

Ordinary Meeting

Meeting Date: Tuesday, 17 June, 2025

Location: Council Chambers, City Administrative Building, Bridge Road, Nowra

Attachments (Under Separate Cover)

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Audit, Risk & Improvement Committee Strategic workplan 2025 to 2029

Version number	1.0
ARIC Endorsement (Minute and Date)	May 2025
Council Adoption (Minute and Date)	
Next Review Date:	June 2026
Directorate:	CEO Directorate
Record Number:	D25/168171

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1. Background

Shoalhaven City Council (Council) has established an Audit, Risk and Improvement Committee (ARIC) in compliance with section 428A of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and the Office of Local Government's *Guidelines for risk management and internal audit for local government in NSW*.

The objective of Council's ARIC is to provide independent advice to Council by monitoring, reviewing and providing feedback about the Council's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

The *Guidelines for risk management and internal audit for local government in NSW* require Council's ARIC to develop a strategic work plan every four years to ensure that all the matters listed in section 428A of the Local Government Act are reviewed by the committee and considered by the internal audit function when developing their risk-based program of internal audits.

The Section 428A of the Local Government Act 1993 require:
428A Audit, Risk and Improvement Committee

- (1) A council must appoint an Audit, Risk and Improvement Committee.
- (2) The Committee must keep under review the following aspects of the council's operations--
 - (a) compliance,
 - (b) risk management,
 - (c) fraud control,
 - (d) financial management,
 - (e) governance,
 - (f) implementation of the strategic plan, delivery program and strategies,
 - (g) service reviews,
 - (h) collection of performance measurement data by the council,
 - (i) any other matters prescribed by the regulations.
- (3) The Committee is also to provide information to the council for the purpose of improving the council's performance of its functions.

The Guidelines require that ARIC workplan document:

- goals and expected outcomes of the ARIC for the Council term
- key organisational issues and risks faced by the Council and how the committee will review these, and
- key performance indicators to measure progress across the Council term.

2. OBJECTIVES

The objective of Council's ARIC is to provide independent advice to Council by monitoring, reviewing and providing feedback about the Council's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

3. GOALS & EXPECTED OUTCOMES

- To provide Council with valuable independent advice to enhance the Council's governance accountability
- To consider and provide feedback on the issues presented as per schedule 1 of the ARIC terms of reference (charter)
- To elevate critical matters to Council and management for their action

4. STRATEGIES

- Strategically develop, and manage the ARIC's work plan each year, and cumulatively over 4 years. Achieve this by ensuring the range of tasks undertaken, and the quality of the work completed, fully meets the endorsed ARIC Terms of Reference (Charter) responsibilities.
- Demonstrate value added by the ARIC to the Council and Council management. This is achieved through the matters considered at the ARIC and the presentation of the Annual ARIC report to Council.
- Integrate risk management into ARIC workplan each quarter.
- Assist the Council to comply with government requirements and community expectations by regularly reviewing, and as appropriate commenting on Council's financial management and performance.
- Optimize the value of the External Audit function through regular updates on the external audit matters and reports received.
- Review and approve 4 yearly internal audit plan annually. Maximize the efficiency of the Internal Audit activities through considering the internal audit matters at each meeting and providing value added feedback.
- Develop productive relationships within the ARIC and with key stakeholders.

5. COUNCIL'S KEY RISKS

The 4-year internal audit plan is one of the key documents which is revised annually and assesses the key risks faced by Council. The 4-year strategic internal audit plan is approved by ARIC each year based on the risk assessment at that time. While reviewing the 4-year internal audit plan, a number of factors are considered. Some of them are Enterprise Risk Register information, JLT Public Sector risk reports, Audit Office publications, ICAC publications and stakeholder inputs.

The financial risks are also captured through the consideration of the Audit Office Engagement Plan each year.

The top 5 key risks applicable to Council in 2025 are:

- Financial Sustainability
- Project Management
- Assets & Infrastructure
- Cybersecurity
- Climate Change

Further to these risks been included in the internal audit plan, updates on these key risks are considered by the ARIC through the updates received from different Directors.

6. MEETING PLANNER

July	August	September	October	November	December	January	February	March	April	May	June
Meeting 1			Meeting 2			Meeting 3			Meeting 4		
<p>In Camera session prior to the meeting (ARIC members, External Auditors and Internal Auditors)</p> <p>Standard Agenda Items</p> <ul style="list-style-type: none"> Refer below <p>Special Agenda Items</p> <ul style="list-style-type: none"> Financial Sustainability Update. AONSW – Interim Management Letter Finance – Draft Financial Statements, Accounting policies/positions 			<p>Standard Agenda Items</p> <ul style="list-style-type: none"> Refer below <p>Special Agenda Items</p> <ul style="list-style-type: none"> Financial Sustainability Update. AONSW – Final Management Letter Finance – policies as required. Strategic Planning – Annual Report to Council. ARIC self-assessment survey Voluntary cybersecurity attestation 			<p>In Camera session prior to the meeting (ARIC members, External Auditors and Internal Auditors)</p> <p>Standard Agenda Items</p> <ul style="list-style-type: none"> Refer below <p>Special Agenda Items</p> <ul style="list-style-type: none"> In Camera session Financial Sustainability Update. AONSW – Client Engagement Plan Service Review – Report ARIC annual work plan ARIC Annual Report to Council. 			<p>Standard Agenda Items</p> <ul style="list-style-type: none"> Refer below <p>Special Agenda Items</p> <ul style="list-style-type: none"> Financial Sustainability Update. AONSW – Update on Progress of audit Review of internal audit charter Review of ARIC Charter Internal Audit – Annual internal audit workplan. 		

Standard Agenda Items – All Meetings		
Welcome and Administrative Items <ol style="list-style-type: none"> Welcome and apologies Acknowledgement of Country Confirmation of minutes Disclosure of interests Business arising from the minutes 	Cyber Security Arrangements <ol style="list-style-type: none"> Update on the Cyber risks. 	Service Reviews and Business Improvement <ol style="list-style-type: none"> Progress on business improvement program
Audit Office of NSW <ol style="list-style-type: none"> External audit update 	Risk Management <ol style="list-style-type: none"> Risk management and insurance arrangements update. Emerging matters 	Project Risk Reporting <ol style="list-style-type: none"> Directorate reports on projects above \$10M at a Significant Milestone
Finance <ol style="list-style-type: none"> Update on Quarterly Budget Review Finance policies/positions as required. 	Governance <ol style="list-style-type: none"> Legislative Compliance Register Emerging matters 	Committee Administration <ol style="list-style-type: none"> Annual workplan (forward plan) General business Emerging risks Next meetings
Internal Audit <ol style="list-style-type: none"> Update on Internal Audit Plan Progress on audit actions Internal audit reports 	Report from the Public Officer <ol style="list-style-type: none"> Reports to oversight agencies and related matters. 	

Special Meeting (October) – Financial Statements		
Welcome and Administrative Items <ol style="list-style-type: none"> Welcome and apologies Acknowledgement of Country Confirmation of minutes Disclosure of interests 	Finance <ol style="list-style-type: none"> Financial Statements 	Audit Office of NSW <ol style="list-style-type: none"> Engagement Closing Report

Annual Reports	End of Council Term Reports	Internal Audit Assessment
Audit, Risk & Committee Annual Report to Council Chief Executive Officer Annual attestations from 2024/25 Annual Reports <ul style="list-style-type: none"> Audit Risk and Improvement committee Risk Management Internal Audit 	Audit and Risk Committee <ul style="list-style-type: none"> Comprehensive independent assessment of all the matters listed in section 428A of the Local Government Act that have been reviewed during the council term. Review of the effectiveness of the ARIC in conformance with the International Professional Practice Framework. 	Quality Assessment Internal Audit <ul style="list-style-type: none"> Independent external assessments performed at least once every five years by a qualified, independent assessor or assessment team from outside the organisation.

7. ANNUAL WORK PLAN

The annual work plan is prepared each year detailing how the ARIC will be discharging its responsibilities as per the ARIC Terms of Reference (Charter). The annual work plan illustrates which matters will be considered at each ARIC meeting. This workplan is reviewed by ARIC annually.

The ARIC work plan is attached.

8. KEY PERFORMANCE INDICATORS

As a baseline, the ARIC will measure its success through the following indicators:

- Biennial ARIC self-assessment to measure performance. This survey will be extended to regular non-voting ARIC meeting attendees. An increasing score is aimed with an action plan to be developed for any improvement required.
- ARIC member's self-reflection on the ARIC's performance against the ARIC Terms of reference (Charter).
- ARIC annual work program is met or exceeded, with consideration for displacement of planned activities caused by non-planned urgent or priority matters.
- Benchmarking with other similar sized or bigger councils.
- Feedback received from Council and the CEO.
- Feedback received from the External Auditor.



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CL25.198 - Attachment 1

ARIC ANNUAL WORK PLAN

REF	ARIC RESPONSIBILITIES AS PER ARIC TERMS OF REFERENCE	ACTIVITY	TYPE OF ACTIVITY	MEETING DATES (Financial Year)			
				Meeting 1	Meeting 2	Meeting 3	Meeting 4
AUDIT							
Internal Audit							
1.1.1	Provide overall strategic oversight of internal audit activities	Progress on IA Plan and IA reports considered at each meeting	A	√	√	√	√
1.1.2	Act as a forum for communication between the governing body, Chief Executive Officer, senior management, the internal audit function and external audit	Ongoing. Processes in place. Communication guideline included in the ARIC Charter	A	√	√	√	√
		In Camera session with Internal Audit		√		√	
1.13	Oversee, as far as is practicable, the work programs of internal audit and other assurance and review functions	IA Plan approved by ARIC and progress on IA Plan considered at each meeting	A	√	√	√	√
1.1.4	Review and advise the Council: (i) on whether the Council is providing the resources necessary to successfully deliver the internal audit function (ii) if the Council is complying with internal audit requirements, including conformance with the International Professional Practices Framework (iii) if the Council's internal audit charter is appropriate and whether the internal audit policies and procedures and audit/risk methodologies used by the Council are suitable (iv) of the strategic four-year work plan and annual work plan of internal audits to be undertaken by the Council's internal audit function (v) if the Council's internal audit activities are effective, including the performance of the Chief Internal Auditor and the internal audit function (vi) of the findings and recommendations of internal audits conducted, and corrective actions needed to address issues raised (vii) of the implementation by the Council of these corrective actions (viii) on the appointment of the Chief Internal Auditor and external providers, and (ix) if the internal audit function is structured appropriately and has sufficient skills and expertise to meet its responsibilities	Ongoing monitoring and feedback on the process to the Chief Internal Auditor and Chief Executive Officer	A, I	√	√	√	√
External Audit							
1.2.1	Act as a forum for communication between the governing body, Chief Executive Officer, senior management, the internal audit function and external audit	Ongoing Communications	A	√	√	√	√
		In Camera session with External Audit		√		√	
1.2.2	Oversee as far as is practicable, the work programs of internal audit and external audit	Approve the IA Plan	A			√	
		Progress on IA Plan		√	√	√	√
		Receive and review AO External Audit Engagement Plan					√
		Progress on External Audit Plan		√	√	√	√

ARIC ANNUAL WORK PLAN

REF	ARIC RESPONSIBILITIES AS PER ARIC TERMS OF REFERENCE	ACTIVITY	TYPE OF ACTIVITY	MEETING DATES (Financial Year)			
				Meeting 1	Meeting 2	Meeting 3	Meeting 4
1.2.3	Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided	Receive and review AO External Audit Engagement Plan	A, I				√
1.2.4	Review all external plans and reports in respect of planned or completed audits and monitor council's implementation of audit recommendations	Progress on audit recommendations considered at each meeting	A, I	√	√	√	√
1.2.5	Provide advice to the governing body and/or Chief Executive Officer on action taken on significant issues raised in relevant external audit reports and better practice guides	Ongoing feedback	A	√	√	√	√
RISK							
Risk Management							
2.1.1	Review and advise the Council: (i) if the Council's has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard (ii) whether the Council is providing the resources necessary to successfully implement its risk management framework (iii) whether the Council's risk management framework is adequate and effective for identifying and managing the risks the Council faces, including those associated with individual projects, programs and other activities (iv) if risk management is integrated across all levels of the Council and across all processes, operations, services, decision-making, functions and reporting (v) of the adequacy of risk reports and documentation, for example, the Council's risk register and risk profile (vi) whether a sound approach has been followed in developing risk management plans for major projects or undertakings (vii) whether appropriate policies and procedures are in place for the management and exercise of delegations (viii) if the Council has taken steps to embed a culture which is committed to ethical and lawful behaviour (ix) if there is a positive risk culture within the Council and strong leadership that supports effective risk management (x) of the adequacy of staff training and induction in risk management (xi) how the Council's risk management approach impacts on the Council's insurance arrangements (xii) of the effectiveness of the Council's management of its assets, and (xiii) of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.	Quarterly update on the ERM framework, including the risk registers and insurance arrangements Update on the Business Continuity Plan.	A, I	√	√	√	√
				√			
Internal Controls							
2.2.1	Review and advise the Council:	Quarterly update on the Internal Audit work undertaken	A, I	√	√	√	√

ARIC ANNUAL WORK PLAN

REF	ARIC RESPONSIBILITIES AS PER ARIC TERMS OF REFERENCE	ACTIVITY	TYPE OF ACTIVITY	MEETING DATES (Financial Year)			
				Meeting 1	Meeting 2	Meeting 3	Meeting 4
	(i) whether the Council's approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective (ii) whether the Council has in place relevant policies and procedures and that these are periodically reviewed and updated (iii) whether appropriate policies and procedures are in place for the management and exercise of delegations (iv) whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with (v) if the Council's monitoring and review of controls is sufficient, and if internal and external audit recommendations to correct internal control weaknesses are implemented appropriately.	Progress on audit recommendations considered at each meeting		√	√	√	√
Compliance							
2.3	Review and advise the Council of the adequacy and effectiveness of the Council's compliance framework, including: (i) if the Council has appropriately considered legal and compliance risks as part of the Council's risk management framework (ii) how the Council manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and (iii) whether appropriate processes are in place to assess compliance.	Reported as part of the ERM update Update on the Legislative Compliance Register	A	√	√	√	√
				√	√	√	√
Fraud and corruption							
2.4	Review and advise the Council of the adequacy and effectiveness of the Council's fraud and corruption prevention framework and activities, including whether the Council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.	Considered in the ERM update	A	√	√	√	√
		Report from Public Officer – closed session		√	√	√	√
		Consider the review of controls on internal audit reports		√	√	√	√
Financial management							
2.5	Review and advise the Council: (i) if the Council is complying with accounting standards and external accountability requirements (ii) of the appropriateness of the Council's accounting policies and disclosures (iii) of the implications for the Council of the findings of external audits and performance audits and the Council's responses and implementation of recommendations (iv) whether the Council's financial statement preparation procedures and timelines are sound (v) the accuracy of the Council's annual financial statements prior to external audit, including:	Consider the IA Reports	A, I	√	√	√	√
		Monitor Progress of audit recommendations		√	√	√	√
		Update on the progress of the Financial Sustainability Review (AEC report)		√	√	√	√
		Quarterly budget review reports with the latest monthly investment report.		√	√	√	√
		Update on the progress of External Audit		√	√	√	√

ARIC ANNUAL WORK PLAN

REF	ARIC RESPONSIBILITIES AS PER ARIC TERMS OF REFERENCE	ACTIVITY	TYPE OF ACTIVITY	MEETING DATES (Financial Year)			
				Meeting 1	Meeting 2	Meeting 3	Meeting 4
	<ul style="list-style-type: none"> a. management compliance/representations b. significant accounting and reporting issues c. the methods used by the Council to account for significant or unusual transactions and areas of significant estimates or judgements d. appropriate management signoff on the statements 	Review the draft financial statements for quality and completeness or ask key questions on their preparation prior to referral for audit.			√		
	(vi) if effective processes are in place to ensure financial information included in the Council's annual report is consistent with signed financial statements	Review Finance position papers			√		
	(vii) if the Council's financial management processes are adequate	Review of the draft management representation letter			√		
	(viii) the adequacy of cash management policies and procedures	Consider AO Engagement Closing Report			√		
	(ix) if there are adequate controls over financial processes, for example: <ul style="list-style-type: none"> a. appropriate authorisation and approval of payments and transactions b. adequate segregation of duties c. timely reconciliation of accounts and balances d. review of unusual and high value purchases 	Consider the Final Management Letter from the AO				√	
	(x) if policies and procedures for management review and consideration of the financial position and performance of the Council are adequate						
	(xi) if the Council's grants and tied funding policies and procedures are sound.						
Governance							
2.6	Review and advise the Council regarding its governance framework, including the Council's: <ul style="list-style-type: none"> (i) decision-making processes (ii) implementation of governance policies and procedures (iii) reporting lines and accountability (iv) assignment of key roles and responsibilities (v) committee structure (vi) management oversight responsibilities (vii) human resources and performance management activities (viii) reporting and communication activities (ix) information and communications technology (ICT) governance, and (x) management and governance of the use of data, information and knowledge 	Update on Cybersecurity arrangements	A, I	√	√	√	√
		Legislative Compliance Register		√	√	√	√
		Quarterly updates on Policy reviews		√	√	√	√
IMPROVEMENT							
Strategic Planning							
3.1	Review and advise the Council: <ul style="list-style-type: none"> (i) of the adequacy and effectiveness of the Council's integrated, planning and reporting (IP&R) processes (ii) if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives, and (iii) whether the Council is successfully implementing and achieving its IP&R objectives and strategies. 	Update on Council's integrated planning and reporting processes	A, I				√

