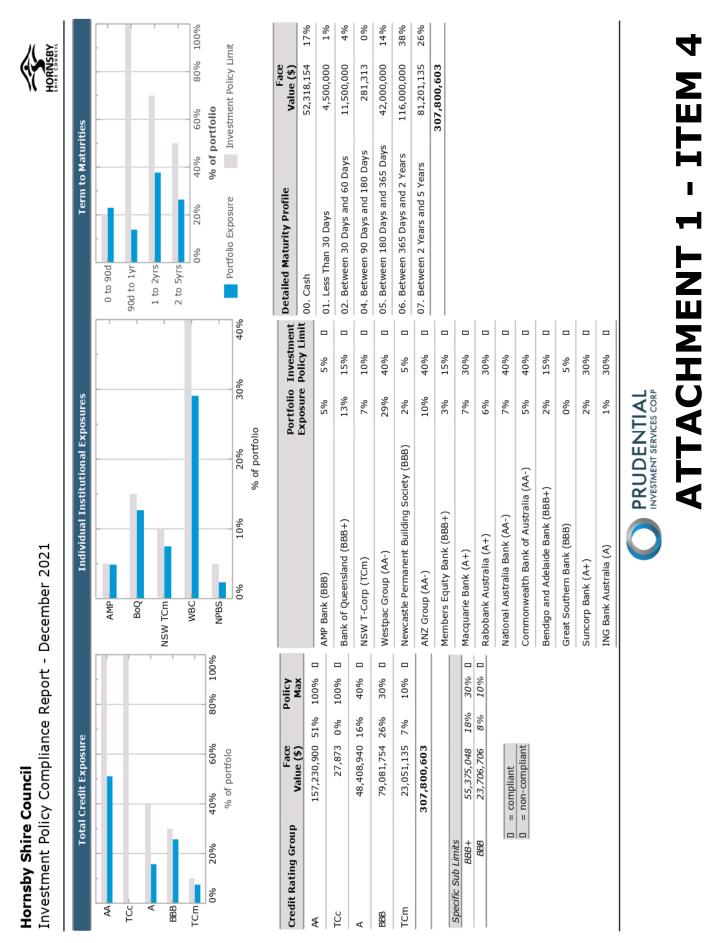
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80%

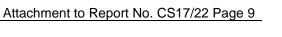
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Attachment to Report No. CS17/22 Page 7



Investment Summary Report November 2021

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Executive Summary - November 2021	- November	2021						HOR	HORNSBY
	Investment Holdings	Holdings					Investment Performance		
By Product	Face Value (\$)	Current Value (\$)	Current FYTD Yield (%) Yield (%)	FYTD ield (%)	4.0%	-	-	-	-
Cash	47,300,475.43	47,300,475.43	0.4053	0.4102	3.0%		2.53%	9	
Floating Rate Note	54,650,000.00	54,749,253.13	0.7185	0.7637	900 C		2.12% 2.31%	7062 1	1.77%
Floating Rate Term Deposits	60,000,000.00	60,138,456.83	1.0029	1.0082	1.25%		4.58%	80 C L L	
Managed Funds	22,865,413.94	22,865,413.94	16.0770	4.1993	1.0%	%86'			
Term Deposit	125,281,313.00	126,301,359.92	1.2770	1.2666	.03%	% .01%01%	.02% .04% .05% .03% .04%	.02% .01%01%	% .07%
	310,097,202.37	311,354,959.25	1.7690	1.0023	0%0 -			59%	2
					Dec	20 Jan 21 Feb 21	Dec 20 Jan 21 Feb 21 Mar 21 Apr 21 May 21 Jun 21 Jul 21 Aug 21 Sep 21 Oct 21 Nov 21	ul 21 Aug 21 Sep 21 Oct 2 BBA Cach Bate	21 Nov 21
			Inves	tment Pol	Investment Policy Compliance				
Total Cre	Total Credit Exposure		Highest I	ndividual	Highest Individual Exposures vs Policy	vs Policy	Term to M	Term to Maturities	
W		4	AMP	-	-			Face Value (\$)	Policy Max
TCc -			BoO	-		-	Between 0 and 90 days	90,891,788 29%	20%
A		mor wow	, <u>u</u>				Between 90 days and 1 year	32,190,000 10%	100%
BBB							Between 1 and 2 years	106,000,000 34%	70%
			WBC			_	Between 2 and 5 years	75,015,414 24%	50%
0% 20% 40%	60% f nortfolio	80% 100% NF	NPBS				Between 5 and 10 years	6,000,000 2%	10%
Portfolio Exnosure	Investment Policy Limit	icv I imit	%0	10%	20%	30% 40%	8	310,097,202	
				8	% of portfolio				
			U		PRUDENTIAL INVESTMENT SERVICES CORP	IAL s corp			

Hornsby Shire Council

ITEM 4

ATTACHMENT 2 -

Cash Accounts

Investment Holdings Report - November 2021

HORNSBY

Current Value (\$)

10,002,034.25 16,741,770.42

-AA-888 +A BBB+

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NSW T-Corp (Cash)

Credit Rating

Institution Westpac Group AMP Bank Macquarie Bank ME Bank

Current Yield

Face Value (\$)