ARIC ANNUAL WORK PLAN

REF	ARIC RESPONSIBILITIES AS PER ARIC TERMS OF REFERENCE	ACTIVITY	TYPE OF ACTIVITY	MEETING DATES (Financial Year)			
				Meeting 1	Meeting 2	Meeting 3	Meeting 4
Service reviews and business improvement							
3.2	(i) Act as a forum for communication and monitoring of any audits conducted by external bodies and the implementation of corrective actions (for example, NSW government agencies, Commonwealth government agencies, insurance bodies) (ii) Review and advise the Council: a) If the Council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance b) if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance, and c) how the Council can improve its service delivery and the Council's performance of its business and functions generally	Consider any audits conducted on Council by External agencies.	A, I	√	√	√	√
		Receive update on the Business Improvement Program		√	√	√	√
Performance data and measurement							
3.3	Review and advise the Council: (i) if the Council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives (ii) if the performance indicators the Council uses are effective, and (iii) of the adequacy of performance data collection and reporting.	Planned – Consider update on the DPOP actions and KPI development process	A, I				√
OTHER							
	Review and advise on any risks and governance issues on major capital projects (projects above \$10M at significant milestones)	Consider Directorate reports on projects above \$10M at significant Milestone	A, I	√	√	√	√
		Provide listing of all active capital projects above \$10M				√	
	ARIC Terms of Reference	Review ARIC Terms of Reference	A				√
	Annual Self-Assessment of the ARIC	Planned survey of ARIC performance and reported to Council in the Annual Report from ARIC.	I		√		

Notes:

Definition for 'TYPE OF ACTIVITY'

'A' – Areas under ARIC's review and advice.

'I' – ARIC's review of and advice regarding these areas may assist in leading to improvements in efficiency and effectiveness of Council's processes, systems and controls to better achieve its strategic and operational objectives.

Enterprise Risk Management is a Standing Agenda Item at each ARIC meeting. Topics covered at the ARIC meetings over time will provide a comprehensive overview of Council's ERM framework.



Internal Audit Charter

	Version number	12.0
	ARIC Endorsement (Minute and Date)	13-07 May 2024-2025
	Council Adoption (Minute and Date)	MIN24.303 03 June 2024
	Next Review Date:	June 2025 2026
	Directorate:	CEO Directorate
	Record Number:	D24/242837

Shoalhaven City Council – Internal Audit Charter

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Shoalhaven City Council – Internal Audit Charter

1. Introduction

Shoalhaven City Council has established the Internal Audit Department as a key component of the Council's governance and assurance framework, in compliance with the *Local Government (General) Regulation 2021* and the Office of Local Government's *Guidelines for risk management and internal audit for local government in NSW*. This charter provides the framework and mandate for the conduct of the Internal Audit Department in the Council and has been approved by the governing body taking into account the advice of the Council's Audit, Risk and Improvement Committee (ARIC) or committee.

2. Purpose of internal audit

~~Internal audit is an independent, objective assurance and consulting activity designed to add value and improve the Council's operations. It helps the Council accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes¹.~~

~~Internal audit provides an independent and objective review and advisory service to provide advice to the governing body, Chief Executive Officer and audit, risk and improvement committee about the Council's governance processes, risk management and control frameworks and its external accountability obligations. It also assists the Council to improve its business performance.~~

Internal auditing strengthens the Council's ability to create, protect, and sustain value by providing the Council, Chief Executive Officer and ARIC with independent, risk-based, and objective assurance, advice, insight, and foresight. Internal auditing enhances Council's:

- Successful achievement of its objectives.
- Governance, risk management, and control processes.
- Management of external accountability obligations
- Decision-making and oversight.
- Reputation and credibility with its stakeholders.
- Ability to serve the public interest.

The scope of Internal Audit work embraces the wider concept of corporate governance and risk, recognising that controls exist in the Council to manage risks and promote effective and efficient governance and performance.

Internal Audit services may include:

- Assurance Services – objective examination of evidence for the purpose of providing an independent assessment of risk management, control and governance processes.
- Advisory Services – advisory and related activities, the nature and scope of which are agreed upon with the governing body and/or senior management and the ARIC. Advisory services are intended to add value and improve business operations."

¹ As defined by the International Standards for the Professional Practice of Internal Auditing (2017)

Shoalhaven City Council – Internal Audit Charter

Internal Audit will offer a service catalogue, including:

- Internal audit engagements with a compliance, financial or performance improvement focus.
- Management requested services where business areas within the Council may request Internal Audit services, usually in response to an issue or an emerging risk.
- Multi-stage audit engagements at key project milestones.

3. Independence

Council's Internal Audit Department is to be independent of the Council so it can provide an unbiased assessment of the Council's operations and risk and control activities in accordance with *Local Government (General) Regulation (216P Internal audit co-ordinator—the Act, Sch 6, cl 8A)*

The Internal Audit Department reports functionally to the Council's ARIC on the results of completed audits, and for strategic direction and accountability purposes, and reports administratively to the Chief Executive Officer to facilitate day-to-day operations. Internal audit activities are not subject to direction by the Council and the Council's management has no role in the exercise of the Council's internal audit activities.

The ARIC is responsible for communicating any internal audit issues or information to the governing body. Should the governing body require additional information, a request for the information may be made to the ARIC Chair by resolution. The ARIC Chair is only required to provide the information requested by the governing body where the ARIC Chair is satisfied that it is reasonably necessary for the governing body to receive the information for the purposes of performing its functions under the Local Government Act. Individual councillors are not entitled to request or receive information from the committee.

The Chief Executive Officer must consult with the ARIC Chair before appointing or making decisions affecting the employment of the Chief Internal Auditor. If the Chief Internal Auditor is dismissed, the Chief Executive Officer must report the reasons for dismissal to the Council.

Where the Council's ARIC Chair has any concerns about the treatment of the Chief Internal Auditor, or any action taken that may compromise their ability to undertake their functions independently, they can report their concerns to the governing body. The ARIC, through the chair will contribute to the annual performance assessment of the Chief Internal Auditor.

The Chief Internal Auditor is to confirm at least annually to the ARIC on the independence of internal audit activities from the Council.

4. Authority

Council authorises the Internal Audit Department to have full, free and unrestricted access to all functions, premises, assets, personnel, records and other documentation and information that the Chief Internal Auditor considers necessary for the Internal Audit Department to undertake its responsibilities. This is in accordance with *Local Government (General) regulations 216Q Persons exercising internal audit functions—the Act, Sch 6, cl 8A*.

All records, documentation and information accessed while undertaking internal audit activities are to be used solely for the conduct of those activities. The Chief Internal Auditor and individual

Shoalhaven City Council – Internal Audit Charter

internal audit staff are responsible and accountable for maintaining the confidentiality of the information they receive when undertaking their work.

All internal audit documentation is to remain the property of Council, including where internal audit services are performed by an external third-party provider.

Information and documents pertaining to the Internal Audit Department are not to be made publicly available. The Internal Audit Department may only release Council information to external parties that are assisting the Internal Audit Department to undertake its responsibilities with the approval of the Chief Executive Officer, except where it is being provided to an external investigative or oversight agency for the purpose of informing that agency of a matter that may warrant its attention.

5. Role

The Internal Audit Department is to support the Council's ARIC to review and provide independent advice to the Council in accordance with section 428A of the *Local Government Act 1993*. This includes conducting internal audits of Council and monitoring the implementation of corrective actions.

The Internal Audit Department is to also play an active role in:

- developing and maintaining a culture of accountability and integrity
- facilitating the integration of risk management into day-to-day business activities and processes, and
- promoting a culture of high ethical standards.

The Internal Audit Department has no direct authority or responsibility for the activities it reviews. The Internal Audit Department has no responsibility for developing or implementing procedures or systems and does not prepare records or engage in Council functions or activities (except in carrying out its own functions).

Chief Internal Auditor

In-house internal audit function

Council's Internal Audit Department is to be led by a member of Council's staff with sufficient skills, knowledge and experience to ensure it fulfils its role and responsibilities to the Council and the ARIC. The Chief Internal Auditor must be independent, impartial, unbiased and objective when performing their work and free from any conflicts of interest.

Responsibilities of the Chief Internal Auditor include:

- managing the day-to-day activities of the Internal Audit Department
- managing the Council's internal audit budget
- Coordinating any outsourced audits; acting as a liaison, contract management and oversight of external providers
- supporting the operation of the Council's ARIC
- approving internal audit project plans, conducting or supervising audits and assessments and providing independent advice to the ARIC

Shoalhaven City Council – Internal Audit Charter

- monitoring the Council's implementation of corrective actions that arise from the findings of audits
- implementing the ARIC's internal audit's annual work plan and four-year strategic work audit plan
- ensuring the Council's internal audit activities comply with the Office of Local Government's *Guidelines for risk management and internal audit for local government in NSW*, and

Internal Audit Team

In-house internal audit team

Members of the Internal Audit Department are responsible to the Chief Internal Auditor.

Individuals that perform internal audit activities for Council must have:

- an appropriate level of understanding of the Council's culture, systems and processes
- the skills, knowledge and experience necessary to conduct internal audit activities in the Council
- effective interpersonal and communication skills to ensure they can engage with Council staff effectively and collaboratively, and
- honesty, integrity and diligence.

6. Performing internal audit activities

The work of the Internal Audit Department is to be thoroughly planned and executed. The Council's ARIC must develop a strategic work plan every four years to ensure that the matters listed in Schedule 1 are reviewed by the committee and considered by the internal audit function when developing their risk-based program of internal audits. The strategic work plan must be reviewed at least annually to ensure it remains appropriate.

The committee must also develop an annual work plan to guide the work of the internal audit function over the forward year.

The four-year internal audit plan and the annual plan should be reviewed and approved by Council's ARIC.

All internal audit activities are to be performed in a manner that is consistent with relevant professional standards including the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors and Australian risk management standard.

The Chief Internal Auditor is to provide the findings and recommendations of internal audits to the ARIC at the end of each audit. Each report is to include a response from the relevant senior manager.

The Chief Internal Auditor is to establish an ongoing monitoring system to follow up Council's progress in implementing corrective actions.

The Chief ~~Executive Officer~~ Internal Auditor, in consultation with the ARIC, is to develop and maintain policies and procedures to guide the operation of the Council's Internal Audit Department.

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The Chief Internal Auditor is to ensure that the ARIC is advised at each of the committee's meetings of the internal audit activities completed during that quarter, progress in implementing the annual work plan and progress made implementing corrective actions.

Quality Assurance and Improvement Program

The Chief Internal Auditor is responsible for developing and maintaining a Quality Assurance and Improvement Program that includes:

- a. Ongoing Internal Assessments including:
 - Supervision and review of internal audits.
 - Collecting feedback from management after each internal audit.
 - Performance assessments of service provider performance.
 - Results of Internal Audit performance measures.
- b. Periodic Internal Assessments to be conducted annually:
 - Review of the Internal Audit Charter for conformance with the Standards.
 - Self-assessment of conformance with the Standards.
- c. External Assessments conducted at least once every four years by a qualified, independent assessor or assessment team from outside Council.

Performance Evaluation

Internal Audit performance will be evaluated and the results reported to the Audit, Risk and Improvement Committee. This will include:

- a. Results of the Quality Assurance and Improvement Program;
- b. Feedback from management of areas where internal audits have been performed; and
- c. Performance of service providers.

Feedback on Internal Audit performance will be sought annually from members of the Audit, Risk and Improvement Committee.

7. Conduct and Standards

Internal audit personnel must comply with the Council's code of conduct. Complaints about breaches of Council's code of conduct by internal audit personnel are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The Chief Executive Officer must consult with the Council's ARIC before any disciplinary action is taken against the Chief Internal Auditor in response to a breach of the Council's code of conduct.

Internal Audit will govern itself by adherence to mandatory guidance contained in the 'International Standards for the Professional Practice of Internal Auditing' including the Global Internal Audit Standards (GIAS) issued by the Institute of Internal Auditors (IIA).

This mandatory guidance constitutes the fundamental requirements for the professional practice of internal auditing and the principles against which to evaluate the effectiveness of Internal Audit performance.

Internal Audit, including service providers, will perform their work in accordance with the GIAS. While the GIAS applies to all internal audit work, technology audits may also apply the ISACA

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standards contained in the 'Information Technology Assurance Framework' (ITAF). Where relevant the current Australian risk management standard will be applied.

~~Internal auditors must also comply with the Code of Ethics for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors.~~

8. Administrative arrangements

Audit, risk and improvement committee meetings

The Chief Internal Auditor will attend ARIC meetings as an independent non-voting observer. The Chief Internal Auditor can be excluded from meetings by the committee at any time.

The Chief Internal Auditor must meet separately with the ARIC at least once per year.

The Chief Internal Auditor can meet with the ARIC Chair at any time, as necessary, between committee meetings.

External audit

Internal and external audit activities will be coordinated to help ensure the adequacy of overall audit coverage and to minimise duplication of effort.

Periodic meetings and contact between internal and external audit shall be held to discuss matters of mutual interest and to facilitate coordination.

External audit will have full and free access to all internal audit plans, working papers and reports.

Dispute resolution

The Internal Audit Department should maintain an effective working relationship with the Council and the ARIC and seek to resolve any differences they may have in an amicable and professional way by discussion and negotiation.

In the event of a disagreement between the Internal Audit Department and the Council, the dispute is to be resolved by the Chief Executive Officer and/or ARIC. Disputes between the Internal Audit Department and the ARIC are to be resolved by the governing body.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Departmental Chief Executive of the Office of Local Government in writing.

9. Review arrangements

The Council's ARIC must review the performance of the internal audit function each year and report its findings to the governing body. A strategic review of the performance of the Internal Audit Department must be conducted each council term by a qualified external party and reported to the Council by the ARIC that considers the views of an external party with a strong knowledge of internal audit and reported to the Council in accordance with Local Government

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(General) Regulation (216R Audit, Risk and Improvement Committee to oversee and report on internal audit activities—the Act, s 428A(2)(i)).

This charter is to be reviewed annually by the committee and once each council term by the governing body. Any substantive changes are to be approved by the governing body.

For further information on Council's internal audit activities, contact Internal Audit Team on internalaudit@shoalhaven.nsw.gov.au or by phone 1309 293 111.

Reviewed by Chief Internal Auditor

~~13-7~~ May ~~2024~~2025

Reviewed by chairperson of the Council's ARIC

~~13-7~~ May ~~2024~~2025

Reviewed by Chief Executive Officer

~~13-7~~ May ~~2024~~2025

~~Reviewed-Approved~~ by Council in accordance with a resolution of the governing body

03.06.2024

MIN24.303

CL25.198 - Attachment 2

10. SCHEDULE 1: INTERNAL AUDIT FUNCTION RESPONSIBILITIES

The below responsibilities of the Internal Audit Department is limited by the audit work undertaken during the year, scope of the audits, budget and information availability at the time of reviews.

AUDIT

Internal audit

- Conduct internal audits as directed by the Council's audit, risk and improvement committee.
- Implement the Council's annual and four-year strategic internal audit work plans.
- Monitor the implementation by the Council of corrective actions.
- Assist the Council to develop and maintain a culture of accountability and integrity.
- Facilitate the integration of risk management into day-to-day business activities and processes.
- Promote a culture of high ethical standards.

External audit

- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided.
- Review all external plans and reports in respect of planned or completed audits and monitor the Council's implementation of audit recommendations.
- Provide advice on action taken on significant issues raised in relevant external audit reports and better practice guides.