0.4500%

16,741,770.42

0.5500% 0.4000% 0.2000% 0.6462%

10,002,034.25 10,055,533.80 10,473,268.54

10,055,533.80 10,473,268.54 27,868.42 47,300,475.43 Current Value (\$)

Fund Name

Credit Rating

Institution NSW T-Corp (MT)

Current Yield

Face Value (\$) 22,865,413.94

Managed Funds

16.0770%

0.4053%

47,300,475.43

27,868.42

Medium Term Growth

TCm

22,865,413.94

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			22,865,413.94	16.0770%				22,865,413.94
Term Deposits	s							
Purchase Date	Maturity Date	Term Days	Face Value (\$)	Rate	Institution	Credit Rating	Book Value (\$)	Current Value (\$)
19-Nov-20	1-Dec-21	377	2,500,000.00	0.6000%	Westpac Group	AA-	2,500,000.00	2,515,493.15
1-Dec-20	1-Dec-21	365	10,000,000.00	0.5900%	Commonwealth Bank of Australia	-AA-	10,000,000.00	10,059,000.00
2-Jun-21	8-Dec-21	189	5,000,000.00	0.4500%	Bank of Queensland	BBB+	5,000,000.00	5,011,219.18
2-Jun-21	9-Dec-21	190	3,000,000.00	0.4500%	Bank of Queensland	BBB+	3,000,000.00	3,006,731.51
16-Dec-20	15-Dec-21	364	3,000,000.00	0.5500%	Bank of Queensland	BBB+	3,000,000.00	3,015,821.92
15-Dec-20	15-Dec-21	365	91,313.00	0.3500%	Westpac Group	-AA-	91,313.00	91,620.34
12-Aug-21	22-Dec-21	132	4,000,000.00	0.4000%	ME Bank	BBB+	4,000,000.00	4,004,865.75
11-Aug-21	5-Jan-22	147	2,000,000.00	0.4100%	Bank of Queensland	BBB+	2,000,000.00	2,002,493.70
5-Feb-20	9-Feb-22	735	3,000,000.00	1.6500%	ING Bank (Australia)	А	3,000,000.00	3,040,549.32
12-Feb-20	14-Feb-22	733	5,500,000.00	1.6000%	Westpac Group	-AA-	5,500,000.00	5,570,400.00

HORNSBY

Current Value (\$) 3,070,693.15 140,008.05 50,011.78 2,512,000.00 5,000,083.56 3,039,123.29 5,005,178.08 4,008,641.10
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l erm Deposits								
Purchase Date	Maturity Date	Term Days	Face Value (\$)	Rate	Institution	Credit Rating	Book Value (\$)	Current Value (\$)
22-Feb-19	22-Feb-22	1096	3,000,000.00	3.0500%	Newcastle Permanent Building Society	BBB	3,000,000.00	3,070,693.15
17-Nov-21	17-May-22	181	140,000.00	0.1500%	Westpac Group	-AA-	140,000.00	140,008.05
19-0ct-21	19-May-22	212	50,000.00	0.2000%	Westpac Group	AA-	50,000.00	50,011.78
8-Jul-20	8-Jul-22	730	2,500,000.00	1.2000%	AMP Bank	BBB	2,500,000.00	2,512,000.00
30-Nov-21	29-Jul-22	241	5,000,000.00	0.6100%	Bank of Queensland	BBB+	5,000,000.00	5,000,083.56
12-Aug-20	10-Aug-22	728	3,000,000.00	1.0000%	Bank of Queensland	BBB+	3,000,000.00	3,039,123.29
1-Sep-21	17-Aug-22	350	5,000,000.00	0.4200%	Commonwealth Bank of Australia	-AA-	5,000,000.00	5,005,235.62
2-Sep-21	24-Aug-22	356	5,000,000.00	0.4200%	Commonwealth Bank of Australia	-AA-	5,000,000.00	5,005,178.08
9-Sep-20	7-Sep-22	728	4,000,000.00	0.9500%	Bank of Queensland	BBB+	4,000,000.00	4,008,641.10
26-Sep-19	21-Sep-22	1091	5,000,000.00	1.8000%	Bank of Queensland	BBB+	5,000,000.00	5,196,520.55
15-Nov-21	15-Nov-22	365	2,500,000.00	1.0000%	AMP Bank	BBB	2,500,000.00	2,501,095.89
14-Sep-20	15-Mar-23	912	5,000,000.00	1.0000%	Bank of Queensland	BBB+	5,000,000.00	5,010,684.93
24-Sep-20	29-Mar-23	916	5,000,000.00	0.9500%	Bank of Queensland	BBB+	5,000,000.00	5,008,849.32
1-0ct-20	4-0ct-23	1098	5,000,000.00	0.9500%	Bank of Queensland	BBB+	5,000,000.00	5,007,938.36
17-Nov-21	15-Nov-23	728	10,000,000.00	1.2500%	Westpac Group	-AA-	10,000,000.00	10,004,794.52
23-Nov-21	23-Nov-23	730	5,000,000.00	1.2800%	Westpac Group	-AA-	5,000,000.00	5,001,402.74
19-Mar-19	6-Mar-24	1814	10,000,000.00	3.0000%	Rabobank Australia	A+	10,000,000.00	10,211,232.88
19-Mar-19	13-Mar-24	1821	9,000,000.00	3.0000%	Rabobank Australia	A+	9,000,000.00	9,190,109.59
7-Apr-21	7-Apr-25	1461	3,000,000.00	1.0000%	National Australia Bank	-AA-	3,000,000.00	3,019,561.64
			125,281,313.00	1.2770%			125,281,313.00	126,301,359.92