RISK

Risk management

Review and advise:

- if the Council has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard
- whether the Council's risk management framework is adequate and effective for identifying and managing the risks the Council faces, including those associated with individual projects, programs and other activities
- if risk management is integrated across all levels of the Council and across all processes, operations, services, decision-making, functions and reporting
- of the adequacy of risk reports and documentation, for example, the Council's risk register and risk profile
- whether a sound approach has been followed in developing risk management plans for major projects or undertakings
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- if the Council has taken steps to embed a culture which is committed to ethical and lawful behaviour

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- if there is a positive risk culture within the Council and strong leadership that supports effective risk management
- of the adequacy of staff training and induction in risk management
- how the Council's risk management approach impacts on the Council's insurance arrangements
- of the effectiveness of the Council's management of its assets, and
- of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

Internal controls

Review and advise:

- whether the Council's approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective
- whether the Council has in place relevant policies and procedures and that these are periodically reviewed and updated
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with
- if the Council's monitoring and review of controls is sufficient, and
- if internal and external audit recommendations to correct internal control weaknesses are implemented appropriately.

Compliance

Review and advise of the adequacy and effectiveness of the Council's compliance framework, including:

- if the Council has appropriately considered legal and compliance risks as part of the Council's risk management framework
- how the Council manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and
- whether appropriate processes are in place to assess compliance.

Fraud and corruption

Review and advise of the adequacy and effectiveness of the Council's fraud and corruption prevention framework and activities, including whether the Council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

Financial management

Assist the Audit, Risk and Improvement Committee as needed to review and advise:

- if the Council is complying with accounting standards and external accountability requirements
- of the appropriateness of the Council's accounting policies and disclosures
- of the implications for the Council of the findings of external audits and performance audits and the Council's responses and implementation of recommendations
- whether the Council's financial statement preparation procedures and timelines are sound
- the accuracy of the Council's annual financial statements prior to external audit, including:

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- management compliance/representations
- significant accounting and reporting issues
- the methods used by the Council to account for significant or unusual transactions and areas of significant estimates or judgements
- appropriate management signoff on the statements
- if effective processes are in place to ensure financial information included in the Council's report is consistent with signed financial statements
- if the Council's financial management processes are adequate
- the adequacy of cash management policies and procedures
- if there are adequate controls over financial processes, for example:
 - appropriate authorisation and approval of payments and transactions
 - adequate segregation of duties
 - timely reconciliation of accounts and balances
 - review of unusual and high value purchases
- if policies and procedures for management review and consideration of the financial position and performance of the Council are adequate
- if the Council's grants and tied funding policies and procedures are sound.

Governance

Review and advise of the adequacy of the Council governance framework, including the Council's:

- decision-making processes
- implementation of governance policies and procedures
- reporting lines and accountability
- assignment of key roles and responsibilities
- committee structure
- management oversight responsibilities
- human resources and performance management activities
- reporting and communication activities
- information and communications technology (ICT) governance, and
- management and governance of the use of data, information and knowledge.

IMPROVEMENT

Strategic planning

Review and advise:

- of the adequacy and effectiveness of the Council's integrated, planning and reporting (IP&R) processes
- if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives, and
- whether the Council is successfully implementing and achieving its IP&R objectives and strategies.

Service reviews and business improvement

Review and advise:

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- if the Council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance
- if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance, and
- how the Council can improve its service delivery and the Council's performance of its business and functions generally

Performance data and measurement

Review and advise:

- if the Council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives
- if the performance indicators the Council uses are effective, and
- of the adequacy of performance data collection and reporting.

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Address all correspondence to:
The Chief Executive Officer
PO Box 42, Nowra NSW 2541
shoalhaven.nsw.gov.au/contact
1300 293 111

shoalhaven.nsw.gov.au    

Code of Meeting Practice

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Code of Meeting Practice

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Code of Meeting Practice

1. Introduction

The Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

This Code reflects the provisions of the Model Code of Meeting Practice. It shall apply to:

- Council meetings
- All Committees comprising of Councillors ~~appointed pursuant to Clause 260 Regulations~~ with the exception of the provisions relating to ~~'Rising to speak'~~ and 'Limitation on the number of times a member may speak'.
- Other Committees comprising of Councillors and Staff or Community members (including Boards) with the exception of the provisions relating to 'Rising to speak' and 'Limitation on the number of times a member may speak'.

Council's 'Code of Conduct' and Procedures are to be read in conjunction with this Code and apply in all respects conduct at Council and Committee meetings.

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.

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 the Model Meeting Code.

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 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.

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3. Before the Meeting**Timing of Ordinary Council Meetings**

- 3.1 The Council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

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

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

- 3.2 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 3.2 reflects section 366 of the Act.

Notice to the Public of Council Meetings

- 3.3 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 3.3 reflects section 9(1) of the Act.

- 3.4 For the purposes of clause 3.3, 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.

- 3.5 For the purposes of clause 3.3, notice of more than one (1) meeting may be given in the same notice.

Notice to Councillors of Ordinary Council Meetings

- 3.6 The Chief Executive Officer 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.

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Note: Clause 3.6 reflects section 367(1) of the Act.

- 3.7 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 3.7 reflects section 367(3) of the Act.

Notice to Councillors of Extraordinary Meetings

- 3.8 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 3.8 reflects section 367(2) of the Act.

Giving Notice of Business to be Considered at Council Meetings

- 3.9 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 **at least 7 calendar days** before the meeting is to be held.
- 3.10 A Councillor may, in writing to the Chief Executive Officer, 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.
- 3.11 If the Chief Executive Officer considers that a Notice of Motion submitted by a Councillor for consideration at an Ordinary Meeting of the Council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the Chief Executive Officer may prepare a report in relation to the Notice of Motion for inclusion with the business papers for the meeting at which the Notice of Motion is to be considered by the Council.

Note for consideration when drafting Notices of Motion:

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 should 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 Chief Executive Officer is able to either:

- (a) add a note to the Notice of Motion
- (b) 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
- (c) 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.

Code of Meeting Practice

Questions with Notice

- 3.12 A Councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the Chief Executive Officer about the performance or operations of the Council.
- 3.13 A Councillor is not permitted to ask a Question with Notice under clause 3.12 that comprises a complaint against the Chief Executive Officer or a member of staff of the Council, or a question that implies wrongdoing by the Chief Executive Officer or a member of staff of the Council.
- 3.14 The Chief Executive Officer or their nominee may respond to a Question with Notice submitted under clause 3.12 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

- 3.15 The Chief Executive Officer must cause the agenda for a meeting of the Council or a Committee of the Council to be prepared as soon as practicable before the meeting.
- 3.16 The Chief Executive Officer must ensure that the agenda for an ordinary meeting of the Council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the Council, and
 - (b) if the Mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of Committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.9.
- 3.17 Nothing in clause 3.16 limits the powers of the Mayor to put a Mayoral Minute to a meeting under clause 9.6.
- 3.18 The Chief Executive Officer must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the Chief Executive Officer, the business is, or the implementation of the business would be, unlawful. The Chief Executive Officer must report, without giving details of the item of business, any such exclusion to the next meeting of the Council.
- 3.19 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the Chief Executive Officer, is likely to take place when the meeting is closed to the public, the Chief Executive Officer must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and

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- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.19 reflects section 9(2A)(a) of the Act.

- 3.20 The Chief Executive Officer must ensure that the details of any item of business which, in the opinion of the Chief Executive Officer, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to Councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a Councillor or by any other person to another person who is not authorised to have that information.

Statement of Ethical Obligations

- 3.21 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

- 3.22 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 3.22 reflects section 9(2) and (4) of the Act.

- 3.23 Clause 3.22 does not apply to the business papers for items of business that the Chief Executive Officer has identified under clause 3.19 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.23 reflects section 9(2A)(b) of the Act.

- 3.24 For the purposes of clause 3.22, 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 3.24 reflects section 9(3) of the Act.

- 3.25 A copy of an agenda, or of an associated business paper made available under clause 3.22, may in addition be given or made available in electronic form.

Note: Clause 3.25 reflects section 9(5) of the Act.

Agenda and Business Papers for Extraordinary Meetings

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- 3.26 The Chief Executive Officer must ensure that the agenda for an Extraordinary Meeting of the Council deals only with the matters stated in the notice of the meeting.
- 3.27 Despite clause 3.26, 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.
- 3.28 A motion moved under clause 3.27(a) can be moved without notice but only after the business notified in the agenda for the Extraordinary Meeting has been dealt with.
- 3.29 Despite clauses 10.19–10.29, only the mover of a motion moved under clause 3.29(a) can speak to the motion before it is put.
- 3.30 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.27(b) on whether a matter is of great urgency.

Pre-Meeting Briefing Sessions

- 3.31 Where the Chief Executive Officer deems necessary, the Chief Executive Officer may arrange a pre-meeting briefing session to brief Councillors on business to be considered at a Council meeting. Pre-meeting briefing sessions may also be held for Extraordinary Meetings of the Council and meetings of Committees of the Council.
- 3.32 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.33 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.34 The Chief Executive Officer or a member of staff nominated by the Chief Executive Officer is to preside at pre-meeting briefing sessions.
- 3.35 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.
- 3.36 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 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.
- 3.37 A councillor must give their full attention to the business and proceedings of the briefing when attending a briefing by audio-visual link. The councillor's camera where possible be on at all times during the briefing except as may be otherwise provided for under this code.

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3.38 Councillors attending a briefing by audio-visual link must ensure that no other person is within sight or hearing of the briefing at any time noting, that the meeting is closed to the public.

4. Deputations

- 4.1. The Council may hold a deputation during 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. Deputations may also be held during Extraordinary Council meetings.
- 4.2. To make a deputation, a person must first make an application to the Council in the approved form. Applications to speak at the meeting must be received by 9.30am on the day of the meeting, 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.
- 4.3. Legal representatives acting on behalf of others are not to be permitted to make a deputation unless they identify their status as a legal representative when applying to speak.
- 4.4. The Chief Executive Officer or the chairperson may refuse an application to make a deputation.
- 4.5. No more than one speaker is to be permitted to speak 'for' and 'against' each item of business on the agenda for the Council meeting.
- 4.6. If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the Chief Executive Officer or the chairperson may 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.
- 4.7. Where more than one request is received to address a meeting either for or against a proposal, the individuals and/or groups involved will be encouraged to appoint one representative to present their submission.
- 4.8. The Chief Executive Officer or their delegate is to determine the order of speakers.
- 4.9. Each speaker will be allowed five minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.10. Speakers 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.
- 4.11. Councillor (including the Chairperson) may, through the Chairperson, ask questions of a speaker following their address. Questions put to a speaker must be direct succinct and without argument.
- 4.12. 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 later than 12.00pm on the day of

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the meeting. The Chief Executive Officer or their delegate may refuse to allow such material to be presented.

- 4.13. Speakers are under no obligation to answer a question put under clause 4.11.
- 4.14. Speakers cannot ask questions of the Council, Councillors or Council staff.
- 4.15. The Chief Executive Officer or their nominee may, with the concurrence of the Chairperson, address the Council in response to a deputation to the Council after the address and any subsequent questions and answers have been finalised.
- 4.16. Where a deputation is made and raises matters that require further consideration by Council staff, the Chief Executive Officer may recommend that the Council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.17. When addressing the Council, speakers must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.18. If the Chairperson considers that a speaker has engaged in conduct of the type referred to in clause 4.17, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.19. Clause 4.18 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers in accordance with the provisions of Part 15 of this code.
- 4.20. Where a speaker engages in conduct of the type referred to in clause 4.17, the Chief Executive Officer or their delegate may refuse further applications from that person to speak for such a period as the Chief Executive Officer or their delegate considers appropriate.
- 4.21. 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 deputation, in the same way that they are required to do so during debate.
- 4.22. An individual or representative group is only permitted to address a meeting of Council once on an issue except where the meeting resolves otherwise on the basis that new material has been presented, and in this case the comments are limited to that new material.
- 4.23. Where an individual or organisation is granted permission to address a meeting they be informed that:
 - 4.23.1. Maximum time permitted is five (5) minutes.
 - 4.23.2. One main spokesperson is to be nominated to address the meeting.
 - 4.23.3. The meeting, including their deputation will be webcast by the Council as outlined in Part 5.25 of this Code
 - 4.23.4. Comments which may cast reflection on any organisation or individual are to be avoided as these comments can be regarded as public statements.
 - 4.23.5. Information from a deputation is placed on the public record and can be distributed / displayed.

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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, unless permitted to attend the meeting by audio-visual link under this code.
- 5.3 Where a Councillor is unable to attend one or more ordinary meetings of the Council, the Councillor should request that the Council grant them a leave of absence from those meetings. This clause does not prevent a Councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.4 A Councillor's request for leave of absence from Council meetings should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.5 The Council must act reasonably when considering whether to grant a Councillor's request for a leave of absence.
- 5.6 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 5.6 reflects section 234(1)(d) of the Act.
- 5.7 A Councillor who intends to attend a meeting of the Council despite having been granted a leave of absence should, if practicable, give the Chief Executive Officer at least two (2) days' notice of their intention to attend.

The Quorum for a Meeting

- 5.8 The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office at that time and are not suspended from office.

Note: Clause 5.8 reflects section 368(1) of the Act.

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- 5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the Council.

Note: Clause 5.9 reflects section 368(2) of the Act.

- 5.10 A meeting of the Council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.
- 5.11 In either case, the meeting must be adjourned to a time, date and place fixed:
- (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the Councillors present, or
 - (c) failing that, by the Chief Executive Officer.
- 5.12 The Chief Executive Officer must record in the Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the Council, together with the names of the Councillors present.
- 5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and 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 bushfire), the Mayor may, in consultation with the Chief Executive Officer and, as far as is practicable, with each Councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the Council's website and in such other manner that the Council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.14 Where a meeting is cancelled under clause 5.13, 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 3.2.

Meetings held by audio-visual link

- 5.15 A meeting of the Council or a Committee of the Council may be held by audio-visual link where the Mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The Mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of Councillors and staff at risk. The Mayor must make a determination under this clause in consultation with the Chief Executive Officer and, as far as is practicable, with each Councillor.
- 5.16 Where the Mayor determines under clause 5.15 that a meeting is to be held by audio-visual link, the Chief Executive Officer must:

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- (a) give written notice to all Councillors that the meeting is to be held by audio-visual link, and
- (b) take all reasonable steps to ensure that all Councillors can participate in the meeting by audio-visual link, and
- (c) cause a notice to be published on the Council's website and in such other manner the Chief Executive Officer is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.

5.17 This code applies to a meeting held by audio-visual link under clause 5.15 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.15, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by Councillors at Meetings by audio visual link

- 5.18 Councillors may attend and participate in meetings of the Council and Committees of the Council by audio-visual link.
- 5.19 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.
- 5.20 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.
- 5.21 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.

Entitlement of the Public to Attend Council Meetings

- 5.22 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 5.22 reflects section 10(1) of the Act.

- 5.23 Clause 5.22 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

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5.24 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 5.24 reflects section 10(2) of the Act.

Note: 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 authorises Chairpersons to expel any person, including a councillor, from a Council or Committee meeting. Alternatively, if adopted, clause 15.15 authorises Chairpersons to expel persons other than Councillors from a Council or Committee meeting.

Webcasting of Meetings

- 5.25 Shoalhaven City Council will webcast the proceedings (including presentations and debate) of Ordinary meetings held within the Council Chambers of the Nowra Administrative Building.
- 5.26 Confidential Sessions of Meetings which are closed to the public in accordance with Section 10A of the Local Government Act, 1993 will not be webcast.
- 5.27 At the start of each meeting that will be webcast, the Chairperson must advise those in attendance that the meeting will be webcast, and may be recorded under the provisions of this Code (as per Clause 19.13(3))
- 5.28 It is not the intention of live streaming, recording and publishing to capture those attending the Meeting in the gallery, however this may occur due to the camera angles and seating arrangements. By attending a public meeting, attendees are consenting to their image, voice or comments being webcast or recorded.
- 5.29 Notifications of webcasting will be provided via:
 - (a) The inclusion of an Advisory Note on the Agenda of the meetings to be webcast
 - (b) Signage in the Council Chambers
- 5.30 The Chief Executive Officer may terminate or suspend webcasting at any point during a meeting if they are of the opinion that continued recording of the proceedings may infringe the rights or safety of an individual, be defamatory or inappropriate.
- 5.31 Council will maintain an online library of recorded webcast meetings on Council's Website, for a period of two (2) years. Recordings within that library may have adaptations, modifications or amendments authorised by the Chief Executive Officer.
- 5.32 While Council will make every effort to ensure that live streaming is available, it cannot be held liable for technical issues that may occur. The failure to webcast the debate or decision does not invalidate a resolution of the Council

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- 5.33 Speakers addressing the meeting do not have absolute privilege with respect to comments they make, opinions they express or material presented, and need to be aware that they may be held personally liable for defamatory statements or statements contrary to any legal obligations.
- 5.34 The Webcasts and recordings of the Council are protected by Copyright and owned by Shoalhaven City Council.
- 5.35 Written transcripts of the proceedings will not be made available
- 5.36 Each meeting of the Council or a Committee of the Council is to be recorded by means of an audio or audio-visual device.
- 5.37 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.
- 5.38 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.
- 5.39 The recording of a meeting is to be made publicly available on the Council's website for at least 12 months after the meeting.
- 5.40 Clauses 5.38 and 5.39 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.
- Note: Clauses 5.36 – 5.40 reflect section 236 of the Regulation.
- 5.41 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the Chief Executive Officer and other staff at meetings

- 5.42 The Chief Executive Officer is entitled to attend, but not to vote at, a meeting of the Council or a meeting of a Committee of the Council of which all of the members are Councillors.
- Note: Clause 5.42 reflects section 376(1) of the Act.
- 5.43 The Chief Executive Officer is entitled to attend a meeting of any other Committee of the Council and may, if a member of the Committee, exercise a vote.
- Note: Clause 5.43 reflects section 376(2) of the Act.
- 5.44 The Chief Executive Officer may be excluded from a meeting of the Council or a Committee while the Council or Committee deals with a matter relating to the standard

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of performance of the Chief Executive Officer or the terms of employment of the Chief Executive Officer.

Note: Clause 5.44 reflects section 376(3) of the Act.

- 5.45 The attendance of other Council staff at a meeting, (other than as members of the public) shall be with the approval of the Chief Executive Officer.
- 5.46 The Chief Executive Officer 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 Chief Executive Officer.

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 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 chair the meeting by the Councillors present presides at a meeting of the Council.

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

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- (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 Mayor (Surname).
- 7.2 Where the chairperson is not the Mayor, they are to be addressed as either Chairperson' or 'The Chair'.
- 7.3 A Councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A Council officer is to be addressed by their official position title 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 order of business as fixed under clause 8.1 may be altered for a particular meeting of the Council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: Refer to Part 13, Part 13 allows Council to deal with items of business by exception.

- 8.3 Despite clauses 10.19–10.29, only the mover of a motion referred to in clause 8.2 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

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- 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 3.9, 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 3.8 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 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 10.19–10.29, 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 urgent, or matters for which proper notice should be given because of their

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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.

Note for consideration: 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 should identify the source of funding for the expenditure that is the subject of the recommendation.

Staff reports

- 9.10 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

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

Questions

- 9.13 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 3.9 and 3.14.
- 9.14 A Councillor may, through the chairperson, put a question to another Councillor about a matter on the agenda.
- 9.15 A Councillor may, through the Chief Executive Officer, put a question to a Council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the Chief Executive Officer at the direction of the Chief Executive Officer.
- 9.16 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 documents. 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.
- 9.17 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.18 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a Councillor or Council employee.

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Petitions

- 9.19 The exact wording of petitions tabled at meetings of the Council shall be recorded in the minutes of that meeting. Petitions will be managed in accordance with the Council's Policy for Petitions.

Development Approval Process

- 9.20 In any circumstances where a Development Application is called-in by Council for determination the resolution shall include reasons for doing so.
- 9.21 Reasons will also be recorded for decisions, approval or refusal, involving Development Applications seeking approval for significant variations to Council policies, Development Control Plans or other development standards. (Refer MIN08.907)
- 9.22 A notice of amendment or rescission shall be lodged in the circumstance a call-in (under clause 9.20) is to be reversed. The resolution of the Council must include the reason for the reversal.
- 9.23 Where a report is provided to the Council relating to a Development Application, the report will provide names of the applicants and owners to allow consideration and declaration of any Conflict of Interest.

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 3.9 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 3.9 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.

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

Amendments to Motions

- 10.9 An amendment to a motion must be moved and seconded before it can be debated.
- 10.10 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.
- 10.11 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.
- 10.12 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.
- 10.13 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.
- 10.14 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.
- 10.15 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

- 10.16 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.

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- 10.17 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.
- 10.18 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

- 10.19 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.
- 10.20 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.
- 10.21 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.
- 10.22 Despite clause 10.21, 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.
- 10.23 Despite clause 10.21, the Council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.24 Despite clauses 10.19 and 10.20, 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.
- 10.25 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.24. A seconder is not required for such a motion.
- 10.26 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 10.19.

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- 10.27 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.
- 10.28 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.
- 10.29 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.

11. Voting

Voting Entitlements of Councillors

- 11.1 Each Councillor is entitled to one (1) vote.
Note: Clause 11.1 reflects section 370(1) of the Act.
- 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.

Voting at Council Meetings

- 11.4 A Councillor who is present at a meeting of the Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.5 If a councillor who has voted against a motion put at a council meeting so requests, the Chief Executive Officer must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.6 The decision of the chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.7 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The Chief Executive Officer must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.8 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.4 of this code.
- 11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

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

Voting on planning decisions

- 11.11 The Chief Executive Officer must keep a register containing, for each planning decision made at a meeting of the Council or a Council Committee (including, but not limited to a Committee of the Council), the names of the Councillors who supported the decision and the names of any Councillors who opposed (or are taken to have opposed) the decision.
- 11.12 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the Council or a Council Committee. Leave in with Note regarding recorded as a division
- 11.13 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.14 Clauses 11.11–11.13 apply also to meetings that are closed to the public.

Note: Clauses 11.11–11.14 reflect section 375A of the Act.

Note: The requirements of clause 11.11 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 10.19–10.29 limit the number and duration of speeches.

- 12.3 The Chief Executive Officer or, in the absence of the Chief Executive Officer, an employee of the Council designated by the Chief Executive Officer, is responsible for reporting to the Council the proceedings of the Committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the Committee must be reported.
- 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

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made and passed.

13. Call over of Items – 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 call over or 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 8.2.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 as the result of a call-over 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,
 - (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

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- 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.

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:

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- (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 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 3.19 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:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 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 3.19 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 **9.30am on the day of the meeting** at which the matter is to be considered.
- 14.12 The Chief Executive Officer (or their delegate) may refuse an application made under clause 14.11. The Chief Executive Officer or their delegate must give reasons in writing for a decision to refuse an application.

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- 14.13 No more than **one speaker for and one speaker against** 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 Chief Executive Officer or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the Council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the Chief Executive Officer or their delegate is to determine who will make representations to the Council.
- 14.15 The Chief Executive Officer (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 3.19 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 (2)** speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed **five (5)** 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

- 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.

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Information to be Disclosed in Resolutions Closing Meetings to the Public

14.21 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 14.21 reflects section 10D of the Act.

Resolutions Passed at Closed Meetings to be Made Public

14.22 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.

14.23 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 14.22 during a part of the meeting that is webcast.

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.

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- 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 or any regulation in force under the Act or this code, or
 - (b) assaults or threatens to assault another Councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or the Committee, or addresses or attempts to address the Council or the Committee on such a motion, amendment or matter, or
 - (d) insults or makes unfavourable personal remarks about or imputes improper motives to any other Council official, or alleges a breach of the Council's code of conduct, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or the Committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation.

- 15.12 The chairperson may require a Councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), 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 an act of disorder referred to in clauses 15.11(d) and (e).

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Note: Clause 15.12 reflects section 233 of the Regulation.

How Disorder 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.

Expulsion from Meetings

- 15.14 All chairpersons of meetings of the Council and Committees of the Council are authorised under this code to expel any person other than a Councillor, from a Council or Committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the Council or the Committee of the Council.

- 15.15 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 15.15 reflects section 233(2) of the Regulation.

- 15.16 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.
- 15.17 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.
- 15.18 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.
- 15.19 Clause 15.14 does not limit the ability of the Council or a Committee of the Council to resolve to expel a person, including a Councillor, from a Council or Committee meeting, under section 10(2)(a) of the Act

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How Disorder by Councillors Attending Meetings by Audio-Visual Link may be Dealt with

- 15.20 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.
- 15.21 If a Councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the Councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.22 Councillors, Council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the Council and Committees of the Council.
- 15.23 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.
- 15.24 Without limiting clause 15.16, a contravention of clause 15.23 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.16. Any person who contravenes or attempts to contravene clause 15.23, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.25 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

[15.26 Councillor's refrain from Mobile phone use in the Chamber \(MIN25.10\)](#)

Use of Laptops During Meetings

[15.27 Laptops not be used for live communication with non-council related external parties, especially social media platforms whilst in Ordinary meetings \(MIN25.10\)](#)

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.

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- 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 the Council at which a quorum is present is a decision of the Council.

Note: Clause 17.1 reflects section 371 of the Act in the case of Councils and section 400T(8) in the case of joint organisations.

- 17.2 Decisions made by the Council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or Altering Council Decisions

- 17.3 A resolution passed by the Council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.9.

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

- 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.

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

- 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 3.9.

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

- 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.

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

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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 3.10 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 Chief Executive Officer prior to the conclusion of the meeting it was lodged 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.

Recommitting resolutions to correct an error

- 17.12 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.
- 17.13 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.12(a), the Councillor is to propose alternative wording for the resolution.
- 17.14 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.12(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.
- 17.15 A motion moved under clause 17.12 can be moved without notice. Despite clauses 10.19–10.29, only the mover of a motion referred to in clause 17.12 can speak to the motion before it is put.
- 17.16 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12.
- 17.27 A motion moved under clause 17.12 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

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18. Time Limits on Council Meetings

- 18.1 Meetings of the Council and Committees of the Council are to conclude no later than **9.30pm**
- 18.2 If the business of the meeting is unfinished at 9.30pm, 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 10.00pm, 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 Chief Executive Officer must:
- (a) individually notify each Councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the Council's website and in such other manner that the Chief Executive Officer is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19. 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 Chief Executive Officer must ensure that the following matters are recorded in the Council's minutes:
- (a) the names of Councillors attending a Council meeting and whether they attended the meeting in person or by audio-visual link
 - (b) details of each motion moved at a Council meeting and of any amendments moved to it,
 - (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost, and
 - (e) such other matters specifically required under this code.

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- 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.

- 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 Chief Executive Officer is to implement, without undue delay, lawful decisions of the Council.

Code of Meeting Practice

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

20. Council Committees**Application of this Part**

20.1 This Part 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 established, but may from time to time amend those functions.

Notice of Committee Meetings

20.6 The Chief Executive Officer 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.

Code of Meeting Practice

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 - Where all Members are Councillors

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 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 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).

Code of Meeting Practice

Closure of Committee Meetings to the Public

- 20.18 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.
- 20.19 If a Committee of the Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the Council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.19 during a part of the meeting that is webcast.

Disorder in Committee Meetings

- 20.21 The provisions of the Act and this code relating to the maintenance of order in Council meetings apply to meetings of Committees of the Council in the same way as they apply to meetings of the Council.

Minutes of Council Committee Meetings

- 20.22 Each Committee of the Council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a Committee must ensure that the following matters are recorded in the Committee's minutes:
- (a) the names of Councillors attending a meeting and whether they attended the meeting in person or by audio-visual link
 - (b) details of each motion moved at a meeting and of any amendments moved to it,
 - (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost, and
 - (e) such other matters specifically required under this code.
- 20.23 All voting at meetings of Committees of the Council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of Councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.24 The minutes of meetings of each Committee of the Council must be confirmed at a subsequent meeting of the Committee.
- 20.25 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.26 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

Code of Meeting Practice

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

21. Irregularities

- 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 the Council's code of conduct, or
 - (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

22. Definitions

the Act	means the <i>Local Government Act 1993</i>
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 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

Code of Meeting Practice

Chief Executive Officer	The Chief Executive Officer of the Council under s335 of the Local Government Act, 1993.
this code	means the Council's adopted code of meeting practice
Committee of the Council	means a Committee established by the Council in accordance with clause 20.2 of this code (being a Committee consisting only of Councillors) or the Council when it has resolved itself into Committee of the whole under clause 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 11.8 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a Councillor under clause 10.17 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a Councillor under clause 10.16 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 <i>Environmental Planning and Assessment Act 1979</i> 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 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 <i>Local Government (General) Regulation 2021</i>
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

Comments/submission on the Draft Code of Meeting Practice

The Code of Meeting Practice sets out important procedures for the conduct of Council and Committee meetings, aiming for principles such as **Transparency**, **Informed** decision making, **Inclusivity**, **Respectful**, **Effective**, and **Orderly** meetings.

While the document provides a comprehensive framework, there are areas where clarity, consistency, or enhancement of public and councilor participation could be considered.

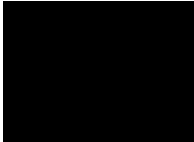
Here are potential recommendations for consideration:

- **Enhancing Public Participation in Deputations:**
 - **Clarify the criteria for increasing the number of speakers** allowed for or against an item during deputations. While the Chief Executive Officer (CEO) or chairperson has discretion to increase the number beyond the limit of one speaker for and one against, the Code does not specify the factors that would warrant this. Adding guidelines or criteria could enhance **transparency** and ensure the discretion is exercised consistently to hear a fuller range of views.
 - **Consider requiring written submissions from *all* deputation applicants** (not just approved speakers) to be circulated to Councilors and published on the website. The current Code focuses on oral presentations by selected speakers. Allowing all written applications/submissions to be part of the public record and available to Councilors could significantly increase the **inclusivity** and **informed** nature of decisions by exposing Councilors to a broader spectrum of community views, even if speaking time is limited.
 - **Review the restriction on speakers asking questions** of the Council, Councilors, or Council staff. While direct cross-examination is inappropriate, permitting speakers to ask clarifying questions *through the Chairperson* on factual points related to their deputation could aid **understanding** and contribute to more **informed** decisions.
- **Improving Information Access and Transparency (Webcasting and Minutes):**
 - **Consider making written transcripts or detailed summaries of public addresses/deputations available.** The Code explicitly states written transcripts will not be made available. While webcasting is provided, transcripts or comprehensive summaries would improve accessibility for individuals with hearing impairments, facilitate detailed analysis of public input, and make searching for specific contributions easier, thereby enhancing **inclusivity** and **transparency**. Now that AI can be used to transcribe the meeting, the cost of such work is no longer highly expensive or time consuming. It would also increase the accountability of Councilors in terms of their behaviour and comments during meetings – increasing transparency, inclusivity, respectful, effective, and orderly meetings.

- **Provide clearer guidelines or examples for the CEO's power to terminate or suspend webcasting.** The current wording is broad ("may infringe the rights or safety of an individual, be defamatory or inappropriate"). While acknowledging the need for this power, defining specific circumstances or types of content that would trigger suspension would enhance **transparency** regarding when the public feed might be interrupted.
- **Refining Councilor Procedures and Conduct:**
 - **Refine the restriction on Questions with Notice** that comprise complaints or imply wrongdoing against the CEO or staff. While preventing purely malicious or vexatious questions is necessary for a **respectful** and **orderly** meeting, the current wording could potentially prevent legitimate questions regarding performance or operations that may incidentally reveal areas of concern. Clarifying this clause to focus on the *form* rather than the potential *implication* of the question could maintain appropriate standards while allowing for necessary scrutiny.
 - **Review the rule prohibiting the use of laptops for live communication with non-council parties, especially social media, during Ordinary meetings.** In an era of digital communication, this rule could be seen as hindering councilors from accessing real-time public feedback on agenda items during open sessions, which could potentially inform their decision-making. A balance is needed to prevent disruption and maintain focus, but a blanket ban on external communication might be overly restrictive regarding staying **informed** about community views expressed digitally during the meeting.
 - **Provide more detailed guidance on how disorder by Councilors attending via audio-visual link will be managed.** While muting and terminating the link are outlined, the Code could specify the graduated approach to managing disruptive behaviour remotely, ensuring fairness and clarity for councilors participating via AV link.
- **Clarifying Decision Review Processes:**
 - **Reconsider the restriction on recommitting resolutions** only to correct errors, ambiguities, or imprecisions, and specifically prohibiting alterations to the substance of the resolution. There may be rare occasions where a substantive error or critical piece of information emerges immediately after a vote at the same meeting, demonstrating the decision was made on a flawed basis. While maintaining the stability of decisions is important, allowing for limited substantive recommitment under strict conditions (e.g., requiring a significantly higher threshold for the motion or with the consent of a supermajority of councilors) could enhance the **informed** nature of council decisions and provide a necessary corrective mechanism.