ATTACHMENT 2 - ITEM 4

PRUDENTIAL INVESTMENT SERVICES CORP



Investment Holdings Report - November 2021

Hornsby Shire Council

Investment Holdings Report - November 2021

Hornsby Shire Council

loating Rate	Floating Rate Term Deposits	sits						
Purchase Date	Maturity Date	Term	Face Value (\$)	Current Rate	Security Name	Credit Rating	Book Value (\$)	Current Value (\$)
3-Sep-18	3-Sep-23	1826	15,000,000.00	.9948%	Westpac Group BBSW+0.98%	-AA-	15,000,000.00	15,036,385.15
4-Sep-18	4-Sep-23	1826	15,000,000.00	1.0120%	ANZ Banking Group BBSW+1.00%	-AA-	15,000,000.00	15,035,766.58
10-Sep-18	11-Sep-23	1827	15,000,000.00	%0866.	Westpac Group BBSW+0.98%	-AA-	15,000,000.00	15,033,462.74
12-Sep-18	12-Sep-23	1826	15,000,000.00	1.0116%	ANZ Banking Group BBSW+1.00%	AA-	15,000,000.00	15,032,842.36
			60,000,000.00	1.0029%			60,000,000.00	60,138,456.83
Floating Rate Notes	: Notes							
Purchase Date	Maturity Date	Term	Face Value (\$)	Current Rate	Security Name	Credit Rating	Book Value (\$)	Current Value (\$)
19-0ct-18	19-Jan-22	1188	2,500,000.00	1.0452%	BEN Snr FRN (Jan22) BBSW+1.01%	BBB+	2,512,350.00	2,505,995.18
26-Sep-18	26-Sep-23	1826	9,000,000.00	.9469%	NAB Snr FRN (Sep23) BBSW+0.93%	AA-	9,120,960.00	9,122,546.34
16-Nov-18	16-Nov-23	1826	7,000,000.00	.9949%	WBC Snr FRN (Nov23) BBSW+0.95%	AA-	7,100,450.00	7,092,812.04
24-0ct-19	24-Oct-24	1827	1,500,000.00	1.1620%	GSB Snr FRN (Oct24) BBSW+1.12%	BBB	1,490,610.00	1,524,986.88
4-Feb-20	4-Feb-25	1827	4,200,000.00	1.1650%	NPBS Snr FRN (Feb25) BBSW+1.12%	BBB	4,166,778.00	4,265,695.48
2-Dec-20	2-Dec-25	1826	3,400,000.00	.5327%	BEN Snr FRN (Dec25) BBSW+0.52%	BBB+	3,400,000.00	3,381,447.92
9-Dec-20	9-Dec-25	1826	10,000,000.00	.4904%	MAC Snr FRN (Dec25) BBSW+0.48%	A+	10,000,000.00	9,975,481.66
24-Feb-21	24-Feb-26	1826	2,100,000.00	.4950%	SUN Snr FRN (Feb26) BBSW+0.45%	A+	2,100,000.00	2,084,470.36
18-Aug-21	24-Aug-26	1832	4,700,000.00	.4550%	NAB Snr FRN (Aug26) BBSW+0.41%	AA-	4,700,000.00	4,650,073.12
9-Sep-21	15-Sep-26	1832	4,250,000.00	.4910%	SUN Snr FRN (Sep26) BBSW+0.48%	A+	4,250,000.00	4,212,497.18
21-Sep-21	23-Dec-26	1919	6,000,000.00	.4256%	CBA Green Snr FRN (Dec26) BBSW+0.41%	AA-	6,000,000.00	5,933,246.97
			54,650,000.00	.7185%			54,841,148.00	54,749,253.13
Total Investments	nents							
			Face					Current