- **Ensuring Consistency in Committee Procedures:**
 - **Encourage or require Council Committees to formally adopt any specific procedural variations** from the main Code or require Council approval for such variations. While Committees can regulate their own procedure, formalizing any differences ensures **transparency** and **consistency** across all Council business units and their minutes.

I hope these suggestions are considered useful and are considered to modify or improve the document.





Monthly Investment Review



May 2025

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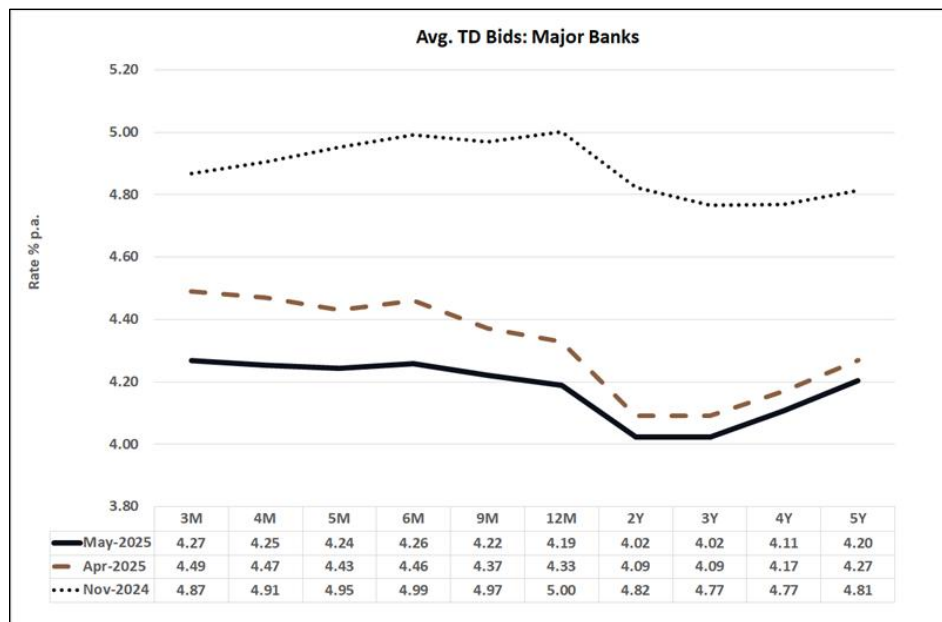
CL25.201 - Attachment 1



Market Update Summary

Financial markets rallied in May in the 'risk-on' environment with tariff negotiations seemingly heading in the right direction. Shares provided strong returns, whilst bond yields rose (valuations fell), with the market softening their expectations of a severe (US and global) recession, whilst marginally parring back the timing and the number of additional rate cuts to be delivered by central banks.

In the deposit market, over May, at the very short-end of the curve (less than 6 months), the average deposit rates offered by the domestic major banks fell by around 20bp compared to where they were the previous month (April), after the RBA delivered another rate cut. At the longer-end of the curve (1-5 years), the average rates have fell by ~7bp compared to where they were in April, with the market factoring up to another three rate cuts over the next 12 months.



Source: Imperium Markets

With additional rate cuts and a global economic downturn priced in over 2025, investors should consider diversifying and taking an 'insurance policy' against a potentially lower rate environment by investing across 1-5 year fixed deposits and locking in rates above 4% p.a. (small allocation only).



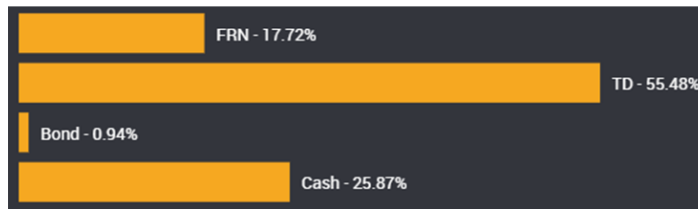
Shoalhaven City Council 's Portfolio & Compliance

Asset Allocation

The majority of the portfolio is directed to fixed term deposits and cash or cash notice accounts. The remainder of the portfolio is directed to liquid senior FRNs and fixed bonds.

Senior FRNs are now trading at a 'fair value' on a historical basis, and new issuances should be considered on a case by case scenario. For fixed interest investments, staggering a mix of fixed deposits between 12 months to 5 years remains a more optimal strategy to maximise returns over a longer-term cycle.

With additional interest rate cuts and a global economic downturn being priced in 2025, investors can choose to allocate a small proportion of longer-term funds and undertake an insurance policy against additional rate cuts by investing across 1-5 year fixed deposits, locking in and targeting yields above 4% p.a. Should inflation be within the RBA's target band of 2-3% over the longer-term, returns around 4% p.a. or higher should outperform benchmark.





Term to Maturity

All maturity limits (minimum and maximum) comply with the Investment Policy. Short-Medium Term (1-2 years) assets account for around 4% of the total investment portfolio, with capacity of ~\$140m remaining.

Any funds excess to surplus requirements should be placed in longer-dated tenors between 1-5 years across fixed term deposits along with any attractive new FRNs (3-5 years) as they come to market (refer to respective sections below).

Compliant	Horizon	Invested (\$)	Invested (%)	Min. Limit (%)	Max. Limit (%)	Available (\$)
✓	0 - 90 days	\$84,016,034	39.50%	0%	100%	\$128,686,764
✓	91 - 365 days	\$94,099,821	44.24%	0%	100%	\$118,602,977
✓	1 - 2 years	\$8,724,689	4.10%	0%	70%	\$140,167,270
✓	2 - 5 years	\$25,862,254	12.16%	0%	50%	\$80,489,145
✓	5 - 10 years	\$0	0.00%	0%	25%	\$53,175,700
		\$212,702,798	100.00%			

CL25.201 - Attachment 1



Counterparty

As at the end of May 2025, all counterparty exposures comply within the Policy limits. Capacity limits are also dependent on the movement in the cash balances. Overall, the portfolio is well diversified across the entire credit spectrum, including some exposure to the regional bank (lower rated) ADIs.

Compliant	Issuer	Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	DBS Cov	AAA	\$1,003,200	0.47%	100.00%	\$211,699,598
✓	Suncorp Cov	AAA	\$2,015,204	0.95%	100.00%	\$210,687,594
✓	ANZ	AA-	\$40,986,866	19.27%	100.00%	\$171,715,933
✓	CBA	AA-	\$51,833,110	24.37%	100.00%	\$160,869,689
✓	HSBC Bank	AA-	\$2,016,378	0.95%	100.00%	\$210,686,420
✓	NAB	AA-	\$70,514,223	33.15%	100.00%	\$142,188,575
✓	Northern Terr.	AA-	\$2,000,000	0.94%	100.00%	\$210,702,798
✓	NSW (SIRA)	AA+	\$6,675,000	3.14%	100.00%	\$206,027,798
✓	Macquarie Bank	A+	\$4,000,340	1.88%	100.00%	\$208,702,458
✓	Rabobank	A+	\$5,321,503	2.50%	100.00%	\$207,381,295
✓	ING Bank	A	\$15,715,547	7.39%	100.00%	\$196,987,252
✓	Bendigo	A-	\$10,601,255	4.98%	20.00%	\$31,939,304
✓	AMP Bank	BBB+	\$20,173	0.01%	5.00%	\$10,614,967
			\$212,702,798	100.00%		

On 31st July 2024, ANZ's takeover of Suncorp Bank was formalised, and ratings agency S&P upgraded Suncorp's long-term credit rating to that of its parent company immediately (now rated AA-). Investor's exposure to Suncorp is now reflected under the parent company being ANZ.



Credit Quality

The portfolio is well diversified from a credit ratings perspective. The portfolio is entirely invested amongst the investment grade ADIs (BBB+ or higher). There is no exposure to Unrated assets now following the disposal of the TCorp Long-Term Growth Fund in Q1 2024.

All ratings categories are within the Policy limits:

Compliant	Credit Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	AAA Category	\$3,018,404	1%	100%	\$209,684,394
✓	AA Category	\$174,025,576	82%	100%	\$38,677,222
✓	A+ to A Category	\$25,037,390	12%	100%	\$187,665,408
✓	A- Category	\$10,601,255	5%	40%	\$74,479,864
✓	BBB+ to BBB Category	\$20,173	0%	30%	\$63,790,667
✓	BBB- & NR ADIs	\$0	0%	5%	\$10,635,140
✓	TCorp LTGF	\$0	0%	100%	\$212,702,798
		\$212,702,798	100.00%		



Performance

Council's performance for the month ending May 2025 (excluding cash) is summarised as follows:

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.33%	0.98%	2.07%	3.55%	4.29%
AusBond Bank Bill Index	0.34%	1.05%	2.16%	4.06%	4.42%
T/D Portfolio	0.42%	1.23%	2.46%	4.62%	5.04%
FRN Portfolio	0.43%	1.21%	2.37%	4.38%	4.77%
Bond Portfolio	0.10%	0.30%	0.59%	1.05%	1.13%
Council's Total Portfolio[^]	0.42%	1.21%	2.41%	4.47%	4.86%
Relative (to Bank Bills)	0.07%	0.17%	0.25%	0.41%	0.44%

[^]Council's total portfolio returns excludes Council's cash account holdings.

Performance (Annualised)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	3.97%	3.96%	4.20%	3.87%	4.29%
AusBond Bank Bill Index	4.12%	4.22%	4.38%	4.43%	4.42%
T/D Portfolio	5.02%	4.96%	5.00%	5.05%	5.04%
FRN Portfolio	5.16%	4.87%	4.81%	4.79%	4.77%
Bond Portfolio	1.24%	1.21%	1.20%	1.14%	1.13%
Council's Total Portfolio[^]	5.01%	4.89%	4.89%	4.88%	4.86%
Relative (to Bank Bills)	0.89%	0.68%	0.51%	0.45%	0.44%

[^]Council's total portfolio returns excludes Council's cash account holdings.

For the month of May, the total portfolio (excluding cash) provided a return of +0.42% (actual) or +5.01% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.34% (actual) or +4.12% p.a. (annualised). The longer-term positive performance continues to be anchored by the handful of deposits that were originally placed for terms greater than 12 months.



Recommendations for Council

AMP Business Saver & Notice Account

We note the AMP Business Saver and AMP 31 Day Notice Account are now sub optimal investments given the rise in deposit yields in recent months. We recommend switching into short-dated fixed deposits with the major banks yielding a considerably higher rate of return, or simply just redeem to replenish capital reserves.

Term Deposits

As at the end of May 2025, Council's **deposit** portfolio was yielding 4.84% p.a. (down 6bp from the previous month), with a weighted average duration of ~190 days (~6½ months). We recommend extending the weighted average duration closer to 9-12 months to optimise returns in the long-run.

Going forward, a more optimal strategy would be staggering deposits across 1-5 year terms – this is likely to earn up to ¼-½% p.a. higher compared to shorter tenors in a normal market environment. There is growing belief that additional rate cuts and a global economic downturn is imminent and so locking in rates above 4% p.a. across 1-5 year tenors may provide some income protection against a lower rate environment.

Please refer to the section below for further details on the Term Deposit market.

Securities

Primary (new) **FRNs** (with maturities between 3-5 years) are now 'fair value' again and remain appealing (particularly for those investors with portfolios skewed towards fixed assets) and should be considered on a case by case scenario. **Fixed Bonds** may also provide attractive opportunities from new (primary) issuances.



Council's FRN Portfolio

We recommend that Council retains most its FRNs at this stage. We will continue to monitor them individually and will advise when it is appropriate to sell to boost the overall returns of the portfolio in future. (We also remind Council that FRNs can also be sold in the case of an emergency for cash flow purposes).

The following FRNs (unrealised gains of ~\$24.5k) are up for consideration to be sold over the next few months. We recommend switching into a new attractive FRN when available or otherwise, medium-term fixed deposits (1-5 years) yielding above 4% p.a.

Issuer	Rating	Maturity Date	ISIN	Face Value	Trading Margin	~Capital Price (\$)	~Unrealised Gain (\$)
NAB	AA-	25/02/2027	AU3FN0066528	\$4,000,000	+50.5bp	\$100.313	\$12,516
Rabo	A+	27/01/2027	AU3FN0065710	\$2,000,000	+57.5bp	\$100.224	\$4,486
Sunc	AA-	25/01/2027	AU3FN0065994	\$2,700,000	+58.5bp	\$100.285	\$7,687

Council's Senior Fixed Bonds

In August 2021, Council invested into the following NTTC (AA-) fixed bond:

Investment Date	Maturity Date	Principal	Rate % p.a.	Interest Paid
27/08/2021	15/12/2025	\$2,000,000	1.20%	Annually

We believe this was prudent at the time of investment given the low rate environment and particularly after the RBA's easing decision in early November 2020 to 0.10% and their forward guidance towards official interest rates (no rate rises "until at least 2024").

The NTTC bond is a 'retail' offering and not a 'wholesale' issuance. Given the lack of liquidity and high penalty costs if they were to be sold/redeemed prior to the maturity date, it is considered to be a hold-to-maturity investment and will be marked at par value (\$100.00) throughout the term of investment.



Term Deposit Market Review

Current Term Deposits Rates

As at the end of May, we see value in the following:

ADI	LT Credit Rating	Term	Rate % p.a.
ING Bank	A	5 years	4.39%
NAB	AA-	5 years	4.30%
BoQ	A-	5 years	4.30%
Westpac	AA-	5 years	4.24%
ING Bank	A	4 years	4.24%
BoQ	A-	4 years	4.20%
Westpac	AA-	4 years	4.10%
Hume Bank	BBB+	4 years	4.10%
NAB	AA-	3 years	4.13%
ING Bank	A	3 years	4.10%
BankVIC	BBB+	3 years	4.10%
BoQ	A-	3 years	4.05%
State Bank of India	BBB-	2 years	4.25%
NAB	AA-	2 years	4.10%
BankVIC	BBB+	2 years	4.10%
ING Bank	A	2 years	4.06%

The above deposits are suitable for investors looking to maintain diversification and lock-in a slight premium compared to purely investing short-term.

For terms under 12 months, we believe the strongest value is currently being offered by the following ADIs (we stress that rates are indicative, dependent on daily funding requirements and different for industry segments):



ADI	LT Credit Rating	Term	Rate % p.a.
State Bank of India	BBB-	12 months	4.50%
ICBC	A	12 months	4.22%
Westpac	AA-	12 months	4.20%
Australian Unity	BBB+	12 months	4.20%
NAB	AA-	12 months	4.19%
State Bank of India	BBB-	9 months	4.50%
BankVIC	BBB+	9 months	4.25%
NAB	AA-	9 months	4.20%
Westpac	AA-	9 months	4.20%
State Bank of India	BBB-	6 months	4.60%
Bank of Sydney	Unrated ADI	6 months	4.40%
BankVIC	BBB+	6 months	4.35%
BoQ	A-	6 months	4.30%
NAB	AA-	6 months	4.25%
State Bank of India	BBB-	3 months	4.65%
Bank of Sydney	Unrated ADI	3 months	4.45%
NAB	AA-	3 months	4.25%

For those investors that do not require high levels of liquidity and can stagger their investments longer term, they will be rewarded over a longer-term cycle if they roll for an average min. term of 12 months, with a spread of investments out to 5 years (this is where we see current value). In a normal market environment (upward sloping yield curve), investors could earn over a cycle, on average, up to ¼-½% p.a. higher compared to those investors that entirely invest in short-dated deposits.