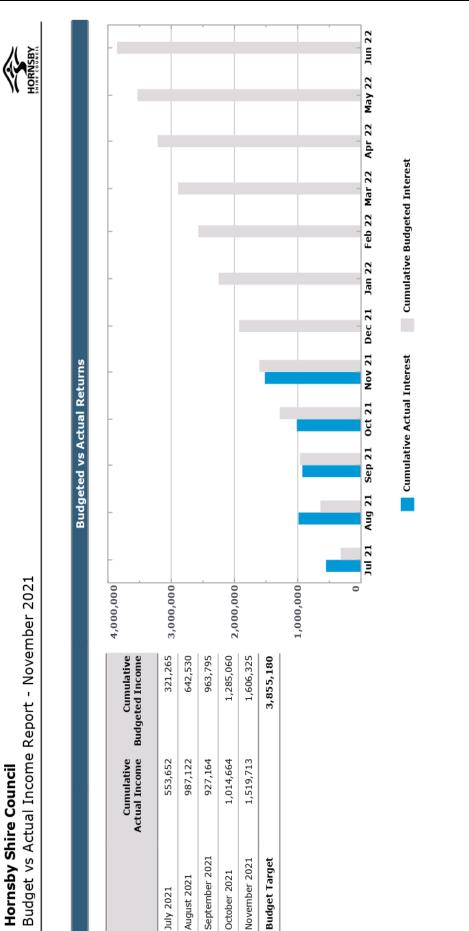
Current Value (\$) 311,354,959.25

PRUDENTIAL INVESTMENT SERVICES CORP ITEM 4

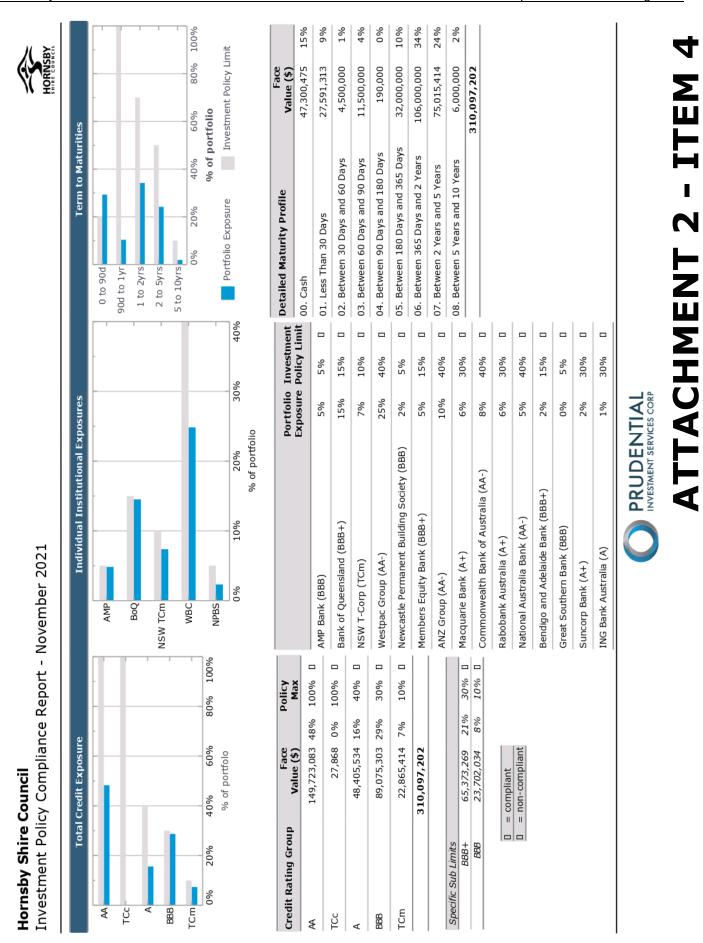
Face Value (\$) 310,097,202.37











Investment Summary Report October 2021

SHIRE COUNCIL vestment Summary F





Attachment to Report No. CS17/22 Page 18

ATTACHMENT 3 - ITEM 4

Hornsby Shire Council Investment Holdings Re	iire Counci Holdings R	l eport - (Hornsby Shire Council Investment Holdings Report - October 2021					HORNSBY
Cash Accounts	S							
			Face Value (\$)	Current Yield	Institution	Credit Rating		Current Value (\$)
			26,735,031.13	0.4500%	Westpac Group	-AA-		26,735,031.13
			10,052,237.44	0.4000%	Macquarie Bank	A+		10,052,237.44
			5,471,985.52	0.2000%	ME Bank	BBB+		5,471,985.52
			27,853.67	-0.9282%	NSW T-Corp (Cash)	TCc		27,853.67
			42,287,107.76	0.4049%				42,287,107.76
Managed runds	S							
			Face Value (\$)	Current Yield	Institution	Credit Rating	Fund Name	Current Value (\$)
			22,586,943.55	-7.3778%	NSW T-Corp (MT)	TCm	Medium Term Growth	22,586,943.55
			22,586,943.55	-7.3778%				22,586,943.55
Term Deposits	0							
Purchase Date	Maturity Date	Term Days	Face Value (\$)	Rate	Institution	Credit Rating	Book Value (\$)	Current Value (\$)
27-Nov-19	17-Nov-21	721	2,000,000.00	1.6000%	ING Bank (Australia)	A	2,000,000.00	2,029,720.55
17-Nov-20	17-Nov-21	365	12,000,000.00	0.5900%	Commonwealth Bank of Australia	-AA-	12,000,000.00	12,067,696.44
17-May-21	17-Nov-21	184	140,000.00	0.2000%	Westpac Group	-AA-	140,000.00	140,128.88
18-May-20	21-Nov-21	552	2,500,000.00	1.4500%	AMP Bank	BBB	2,500,000.00	2,516,585.62
27-Nov-19	23-Nov-21	727	2,000,000.00	1.6000%	ING Bank (Australia)	A	2,000,000.00	2,029,720.55
27-Nov-19	24-Nov-21	728	3,000,000.00	1.6000%	ING Bank (Australia)	A	3,000,000.00	3,044,580.82
26-May-21	25-Nov-21	183	5,000,000.00	0.4500%	Bank of Queensland	BBB+	5,000,000.00	5,009,801.37
19-Nov-20	1-Dec-21	377	2,500,000.00	0.6000%	Westpac Group	-AA-	2,500,000.00	2,514,260.27
1-Dec-20	1-Dec-21	365	10,000,000.00	0.5900%	Commonwealth Bank of Australia	-AA-	10,000,000.00	10,054,150.68

5,009,369.86 3,005,621.92

3,000,000.00 5,000,000.00

BBB+ BBB+

Bank of Queensland Bank of Queensland

0.4500% 0.4500%

5,000,000.00 3,000,000.00

189 190

2-Jun-21 2-Jun-21

9-Dec-21 8-Dec-21

ITEM 4

ATTACHMENT 3 -

Investment H	Holdings R	eport -	Investment Holdings Report - October 2021					HORNSBY
Term Deposits	- 10-							
Purchase Date	Maturity Date	Term Days	Face Value (\$)	Rate	Institution	Credit Rating	Book Value (\$)	Current Value (\$)
16-Dec-20	15-Dec-21	364	3,000,000.00	0.5500%	Bank of Queensland	BBB+	3,000,000.00	3,014,465.75
15-Dec-20	15-Dec-21	365	91,313.00	0.3500%	Westpac Group	AA-	91,313.00	91,594.07
12-Aug-21	22-Dec-21	132	4,000,000.00	0.4000%	ME Bank	BBB+	4,000,000.00	4,003,550.68
11-Aug-21	5-Jan-22	147	2,000,000.00	0.4100%	Bank of Queensland	BBB+	2,000,000.00	2,001,819.73
5-Feb-20	9-Feb-22	735	3,000,000.00	1.6500%	ING Bank (Australia)	А	3,000,000.00	3,036,480.82
12-Feb-20	14-Feb-22	733	5,500,000.00	1.6000%	Westpac Group	AA-	5,500,000.00	5,563,167.12
22-Feb-19	22-Feb-22	1096	3,000,000.00	3.0500%	Newcastle Permanent Building Society	BBB	3,000,000.00	3,063,172.60
19-0ct-21	19-May-22	212	50,000.00	0.2000%	Westpac Group	-AA-	50,000.00	50,003.56
8-Jul-20	8-Jul-22	730	2,500,000.00	1.2000%	AMP Bank	BBB	2,500,000.00	2,509,534.25
12-Aug-20	10-Aug-22	728	3,000,000.00	1.0000%	Bank of Queensland	BBB+	3,000,000.00	3,036,657.53
1-Sep-21	17-Aug-22	350	5,000,000.00	0.4200%	Commonwealth Bank of Australia	AA-	5,000,000.00	5,003,509.59
2-Sep-21	24-Aug-22	356	5,000,000.00	0.4200%	Commonwealth Bank of Australia	AA-	5,000,000.00	5,003,452.05
9-Sep-20	7-Sep-22	728	4,000,000.00	0.9500%	Bank of Queensland	BBB+	4,000,000.00	4,005,517.81
26-Sep-19	21-Sep-22	1091	5,000,000.00	1.8000%	Bank of Queensland	BBB+	5,000,000.00	5,189,123.29
14-Sep-20	15-Mar-23	912	5,000,000.00	1.0000%	Bank of Queensland	BBB+	5,000,000.00	5,006,575.34
24-Sep-20	29-Mar-23	916	5,000,000.00	0.9500%	Bank of Queensland	BBB+	5,000,000.00	5,004,945.21
1-0ct-20	4-0ct-23	1098	5,000,000.00	0.9500%	Bank of Queensland	BBB+	5,000,000.00	5,004,034.25
19-Mar-19	6-Mar-24	1814	10,000,000.00	3.0000%	Rabobank Australia	A+	10,000,000.00	10,186,575.34
19-Mar-19	13-Mar-24	1821	9,000,000.00	3.0000%	Rabobank Australia	A+	9,000,000.00	9,167,917.81
7-Apr-21	7-Apr-25	1461	3,000,000.00	1.0000%	National Australia Bank	AA-	3,000,000.00	3,017,095.89
			129,281,313.00	1.2353 %			129,281,313.00	130,380,829.65

Investment Holdings Report - October 2021

Investment	Holdings R	eport -	Investment Holdings Report - October 2021					HORNSBY
Floating Rate Term Deposits	Term Depos	its						
Purchase Date	Maturity Date	Term	Face Value (\$)	Current Rate	Security Name	Credit Rating	Book Value (\$)	Current Value (\$)
3-Sep-18	3-Sep-23	1826	15,000,000.00	.9948%	Westpac Group BBSW+0.98%	AA-	15,000,000.00	15,024,120.49
4-Sep-18	4-Sep-23	1826	15,000,000.00	1.0120%	ANZ Banking Group BBSW+1.00%	-AA-	15,000,000.00	15,023,289.86
10-Sep-18	11-Sep-23	1827	15,000,000.00	%0866.	Westpac Group BBSW+0.98%	-AA-	15,000,000.00	15,021,220.27
12-Sep-18	12-Sep-23	1826	15,000,000.00	1.0116%	ANZ Banking Group BBSW+1.00%	-AA-	15,000,000.00	15,020,370.58
			60,000,000.00	1.0029%			60,000,000.00	60,089,001.20
Floating Rate Notes	Notes							
Purchase Date	Maturity Date	Term	Face Value (\$)	Current Rate	Security Name	Credit Rating	Book Value (\$)	Current Value (\$)
19-0ct-18	19-Jan-22	1188	2,500,000.00	1.0452%	BEN Snr FRN (Jan22) BBSW+1.01%	BBB+	2,512,350.00	2,505,605.54
26-Sep-18	26-Sep-23	1826	9,000,000.00	.9469%	NAB Snr FRN (Sep23) BBSW+0.93%	-AA-	9,120,960.00	9,121,571.88
16-Nov-18	16-Nov-23	1826	7,000,000.00	.9657%	WBC Snr FRN (Nov23) BBSW+0.95%	-AA-	7,100,450.00	7,110,790.61
24-Oct-19	24-Oct-24	1827	1,500,000.00	1.1620%	GSB Snr FRN (Oct24) BBSW+1.12%	BBB	1,490,610.00	1,525,894.27
4-Feb-20	4-Feb-25	1827	4,200,000.00	1.1350%	NPBS Snr FRN (Feb25) BBSW+1.12%	888	4,166,778.00	4,283,485.64