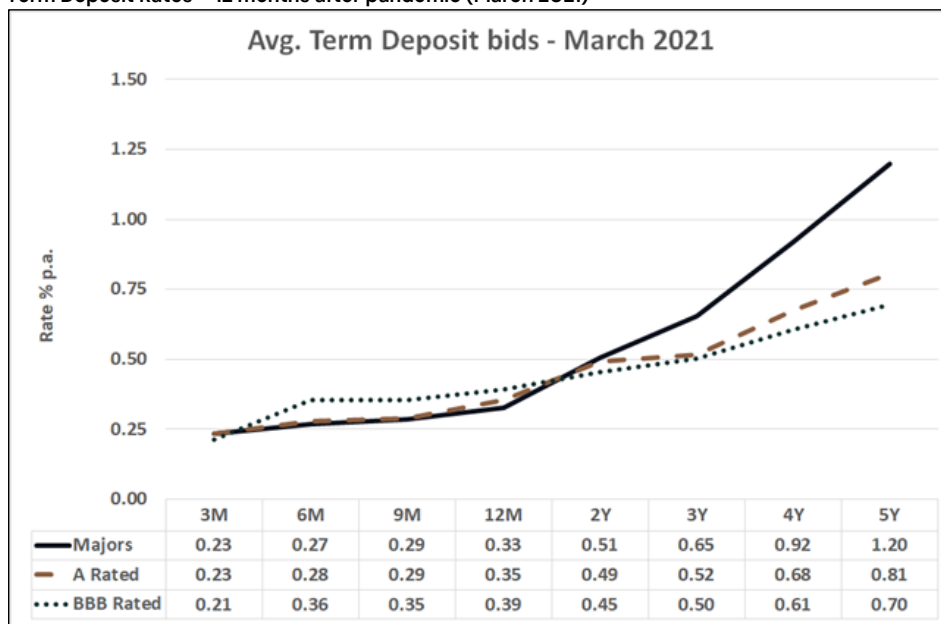
With additional rate cuts and a global economic downturn priced in over 2025, investors should consider allocating some longer-term surplus funds and undertake an insurance policy by investing across 1-5 year fixed deposits and locking in rates above 4% p.a. This will provide some income protection if the RBA decides to continue cutting rates over 2025 and into 2026.



Term Deposits Analysis

Pre-pandemic (March 2020), a 'normal' marketplace meant the lower rated ADIs (i.e. BBB category) were offering higher rates on term deposits compared to the higher rated ADIs (i.e. A or AA rated). But due to the cheap funding available provided by the RBA via their Term Funding Facility (TFF) during mid-2020, allowing the ADIs to borrow as low as 0.10% p.a. fixed for 3 years, those lower rated ADIs (BBB rated) did not require deposit funding from the wholesale deposit. Given the higher rated banks had more capacity to lend (as they have a greater pool of mortgage borrowers), they subsequently were offering higher deposit rates. In fact, some of the lower rated banks were not even offering deposit rates at all. As a result, most investors placed a higher proportion of their deposit investments with the higher rated (A or AA) ADIs over the past three years.

Term Deposit Rates – 12 months after pandemic (March 2021)



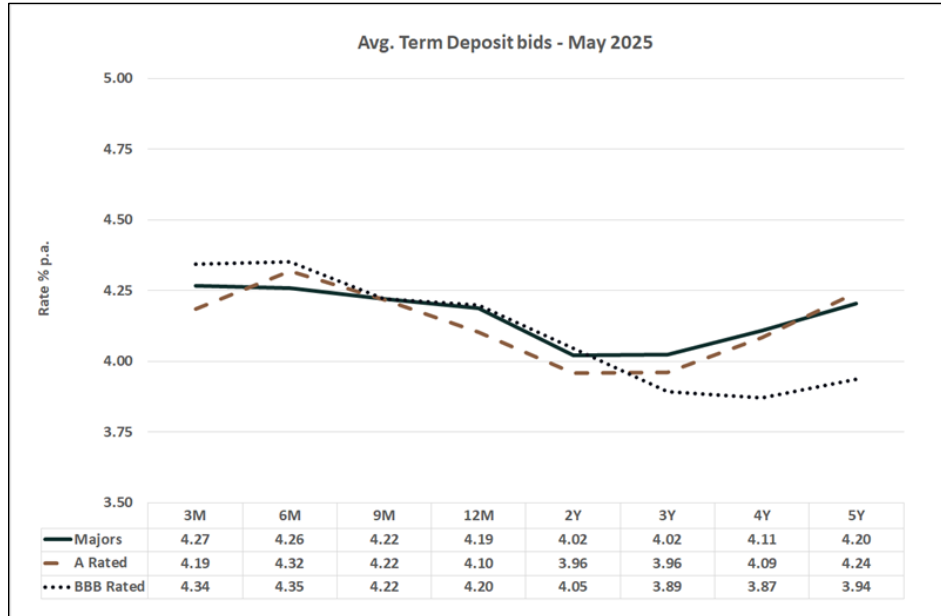
Source: Imperium Markets

The abnormal marketplace experienced during the pandemic is starting to reverse as the competition for deposits slowly increases, partially driven by the RBA's term funding facility coming to an end. In recent months, we have started to periodically see some of the lower rated ADIs ("A" and "BBB" rated) offering slightly higher rates compared to the domestic major banks ("AA" rated) on different parts of the curve (i.e. pre-pandemic environment). Some of this has been attributed to lags in adjusting their deposit rates as some banks (mainly the lower rated ADIs) simply set their rates for the week.



Going forward, investors should have a larger opportunity to invest a higher proportion of its funds with the lower rated institutions (up to Policy limits), from which the majority are not lending to the Fossil Fuel industry or considered 'ethical'. We are slowly seeing this trend emerge, although the major banks always seem to react more quickly than the rest of the market during periods of volatility:

Term Deposit Rates – Currently (May 2025)



Source: Imperium Markets

Financial Stability of the Banking (ADI) Sector

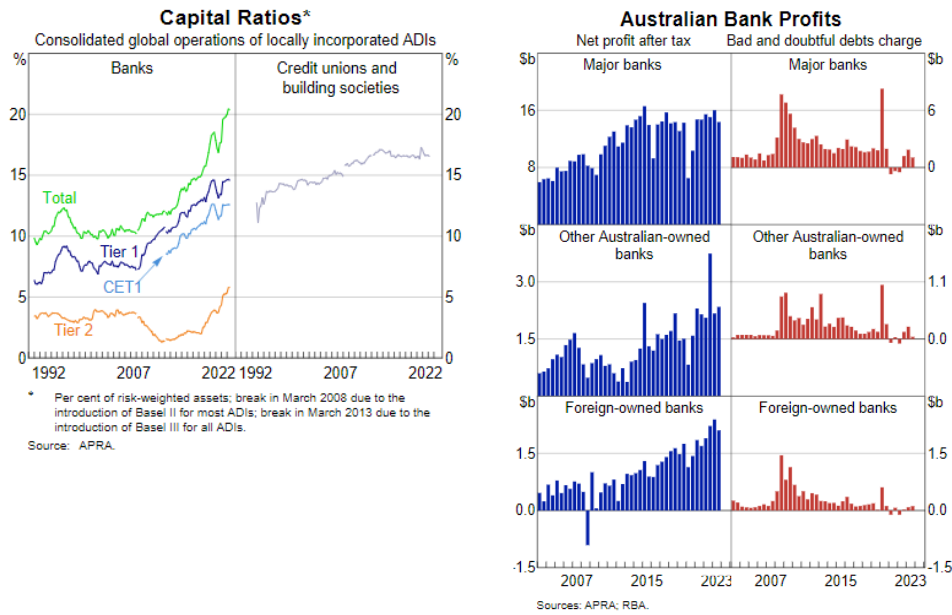
The RBA's latest Financial Stability report of 2024 reaffirms the strong balance sheet across the ADI sector. They noted that the risk of widespread financial stress remains limited due to the generally strong financial positions of most (individual) borrowers. Very few mortgage borrowers are in negative equity, limiting the impact on lenders (ADIs) in the event of default and supporting their ability to continue providing credit to the economy. Most businesses that have entered insolvency are small and have little debt, limiting the broader impact on the labour market and thus household incomes, and on the capital position of lenders (ADIs).

Australian banks (collectively the APRA regulated ADIs) have maintained prudent lending standards and are well positioned to continue supplying credit to the economy. A deterioration in economic conditions or temporary disruption to funding markets is unlikely to halt lending activity. Banks have anticipated an



increase in loan arrears and have capital and liquidity buffers well above regulatory requirements (see *Capital Ratios* chart below). APRA's mandate is to "protect depositors" and provide "financial stability".

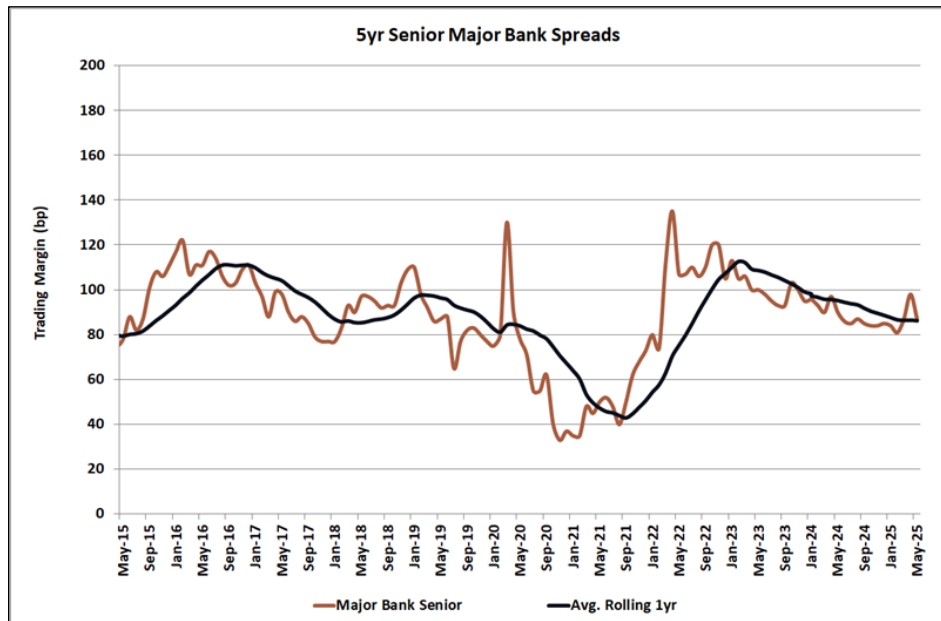
Over the past two decades, both domestic and international banks continue to operate and demonstrate high levels of profitability (see *Australian Bank Profits* chart below), which also includes two stress-test environments being the GFC (September 2008) and the COVID pandemic (March 2020):





Senior FRNs Market Review

Over May, amongst the senior major bank FRNs, physical credit securities tightened up to 11bp at the long-end of the curve. During the month, Suncorp (AA-) issued a new 5 year senior security at +93bp, whilst ANZ (AA-) issued a new 1 year FRN at +42bp. Long-term major bank senior securities are looking 'fair' value around the +85-90bp level for a 5 year tenor.



Source: IBS Capital

There was minimal primary issuances amongst the senior bank market this month, with the only notable lines being the small levels issued by:

- RACQ (BBB+) 3 year senior FRN at +135bp
- Bank of Us (BBB+) 1 year senior FRN at +95bp

Amongst the "A" rated sector, the securities widened up to 13bp at the longer-end of the curve, whilst the "BBB" rated sector remained relatively flat.

Overall, credit securities remain fair value on a historical basis. FRNs will continue to play a role in investors' portfolios mainly based on their liquidity and the ability to roll down the curve and gross up returns over ensuing years (in a relatively stable credit environment), whilst also providing some diversification to those investors skewed towards fixed assets.



Senior FRNs (ADIs)	31/05/2025	30/04/2025
"AA" rated – 5yrs	+87bp	+98bp
"AA" rated – 3yrs	+69bp	+77bp
"A" rated – 5yrs	+97bp	+110bp
"A" rated – 3yrs	+77bp	+88bp
"BBB" rated – 3yrs	+130bp	+130bp

Source: IBS Capital

We now generally recommend switches ('benchmark' issues only) into new primary issues, out of the following senior FRNs that are maturing:

- On or before mid-2027 for the "AA" rated ADIs (domestic major banks);
- On or before mid-2026 for the "A" rated ADIs; and
- Within 6–9 months for the "BBB" rated ADIs (consider case by case).

Investors holding onto the above senior FRNs ('benchmark' issues only) in their last few years are now generally holding sub optimal investments and are not maximising returns by foregoing realised capital gains. In the current challenging economic environment, any boost in overall returns should be locked in when it is advantageous to do so, particularly as switch opportunities become available.



Senior Fixed Bonds – ADIs (Secondary Market)

With global inflation softening and official interest rates starting to drop progressively, investors may look at some opportunities in the secondary market. We currently see value in the following fixed bond lines (please note supply in the secondary market may be limited on any day):

ISIN	Issuer	Rating	Capital Structure	Maturity Date	~Remain. Term (yrs)	Fixed Coupon	Indicative Yield
AU3CB0314763	Bendigo	A-	Senior	24/10/2028	3.41	4.79%	4.38%
AU3CB0308955	BoQ	A-	Senior	30/04/2029	3.93	5.30%	4.53%
AU3CB0319879	Nova Sco.	A-	Senior	21/03/2030	4.82	5.23%	5.02%



Economic Commentary

International Market

Financial markets rallied in May in the 'risk-on' environment with tariff negotiations seemingly heading in the right direction. Shares provided strong returns, whilst bond yields rose (valuations fell), with the market softening their expectations of a severe (US and global) recession, whilst marginally parring back the timing and the number of additional rate cuts to be delivered by central banks.

Across equity markets, the US S&P 500 Index rose +6.15%, whilst the NASDAQ surged +9.56%. Europe's main indices also rose, with gains in Germany's DAX (+6.67%), UK's FTSE (+3.27%) and France's CAC (+2.08%).

US-China trade negotiations have improved market sentiment dramatically. The US reduced the tariffs on China imports to 30% from 145% for 90 days and China reduced its tariffs on US imports to 10% from 125%.

The US FOMC left the funds rate unchanged at 4.50-4.25%. The decision was unanimous. The post-meeting statement noted that "*uncertainty around the economic outlook has increased further*".

The US economy contracted an annualised -0.3% rate in the March 2025 quarter, the first GDP fall since 2022. The contraction is largely the result of a surge in imports before the implementation of tariffs.

US inflation for April came in better than expected at +0.22% for headline versus forecast of +0.30%, which saw the annual rate fall from +2.4% to +2.3%. Core inflation was +0.24% versus forecast of +0.30% with the annual rate holding steady at +2.8%.

Canada's headline inflation came down to +1.7% from +2.3% in March, its lowest since last September. Core measures in contrast accelerated, to an average of +3.2% up from +2.9%.

Eurozone headline CPI remained steady at a +2.2% annual rate in April which compared consensus expectations for a drop to +2.1%. Core inflation rose to +2.7%, from +2.4% in March which was also above expectations.

The Bank of England (BoE) cut interest rates by 25bp to 4.25%, but the vote split was hawkish with two (of nine) unexpectedly voting for unchanged and two wanting a 50bp cut. UK GDP figures surprised to the upside at +0.7% q/q, making it the fastest growing major economy in the quarter.

The MSCI World ex-Aus Index rose +6.00% for the month of May:

Index	1m	3m	1yr	3yr	5yr	10yr
S&P 500 Index	+6.15%	-0.72%	+5.52%	+12.68%	+14.19%	+10.87%
MSCI World ex-AUS	+6.00%	+2.20%	+14.30%	+13.90%	+14.80%	+10.60%
S&P ASX 200 Accum. Index	+4.20%	+4.31%	+8.79%	+9.62%	+12.11%	+8.12%

Source: S&P, MSCI



Domestic Market

The RBA cut the official cash rate by 25bp to 3.85% as widely expected, although the (slight) surprise was the admission that a 50bp cut was discussed. The Board assesses monetary policy after this cut to be “...somewhat less restrictive”, which opens the door for further rate cuts.

The RBA’s statement has evolved in a dovish direction since April, with the final sentence now acknowledging both sides of the RBA’s dual mandate: “the Board is focused on its mandate to deliver price stability and full employment and will do what it considers necessary to achieve that outcome”.

The monthly CPI indicator rose +2.4% y/y in April after +2.4% y/y in March. The annual trimmed mean was +2.8% y/y in April from +2.7% y/y in March.

The wage price index (WPI) rose +0.9% q/q (above consensus of +0.8% q/q) in Q1 2025 and +3.4% y/y.

The unemployment rate was 4.1% in April, unchanged from March. The +89k surge in employment growth was alongside a 0.3% lift in the participation rate to 67.1%.

The governing Labor party retained government with an increased majority. Projections put Labor on 94 seats, Liberal/National 43 seats, 11 Independent, and 9 seats are still in doubt.

The monthly trade surplus was much higher than expected with a surplus of \$6.9bn for March vs. \$3.2bn consensus. The better-than-expected outcome was mostly an exports story with exports lifting +7.6% m/m, while imports also fell -2.2% m/m.

Dwelling prices for April rose +0.3% m/m, further sustaining the turnaround seen since February.

The Australian dollar rose around +0.31%, finishing the month at US64.36 cents (from US64.16 cents the previous month).

Credit Market

The global credit indices tightened significantly in the risk-on environment. They remain at levels last seen around 12 months ago:

Index	May 2025	April 2025
CDX North American 5yr CDS	56bp	67bp
iTraxx Europe 5yr CDS	58bp	68bp
iTraxx Australia 5yr CDS	75bp	92bp

Source: Markit



Fixed Interest Review

Benchmark Index Returns

Index	May 2025	April 2025
Bloomberg AusBond Bank Bill Index (0+YR)	+0.32%	+0.35%
Bloomberg AusBond Composite Bond Index (0+YR)	-0.40%	+1.70%
Bloomberg AusBond Credit FRN Index (0+YR)	+0.64%	+0.22%
Bloomberg AusBond Credit Index (0+YR)	+0.21%	+1.09%
Bloomberg AusBond Treasury Index (0+YR)	+0.02%	+1.82%
Bloomberg AusBond Inflation Gov't Index (0+YR)	+0.41%	+1.22%

Source: Bloomberg

Other Key Rates

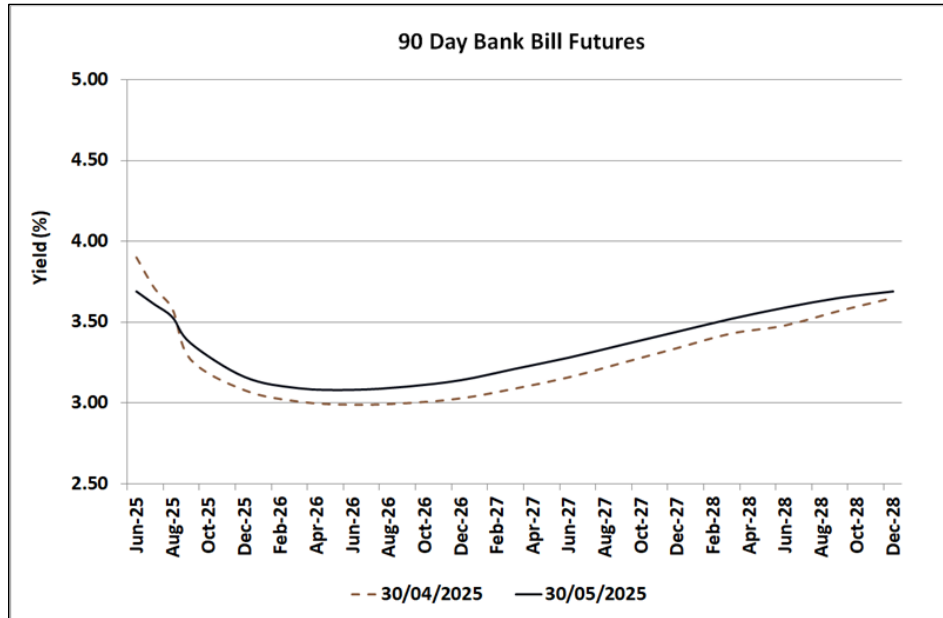
Index	May 2025	April 2025
RBA Official Cash Rate	3.85%	4.10%
90 Day (3 month) BBSW Rate	3.73%	3.87%
3yr Australian Government Bonds	3.31%	3.30%
10yr Australian Government Bonds	4.23%	4.14%
US Fed Funds Rate	4.25%-4.50%	4.25%-4.50%
2yr US Treasury Bonds	3.89%	3.60%
10yr US Treasury Bonds	4.41%	4.17%

Source: RBA, ASX, US Department of Treasury



90 Day Bill Futures

Bill futures rose across the curve this month, following the movement in global bond yields. The short-end reflects the market's expectations of further rate cuts to be delivered imminently:



Source: ASX

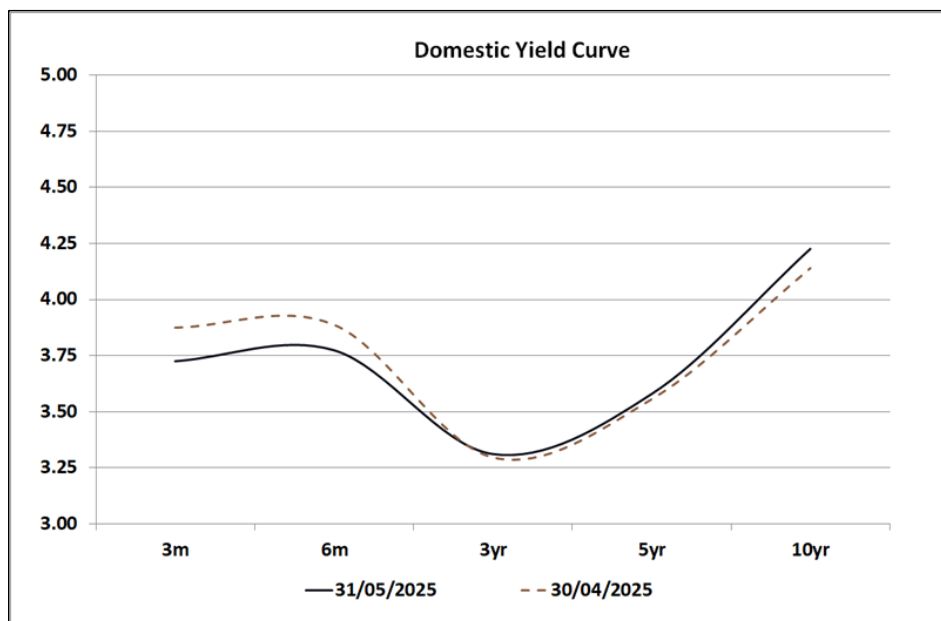


Fixed Interest Outlook

After keeping interest rates unchanged (as expected) in its latest meeting, US Fed Chair Powell commented that *"the risks of higher unemployment and higher inflation have risen"*. Overall Powell concluded that given the underlying solid nature of the economy, the *"the costs of waiting (delaying rate cuts) are fairly low"*. The market continues to factor up to two rate cuts by the US Fed for the remainder of 2025, down from at least three the previous month.

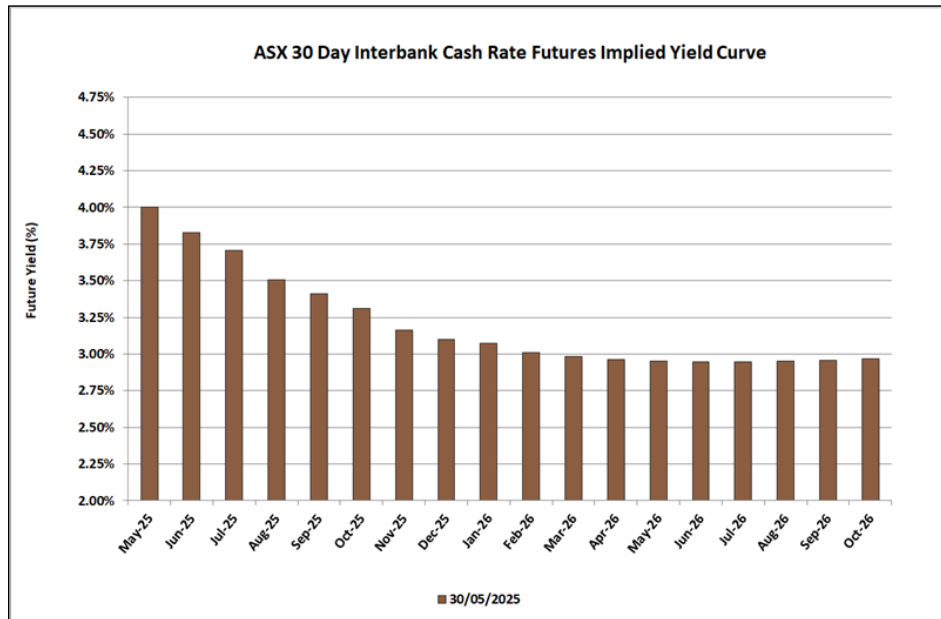
Domestically, after the RBA cut rates again in May, rhetoric on inflation now reflects greater comfort with the inflation forecast. Risks to inflation are described as *"more balanced"*, a change from April, where it was noted that there were *"...risks on both sides and the Board is cautious about the outlook."* Core inflation was revised down slightly by the RBA, the unemployment rate was revised higher and the 2025 GDP forecast was revised down.

Yields rose up to 9bp at the longer-end of the curve:



Source: ASX, RBA

Financial markets are still pricing up to three (3) additional rate cuts by year-end, which would take the official cash rate down to 3.10%, although the RBA is still cautious on the potential upside risks to inflation due to international market developments, particularly surrounding the ongoing tariff wars:



Source: ASX

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Statement of Investments

as at 31 May 2025

Portfolio by Asset as at 31/05/2025

Asset Type: CASH

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
State Insurance Regulatory Authority	AA+	CASH	GENERAL	Monthly	31/05/2025	31/05/2025	0.0000	6,675,000.00	6,675,000.00	-	-
AMP Bank	BBB+	CASH	GENERAL	Monthly	31/05/2025	31/05/2025	4.1000	19,485.60	19,485.60	8,986.92	8,986.92
AMP Bank	BBB+	CASH	GENERAL	Monthly	31/05/2025	31/05/2025	2.5000	687.28	687.28	1.46	1.46
Commonwealth Bank	AA-	CASH	GENERAL	Monthly	31/05/2025	31/05/2025	3.9000	37,328,738.40	37,328,738.40	28,486.89	28,486.89
Commonwealth Bank	AA-	CASH	GENERAL	Monthly	31/05/2025	31/05/2025	0.0000	10,992,122.66	10,992,122.66	-	-
CASH SUBTOTALS								55,016,033.94	55,016,033.94	37,475.27	37,475.27

Asset Type: TD

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
NAB	AA-	TD	GENERAL	At Maturity	03/10/2024	18/06/2025	4.9800	5,000,000.00	5,000,000.00	164,408.22	21,147.95
NAB	AA-	TD	GENERAL	At Maturity	14/08/2024	18/06/2025	5.1000	2,000,000.00	2,000,000.00	81,320.55	8,663.01
Suncorp Bank	AA-	TD	GENERAL	At Maturity	03/09/2024	25/06/2025	4.9400	2,000,000.00	2,000,000.00	73,355.62	8,391.23
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	05/07/2024	09/07/2025	5.3700	2,000,000.00	2,000,000.00	97,395.62	9,121.64
NAB	AA-	TD	GENERAL	At Maturity	05/07/2024	16/07/2025	5.4500	2,000,000.00	2,000,000.00	98,846.58	9,257.53
Bendigo and Adelaide	A-	TD	GENERAL	At Maturity	30/01/2025	23/07/2025	4.8900	5,000,000.00	5,000,000.00	81,723.29	20,765.75
NAB	AA-	TD	GENERAL	At Maturity	02/04/2025	05/08/2025	4.7000	5,000,000.00	5,000,000.00	38,630.14	19,958.90

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
NAB	AA-	TD	GENERAL	At Maturity	02/08/2024	06/08/2025	5.2000	2,000,000.00	2,000,000.00	86,334.25	8,832.88
NAB	AA-	TD	GENERAL	At Maturity	02/08/2024	13/08/2025	5.2000	2,000,000.00	2,000,000.00	86,334.25	8,832.88
NAB	AA-	TD	GENERAL	At Maturity	26/08/2024	27/08/2025	5.0000	2,000,000.00	2,000,000.00	76,438.36	8,493.15
NAB	AA-	TD	GENERAL	At Maturity	02/08/2024	17/09/2025	5.1500	2,000,000.00	2,000,000.00	85,504.11	8,747.95
Bendigo and Adelaide	A-	TD	GENERAL	At Maturity	30/01/2025	24/09/2025	4.8500	5,000,000.00	5,000,000.00	81,054.79	20,595.89
NAB	AA-	TD	GENERAL	At Maturity	21/02/2025	08/10/2025	4.7000	5,000,000.00	5,000,000.00	64,383.56	19,958.90
NAB	AA-	TD	GENERAL	At Maturity	03/10/2024	08/10/2025	4.9000	5,000,000.00	5,000,000.00	161,767.12	20,808.22
Suncorp Bank	AA-	TD	GENERAL	At Maturity	28/03/2025	28/10/2025	4.7800	5,000,000.00	5,000,000.00	42,561.64	20,298.63
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	03/10/2024	05/11/2025	4.8400	5,000,000.00	5,000,000.00	159,786.30	20,553.42
NAB	AA-	TD	GENERAL	At Maturity	28/02/2025	12/11/2025	4.6800	5,000,000.00	5,000,000.00	59,621.92	19,873.97
NAB	AA-	TD	GENERAL	At Maturity	03/12/2024	03/12/2025	5.0500	5,000,000.00	5,000,000.00	124,520.55	21,445.21
Suncorp Bank	AA-	TD	GENERAL	At Maturity	01/03/2024	11/12/2025	4.9000	3,000,000.00	3,000,000.00	184,052.05	12,484.93
NAB	AA-	TD	GENERAL	At Maturity	19/12/2024	17/12/2025	5.0000	5,000,000.00	5,000,000.00	112,328.77	21,232.88
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	01/03/2024	17/12/2025	5.0000	3,000,000.00	3,000,000.00	187,808.22	12,739.73
NAB	AA-	TD	GENERAL	At Maturity	12/12/2024	07/01/2026	4.9300	5,000,000.00	5,000,000.00	115,483.56	20,935.62
Suncorp Bank	AA-	TD	GENERAL	At Maturity	02/04/2025	04/02/2026	4.7800	5,000,000.00	5,000,000.00	39,287.67	20,298.63
NAB	AA-	TD	GENERAL	At Maturity	21/02/2025	18/02/2026	4.6900	5,000,000.00	5,000,000.00	64,246.58	19,916.44
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	01/03/2024	04/03/2026	4.9500	3,000,000.00	3,000,000.00	185,930.14	12,612.33
Suncorp Bank	AA-	TD	GENERAL	At Maturity	12/03/2025	12/03/2026	4.5900	5,000,000.00	5,000,000.00	50,930.14	19,491.78

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Suncorp Bank	AA-	TD	GENERAL	At Maturity	28/03/2025	30/03/2026	4.7000	5,000,000.00	5,000,000.00	41,849.32	19,958.90
Suncorp Bank	AA-	TD	GENERAL	At Maturity	02/04/2025	02/04/2026	4.7000	5,000,000.00	5,000,000.00	38,630.14	19,958.90
NAB	AA-	TD	GENERAL	At Maturity	09/05/2025	06/05/2026	4.1000	5,000,000.00	5,000,000.00	12,917.81	12,917.81
NAB	AA-	TD	GENERAL	At Maturity	01/03/2024	15/12/2027	4.7000	3,000,000.00	3,000,000.00	176,539.73	11,975.34
TD SUBTOTALS								118,000,000.00	118,000,000.00	2,873,990.96	480,270.41

Asset Type: FRN

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Macquarie Bank	A+	FRN	GENERAL	Quarterly	09/12/2020	09/12/2025	4.5900	4,000,340.00	4,000,000.00	41,750.14	15,593.42
Suncorp Bank	AA-	FRN	GENERAL	Quarterly	24/02/2021	24/02/2026	4.1595	2,099,481.30	2,100,000.00	1,435.88	1,435.88
Suncorp Bank	AA-	FRN	GENERAL	Quarterly	25/01/2022	25/01/2027	4.6762	2,707,686.90	2,700,000.00	11,760.96	10,723.23
Rabobank Australia Branch	A+	FRN	GENERAL	Quarterly	27/01/2022	27/01/2027	4.6262	2,004,486.00	2,000,000.00	8,618.67	7,858.20
NAB	AA-	FRN	GENERAL	Quarterly	25/02/2022	25/02/2027	4.4295	4,012,516.00	4,000,000.00	2,912.55	2,912.55
DBS Bank	AAA	FRN	GENERAL	Quarterly	16/08/2023	16/08/2027	4.5972	1,003,200.00	1,000,000.00	2,015.21	2,015.21
HSBC Bank, Sydney Branch	AA-	FRN	GENERAL	Quarterly	03/03/2023	03/03/2028	5.1653	2,016,378.00	2,000,000.00	25,472.71	8,773.93
Suncorp Bank	AAA	FRN	GENERAL	Quarterly	12/07/2023	12/07/2028	5.0978	2,015,204.00	2,000,000.00	13,407.91	8,659.28
Commonwealth Bank	AA-	FRN	GENERAL	Quarterly	17/08/2023	17/08/2028	4.7576	1,007,481.00	1,000,000.00	1,694.49	1,694.49
Bendigo and Adelaide	A-	FRN	GENERAL	Quarterly	24/10/2024	24/10/2028	4.8782	601,255.20	600,000.00	3,047.20	2,485.88