Value (\$) 310,161,456.51

Current

3,385,093.28 9,966,175.98 2,090,215.92 4,667,970.89 4,219,962.05 5,940,808.29 5**4,817,574.35**

3,400,000.00 10,000,000.00 2,100,000.00 4,700,000.00 4,250,000.00 6,000,000.00 54,841,148.00

BBB+ A+ A+

BEN Snr FRN (Dec25) BBSW+0.52% MAC Snr FRN (Dec25) BBSW+0.48% SUN Snr FRN (Feb26) BBSW+0.45% NAB Snr FRN (Aug26) BBSW+0.41% SUN Snr FRN (Sep26) BBSW+0.48%

-A-A+

-AA-

CBA Green Snr FRN (Dec26) BBSW+0.41%

.4256%

.7082%

Face Value (\$) 308,805,364.31

.4607% .4207% .4910%

.4904%

.5327%

3,400,000.00 10,000,000.00 2,100,000.00 4,700,000.00 4,250,000.00 6,000,000.00 54,650,000.00

1826 1826 1826 1832 1832 1832 1919

2-Dec-25

2-Dec-20 9-Dec-20 24-Feb-21 18-Aug-21 9-Sep-21 21-Sep-21

9-Dec-25

24-Aug-26 15-Sep-26 23-Dec-26

Fotal Investments

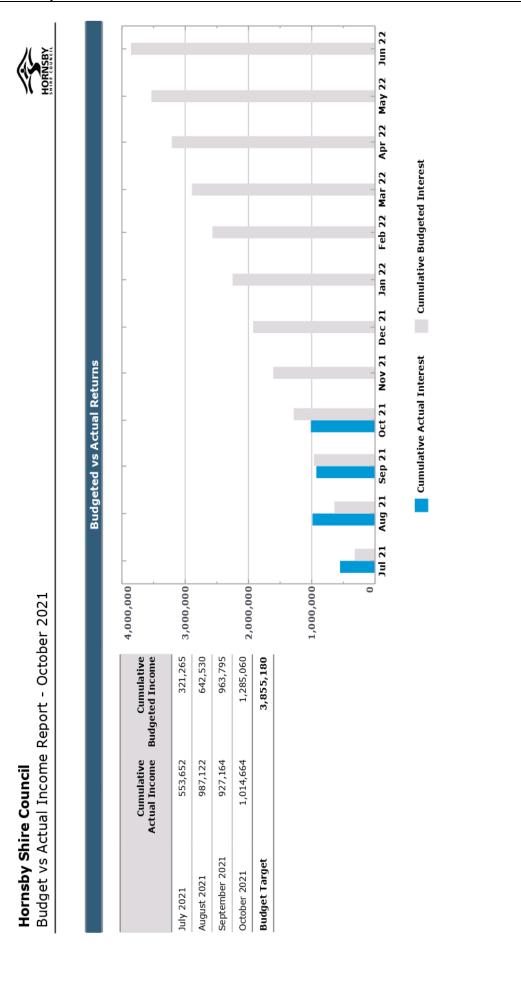
24-Feb-26



Attachments Page 214











Hornsby Shire Council

Attachment to Report No. CS17/22 Page 24

1. LOANS		\$,000	\$,000	
		Amount	è -	
Lender Lender Date D	Date Drawn Maturity Date	Borrowed	Balance	
Westpac(51) 26-Ju	26-Jun-13 25-Jun-23	2,000	499	
*TOTAL		2,000	499	

Fixed Interes Rate %

Closing Balance \$.000

Repayments Principal \$'000 2021/22 YTI

New Loan

\$'000

118 118

380 380

%

2. OPERATING LEASES			\$'000	\$:000	\$'000	\$'000	\$'000
	Date		Total Lease	01/07/2021 Opening	New	2021/2022 Repayments	Closing
Lessor	Executed	Expiry date	Payments	Balance	Leases	ATD	Balance
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (105)	22-Sep-17	15-Aug-21	444	28		28	
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (107)	22-Sep-17	15-Aug-22	56	14		9	
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (108)	15-Aug-18	15-Aug-22	242	71		28	43
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (109)	15-Aug-18	15-May-23	85	34		8	25
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (110)	15-Nov-18	15-Aug-22	26	8		3	5
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (111)	15-Nov-18	15-Aug-23	632	285		63	221
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (112)	15-Feb-19	15-Nov-21	55	6		6	
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (113)	15-Feb-19	15-Aug-22	11	4		٢	2
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (114)	15-May-19	15-Aug-23	15	7		2	9
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (115)	23-Aug-19	15-May-24	95	71		12	59
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (116)	15-Feb-20	15-May-23	1	7		2	5
Canon Finance Australia Pty Ltd	15-Nov-17	01-Nov-22	109	31		11	20
*McDonalds - Central Ave Lease	12-Apr-21	11-Apr-22	495	386		289	98
TOTAL			2,274	955	0	462	493
		0 1 2 50 (Dank feet live	00 + V	of high states and it	1.4. 20.241		

McDonalds is a 12 month lease part payment from 12 April to 30 April 2021 - \$26,125 & monthly payments are \$41,250 (Rent for July and August 2021 were paid in July 2021)

3. DEBT SERVICE RATIO	Ratio %
Year ended Jun 21	0.31
Year ended Jun 20	0.61
Year ended Jun 19	0.78
Year ended Jun 18	1.08
Year ended Jun 17	1.73

Debt Service Ratio

HORNSBY SHIRE COUNCIL SCHEDULE OF BORROWINGS AS AT 31 DECEMBER 2021

HORNSBY

ITEM 4

ATTACHMENT 4 -

Debt Service Cost Revenue from Continuing Operations excluding Capital Items & Specific Purpose Grants/Contributions

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1. LOANS			\$'000	\$'000	\$:00	\$'000	\$'000	%
				01/07/2021		2021/22 YTD		
			Amount	Opening		Repayments	Closing	Fixed Interest
Lender	Date Drawn	Maturity Date	Borrowed	Balance	New Loan	Principal	Balance	Rate %
Westpac(51)	26-Jun-13	25-Jun-23	2,000	499		59	439	5.89
TOTAL			2,000	499		59	439	

2. OPERATING LEASES			\$'000	\$'000	\$'000	\$'000	\$*000
Lessor	Date Executed	Expiry date	Total Lease Payments	01/07/2021 Opening Balance	New Leases	2021/2022 Repayments YTD	Closing Balance
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (105)	22-Sep-17	15-Aug-21	444	28		28	
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (107)	22-Sep-17	15-Aug-22	56	14		9	8
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (108)	15-Aug-18	15-Aug-22	242	71		28	43
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (109)	15-Aug-18	15-May-23	85	34		8	25
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (110)	15-Nov-18	15-Aug-22	26	8		3	5
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (111)	15-Nov-18	15-Aug-23	632	285		63	221
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (112)	15-Feb-19	15-Nov-21	55	6		6	
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (113)	15-Feb-19	15-Aug-22	11	4		1	2
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (114)	15-May-19	15-Aug-23	15	7		2	9
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (115)	23-Aug-19	15-May-24	95	71		12	59
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (116)	15-Feb-20	15-May-23	11	7		2	5
Canon Finance Australia Pty Ltd	15-Nov-17	01-Nov-22	109	31		6	22
*McDonalds - Central Ave Lease	12-Apr-21	11-Apr-22	495	386		248	139
TOTAL			2,274	955	0	419	536
		the new for the feet had	00 100 100	ni Fina mana M	1.4. 20241		

McDonalds is a 12 month lease part payment from 12 April to 30 April 2021 - \$26,125 & monthly payments are \$41,250 (Rent for July and August 2021 were paid in July 2021)

3. DEBT SERVICE RATIO	Ratio %
Year ended Jun 21	0.31
Year ended Jun 20	0.61
Year ended Jun 19	0.78
Year ended Jun 18	1.08
Year ended Jun 17	1.73

Debt Service Cost Revenue from Continuing Operations excluding Capital Items & Specific Purpose Grants/Contributions

Debt Service Ratio

T 31 OCTOBER 2021		
HORNSBY SHIRE COUNCIL SCHEDULE OF BORROWINGS AS AT 31 OCTOBER 2021		
DUNCIL SCHEDULE O		
HORNSBY SHIRE CO	1. LOANS	

HORNSBY

Fixed Interes Rate %

Closing \$.000

Repayments Principal \$'000 2021/22 YTI

New Loan

\$'000

\$'000 01/07/2021 Opening Balance 499 499

Amount Borrowed \$'000

> Maturity Date 25-Jun-23

Date Drawn 26-Jun-13

Lender

Westpac(51) *TOTAL

2,000 2,000

59 59

439 439

%

2. OPERATING LEASES			\$'000	000,\$	\$'000	000,\$	\$,000
	Date		Total Lease	01/07/2021 Obening	New	2021/2022 Repayments	Closing
Lessor	Executed	Expiry date	Payments	Balance	Leases	YTD	Balance
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (105)	22-Sep-17	15-Aug-21	444	28		28	
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (107)	22-Sep-17	15-Aug-22	56	14		3	11
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (108)	15-Aug-18	15-Aug-22	242	71		14	57
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (109)	15-Aug-18	15-May-23	85	34		4	30
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (110)	15-Nov-18	15-Aug-22	26	8		2	9
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (111)	15-Nov-18	15-Aug-23	632	285		32	253
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (112)	15-Feb-19	15-Nov-21	55	6		5	5
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (113)	15-Feb-19	15-Aug-22	11	4		۱	3
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (114)	15-May-19	15-Aug-23	15	7		٢	7
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (115)	23-Aug-19	15-May-24	95	71		9	65
Vestone Capital Pty Ltd - previously known as Macquarie Equipment Finance (116)	15-Feb-20	15-May-23	11	7		٢	9
Canon Finance Australia Pty Ltd	15-Nov-17	01-Nov-22	109	31		7	24
*McDonaids - Central Ave Lease	12-Apr-21	11-Apr-22	495	386		206	180

TOTAL TOTAL 2,274 95 0 McDonalds is a 12 month lease part payment from 12 April 2021 - \$26,125 & monthly payments are \$41,260 (Rent for July and August 2021 were paid in July 2021)

646

309

3. DEBT SERVICE RATIO	Ratio %
Year ended Jun 21	0.31
Year ended Jun 20	0.61
Year ended Jun 19	0.78
Year ended Jun 18	1.08
Year ended Jun 17	1.73

Debt Service Cost Revenue from Continuing Operations excluding Capital items & Specific Purpose Grants/Contributions Debt Service Ratio

0.78	1.08	1.73	
Year ended Jun 19	Year ended Jun 18	Year ended Jun 17	

ATTACHMENT/S

REPORT NO. PC3/22

ITEM 7

1. CLAUSE 4.6 RETURNS - 1 OCTOBER TO 31 DECEMBER 2021

Clause 4.6 Returns- Quarter for 1 Oct 2	Oct 2021 to 31 Dec 2021	
Council DA reference number	DA/872/2021	DA/736/2021
Lot number	11	2
DP number	238690	225075
Apartment/Unit number		
Street number	7	23
Street name	Olsson Street	Kethel Road
Suburb/Town	Hornsby Heights	Cheltenham
Postcode	2077	2119
Category of development	1: Residential - Alterations & additions	1: Residential - Alterations & additions
Environmental planning instrument	Hornsby Local Environment Plan 2013	Hornsby Local Environment Plan 2013
Zoning of land	R2	R2
Development standard to be varied	Clause 4.3 HLEP 2013	Clause 4.3 HLEP 2013
Justification of variation	The proposal is for a first-floor addition above an existing ground floor. It would be unreasonable and unnecessary for the applicant to be required to demolish part or all of the existing ground floor level to comply with the numerical standard of 8.5m.	Due to a number of site constraints, it would be unreasonable and unnecessary for the applicant to be required to demolish part or all of the existing ground floor level to comply with the numerical standard of 8.5m.
Extent of variation	8.7%	7%
Concurring authority	Council	Council
Date DA determined dd/mm/yyyy	19/10/2021	21/12/2021

Council DA reference number	DA/962/2021	DA/959/2021
Lot number	12	6
DP number	27760	244832
Apartment/Unit number		
Street number	12	46
Street name	Eastcote Road	Marine Crescent
Suburb/Town	North Epping	Hornsby Heights
Postcode	2121	2077
Category of development	1: Residential - Alterations & additions	1: Residential - Alterations & additions
Environmental planning instrument	Hornsby Local Environment Plan 2013	Hornsby Local Environment Plan 2013
Zoning of land	R2	R2
Development standard to be varied	Clause 4.3 HLEP 2013	Clause 4.3 HLEP 2013
Justification of variation	The proposal is for a first-floor addition above an	The proposed is for a first floor addition above an
	existing ground floor. It would be unreasonable and	existing ground floor. It would be unreasonable and
	unnecessary for the applicant to comply with the numerical standard of 8 5m due to site constraints	unnecessary for the applicant to comply with the numerical standard of 8.5m due to the site constraints
	The resulting development would conform with	The resulting development would conform with
	existing residential development in the locality	existing residential development within the locality.
Extent of variation	5.4%	15.7%
Concurring authority	Council	Local Planning Panel
Date DA determined dd/mm/vvvv	21/12/2021	15/12/2021

Council DA reference number	DA/20/2021	DA/1199/2021
Lot number	C, 2, 2	36
DP number	300075, 309575, 980180	210954
Apartment/Unit number		
Street number	5	104
Street name	Wongala Crescent	Old Berowra Road
Suburb/Town	Beecroft	Hornsby
Postcode		2077
Category of development		2: Residential - Single new dwelling
Environmental planning instrument	Hornsby Local Environment Plan 2013	Hornsby Local Environment Plan 2013
Zoning of land	82	R2
Development standard to be varied	Clause 4.3 HLEP 2013	Clause 4.3 HLEP 2013
Justification of variation	The proposed is for a Mixed use apartment complex	The proposed is for a first floor addition above an
	on a sloping site. The exceedance occurs for the lift	existing ground floor. It would be unreasonable and
	overrun and a portion of the roof for level 5. It would	unnecessary for the applicant to comply with the
	be unreasonable and unnecessary for the applicant	numerical standard of 8.5m due to the site constraints.
	to comply with the height control as higher floor to	The resulting development would conform with
	ceiling has been provided for the retail levels, site	existing residential development within the locality.
	contains a considerable slope, the building meets the	
	5 storey intention of the DCP, the non-compliance	
	does not give rise to any loss of amenity or	
	shadowing to neighbouring properties and the non	
	compliance is not out of character with similar	
	buildings approved in the locality.	
Extent of variation	13%	2%
Concurring authority	Local Planning Panel	Council
Date DA determined dd/mm/vvvv	15/12/2021	22/12/2021