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
ANZ Bank	AA-	FRN	GENERAL	Quarterly	05/02/2024	05/02/2029	4.8100	2,517,945.00	2,500,000.00	8,895.21	8,895.21
Rabobank Australia Branch	A+	FRN	GENERAL	Quarterly	26/02/2024	26/02/2029	4.7395	2,013,766.00	2,000,000.00	1,558.19	1,558.19
Suncorp Bank	AA-	FRN	GENERAL	Quarterly	19/03/2024	19/03/2029	5.0950	1,256,686.25	1,250,000.00	12,911.99	5,409.08
Rabobank Australia Branch	A+	FRN	GENERAL	Quarterly	17/07/2024	17/07/2029	4.9184	1,303,251.30	1,300,000.00	7,882.92	5,430.45
ING Bank (Australia) Ltd	A	FRN	GENERAL	Quarterly	20/08/2024	20/08/2029	4.8143	2,715,546.60	2,700,000.00	4,273.52	4,273.52
NAB	AA-	FRN	GENERAL	Quarterly	14/11/2024	14/11/2029	4.6138	1,501,707.00	1,500,000.00	3,412.95	3,412.95
Commonwealth Bank	AA-	FRN	GENERAL	Quarterly	09/01/2025	09/01/2030	4.9100	2,504,767.50	2,500,000.00	17,823.97	10,425.34
Suncorp Bank	AA-	FRN	GENERAL	Quarterly	21/05/2025	21/05/2030	4.6625	2,405,066.40	2,400,000.00	3,372.33	3,372.33
FRN SUBTOTALS								37,686,764.45	37,550,000.00	172,246.80	104,929.14

Asset Type: BOND

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Northern Territory Treasury	AA-	BOND	GENERAL	Semi-Annual	27/08/2021	15/12/2025	1.2000	2,000,000.00	2,000,000.00	10,980.82	2,038.36
BOND SUBTOTALS								2,000,000.00	2,000,000.00	10,980.82	2,038.36

Portfolio by Asset Totals as at 31/05/2025

Type	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
CASH	55,016,033.94	55,016,033.94	37,475.27	37,475.27
TD	118,000,000.00	118,000,000.00	2,873,990.96	480,270.41
FRN	37,686,764.45	37,550,000.00	172,246.80	104,929.14
BOND	2,000,000.00	2,000,000.00	10,980.82	2,038.36
TOTALS	212,702,798.39	212,566,033.94	3,094,693.84	624,713.17

Establishment of the Affordable Housing Action Taskforce

Attachment 1 – Recommended Membership

No.	Name	Organisation/Area	Anticipated Contribution
1	Digby Hughes	Community (Central)	<ul style="list-style-type: none"> Resident of Shoalhaven for 4 years and previous member of Council's Homelessness Taskforce. Demonstrated understanding of current challenges and initiatives to overcome them, including supply barriers, collaboration with the NSW Government and Community Housing Providers, and advocacy opportunities. Experience includes Policy and Research Manager at Homelessness NSW, Board member of housing providers and national and international speaker on housing and homelessness.
2	Ron Silberberg	Community (Central)	<ul style="list-style-type: none"> Resident and business owner in Shoalhaven with an interest in improving housing affordability. Demonstrated understanding of current challenges and initiatives to overcome them, including rental supply barriers, the use of Government land, and planning and development incentives. Experience includes 13 years as managing director of the Housing Industry Association and an interest in housing policy, programs, and initiatives. Also has access to network of local businesses and service providers.
3	Paul Mitchell	Community (South)	<ul style="list-style-type: none"> Connection with Shoalhaven for over 40 years and involved in a range of government and community activities and networks. Interest in increasing the supply of affordable housing and demonstrated understanding of current challenges and initiatives to overcome them, including employment, funding, and policy options. Experience in high-level policy and program implementation and coordinating government agency and community organisation activities.
4	Kahlia Miller	Community (Indigenous)	<ul style="list-style-type: none"> Resident of over 25-years and transitional housing caseworker at Waminda, working firsthand with people experiencing homelessness and in need of affordable housing. Interest in increasing the supply of affordable rental housing and demonstrated understanding of current challenges and initiatives to overcome them, including development incentives and improved partnerships between landlords and housing providers. Experience in promoting the position of communities, especially women, experiencing housing pressures.

Establishment of the Affordable Housing Action Taskforce

Attachment 1 – Recommended Membership

5	Jenayah Gunson	Community (Youth)	<ul style="list-style-type: none"> Resident, student, and worker in Shoalhaven, currently working with and supporting the Shoalhaven community at Waminda. Interest in increasing the supply of affordable rental housing and demonstrated understanding of current challenges and initiatives to overcome them, including process improvements and increased investment in the delivery of affordable housing. Applying insight and experience of the challenges faced by communities trying to access affordable housing to the implementation of the Strategy and advocacy activities.
6	Alex Pontello CEO	Southern Cross Housing	<ul style="list-style-type: none"> Engaged in Affordable Housing Strategy and other Council work related to housing supply, including a partnership with Council to deliver affordable rental housing in Bomaderry. Representative of largest Tier 1 Community Housing Provider operating in Shoalhaven – owning and/or managing over 1,800 affordable rental and social housing dwellings. Over 20-years of experience in delivering affordable rental housing, identifying opportunities for collaboration, process improvements, and use of Government land for social housing.
7	Rachel Foster	Housing Trust	<ul style="list-style-type: none"> Engaged in Affordable Housing Strategy and other Council work related to housing supply. Representative of Tier 1 Community Housing Provider owning and/or managing affordable rental and social housing dwellings. Direct experience in delivering affordable rental housing.
8	Sue Brown Manager, Affordable Housing Delivery	Homes NSW	<ul style="list-style-type: none"> Representative of lead NSW Government Agency responsible for delivering community and social housing in Shoalhaven, including the current project in Bomaderry. Provides a key advocacy and collaboration contact in government, with access to other teams, expertise, and resources in Homes NSW. Knowledge of Government policy, Council's work, roles and responsibilities, and incentives to increase housing supply. Is able to provide advice on contracts, projects, and partnerships.
9	Nathan Boulous Manager, Southern Region, NSW	Urban Development Institute of Australia	<ul style="list-style-type: none"> Engaged in Council's Affordable Housing Strategy and other Council work related to strategic land use planning, development matters, and housing supply. Representative of peak development industry body with capacity to provide advice on delivering affordable housing and development feasibility and access to a development industry networks. Interest in increasing the supply of affordable rental housing and low-cost market housing and demonstrated understanding of current challenges and initiatives to overcome them.

Establishment of the Affordable Housing Action Taskforce

Attachment 1 – Recommended Membership

10	Jennifer Macquarie Chair, Property Council's Shoalhaven Committee Director, Fountaindale Group Non-Executive Director, Southern Cross Housing	Property Council of Australia	<ul style="list-style-type: none"> Engaged in Council's Affordable Housing Strategy and other Council work related to strategic land use planning, development matters, and housing supply. Experience from a range of relevant roles with capacity to provide advice on development feasibility and access to a significant development industry network. Interest in increasing the supply of affordable rental housing and low-cost market housing and demonstrated understanding of current challenges and initiatives to overcome them.
11*	Peter Dover Founder	Salt Care	<ul style="list-style-type: none"> Resident in northern Shoalhaven for over 15 years and founder of organisation providing a range of support services and initiatives, including crisis and transitional housing. Understanding of housing pressures and challenges in Shoalhaven and the opportunities for collaboration amongst stakeholders to address the issues. Experience in delivering and managing housing solutions (50 properties), engagement in Council's work and networks, and access to other networks.
	Renee Knight Executive Officer	Care South Shoalhaven Business Chamber	<ul style="list-style-type: none"> Resident of Shoalhaven for over 40 years and representative of organisation providing a range of support services, including crisis and transitional housing. Also involved with and can access a range of community and business networks. Understanding of housing pressures and challenges in Shoalhaven, the need for more housing, and the opportunities for collaboration amongst stakeholders to address the issues. Experience in delivering housing solutions and engagement in Council's work and networks, and access to other networks
	Sarah Date CEO & Founder	Safe Waters	<ul style="list-style-type: none"> CEO and Founder of organisation providing a range of support services, including crisis and transitional housing. Understanding of housing pressures and challenges in Shoalhaven and the opportunities for action through collaboration, advocacy, and process improvements. Experience in delivering housing solutions and engagement in Council's work and networks.

* = A representative of these three organisations will be nominated as the voting member at the start of each Taskforce meeting.

Affordable Housing Action Taskforce - Terms of Reference

Adoption Date:	
Amendment Date:	
Minute Number:	MIN24.518
Next Review Date:	
Related Legislation:	Environmental Planning and Assessment Act 1979
Associated Policies/Documents	Code of Conduct Code of Meeting Practice Affordable Housing Strategy 2024 Community Strategic Plan Local Strategic Planning Statement Delivery Program and Operational Plan
Directorate:	City Development
Responsible Owner:	Manager, Strategic Planning
Record Number:	POL24/131

Affordable Housing Advisory Committee - Terms of Reference

1. Purpose

The purpose of the Affordable Housing Action Taskforce (the Taskforce) is to support Shoalhaven City Council's implementation of its *Affordable Housing Strategy 2024*. Council recognises the benefits of working with others to implement its Strategy. The Taskforce will lead work to execute the actions set in the Strategy by leveraging the knowledge, skills, and connections of its members in the planning and delivery of affordable housing (for rent or purchase) and related industries.

The purpose of the Taskforce aligns with Council's:

- Community Strategic Plan, supporting *Key Priority 1.1 Support inclusive, safe, and connected communities*
- Local Strategic Planning Statement, supporting *Planning Priority 1 Providing homes to meet all needs and lifestyles*

2. Interpretation

For the purpose of this document:

Affordable Housing is defined by the *Environmental Planning and Assessment Act 1979* as housing for very low income households, low income households and moderate income households, being such households as are prescribed by the associated regulations or as are provided for in an environmental planning instrument.

Affordable Rental Housing refers to affordable housing that is exclusively rented, generally from a Community Housing Provider.

AHS means the *Shoalhaven Affordable Housing Strategy 2024*.

Chairperson/Chair means the chairpersons of the Affordable Housing Action Taskforce.

Council means Shoalhaven City Council.

CHP means Community Housing Provider - not-for-profit organisations that construct and manage properties for a social good. These properties can include social housing, affordable housing, co-operative housing, transitional housing, crisis accommodation and others. CHPs generally prefer to hold and manage their own properties, however they often manage properties owned by government bodies (such as local councils) and private actors. These properties are rented out at various levels (with addition services provided as needed) to people on very low, low or moderate incomes.

CSP means the *Shoalhaven City Council Community Strategic Plan 2032*.

DPOP means the *Shoalhaven City Council Delivery Program and Operational Plan*

Elected members mean the elected Councillors of Shoalhaven City Council

Homes NSW is the NSW Government Agency established to lead the NSW government's response to social and affordable housing and homelessness. It is responsible for the construction, maintenance and repair of public housing.

LSPS means *Our Shoalhaven 2040 – Shoalhaven Local Strategic Planning Statement*

Member means a member of the Affordable Housing Action Taskforce.

Taskforce means the Affordable Housing Action Taskforce.

Affordable Housing Advisory Committee - Terms of Reference

3. Status of the Committee

The Taskforce provides non-binding advice to Council for its consideration. The Taskforce also supports Council's implementation of its Strategy through leveraging the use of member's networks and joint advocacy efforts.

4. Role

- Provide Council with advice on the implementation of the Strategy, guided by its members skills, expertise, and experience.
- Use network, government, and industry connections to inform and drive the implementation of actions set in the Strategy.
- Utilise networks and connections to promote the Taskforces awareness raising, education, and advocacy campaigns.
- Advise on the development, review and implementation of the Strategy.
- Monitoring and evaluation of the effectiveness of the Strategy.

5. Key strategy, plan and other linkages

The purpose of this Committee is linked to the achievement of the following objectives and actions within the Council's Strategies, Plans and other documentation.

Document	Objective/Action	Anticipated date of achievement
Community Strategic Plan,	Key Priority 1.1 Support inclusive, safe, and connected communities	Ongoing
Delivery Program & Operational Plan	Action 1.1.05 Develop plans which will enable a variety of affordable and appropriately serviced housing options.	Ongoing
Affordable Housing Strategy	1.1 Complete a desktop audit of Council-owned land to identify opportunities for future affordable housing utilisation.	Dec '26
	1.2 Implement an affordable housing contributions scheme.	Dec '26
	1.3 Consider planning and development controls to facilitate manufactured home estates closer to urban centres.	Dec '26
	1.4 Develop strategic principles for affordable housing.	Dec '26
	1.5 Provide dwelling assessment support to affordable and high-density housing development applications.	Dec '26

Affordable Housing Advisory Committee - Terms of Reference

Document	Objective/Action	Anticipated date of achievement
	1.6 Create a collaboration agreement with preferred CHPs.	Dec '26
	1.7 Continue advocacy to the NSW Government and Federal Government on affordable housing issues.	Dec '26
	1.8 Run an education campaign about the benefits of affordable and diverse low-cost market housing.	Dec '26
	2.1 Investigate a shared equity or joint venture development model with a CHP.	Dec '28
	2.2 Investigate meanwhile uses on identified Council land.	Dec '28
	2.3 Consider targeted bonuses in planning controls to encourage the supply of affordable or higher density housing and the preparation of development controls that support and supplement these bonuses.	Dec '28
	2.4 Consider adjusting planning controls to increase densities in strategic centres, new release areas and existing residential areas.	Dec '28
	2.5 Investigate the potential for co-living housing near town and village centres.	Dec '28
	2.6 Facilitate opportunities for homeowners and manufactured home estate operators to deliver tiny homes.	Dec '28
	3.1 Dedicate Council-owned land to innovative affordable housing developments.	Dec '31
	3.2 Investigate pilot projects of exemplary diverse and affordable housing types to increase market confidence.	Dec '31
	3.3 Introduce guidelines to increase dwelling diversity in greenfield developments.	Dec '31

6. Delegations

The Taskforce may make recommendations to Council on all matters within the role outlined above. These recommendations may be submitted via the minutes of each meeting to Council for consideration. This does not include substantial issues and recommendations (possibly including expenditure) which will be reported to Council by a separate report prepared by Manager – Strategic Planning. The Committee does not have the power to incur expenditure (directly or indirectly), or the power to bind Council.

Affordable Housing Advisory Committee - Terms of Reference

7. Membership

The Taskforce will be chaired by a Councillor, elected by Council. The Taskforce is expected to act in accordance with the Role of the Taskforce as defined in Section 4.

Membership of the Taskforce will consist of representatives from NSW Government Agencies, CHPs, related service providers, industry representatives, and members of the community with skills, experience, or an interest in increasing the supply of affordable housing in Shoalhaven. Members will also have access to networks which they can promote, educate, and advocate with matters relating to affordable housing.

The voting and non-voting members will be as follows:

Voting Members

- Appointed Chair (to be selected at the first meeting from the Mayor or Councillors)
- Mayor
- Three (3) Councillors (one from each ward)
- Indigenous representative
- Youth representative (18-25 years)
- Three (3) Community representatives with an interest in supporting Council's implementation of the Strategy, with desired representation from North, Central, and South of Shoalhaven Local Government Area.
- Five (5) representatives of relevant Government Agencies, Community Housing Providers, Service Providers, and the Development Industry.
- One (1) representative from a community organisation in the crisis and emergency accommodation sector to be selected at each meeting.

Non-Voting Members

- All Councillors
- Council's Chief Executive Officer (CEO) or nominee
- Additional representatives of relevant Government Agencies, Community Organisations, Community Housing Providers, Service Providers, and the development industry.
- State and Federal Members
- Relevant Shoalhaven City Council staff required to support or inform the Taskforce's considerations, for example representatives of Strategic Planning, Development Assessment, Strategic Property, and Community Connections.

Councillor Representatives

Council appoints (1) Councillor to be the voting Chair of the Committee and three (3) Councillors as voting members (one from each of the three wards). Note: Any non-voting Councillor in attendance may act as an alternate voting member in circumstances where achievement of a quorum is required, noting that this doesn't apply when quorum specifies the quorum to require community member attendance.

All other Councillors are welcome to attend meetings of the Committee as non-voting members and contribute to discussions however, do not have voting rights.

Affordable Housing Advisory Committee - Terms of Reference

Community Representatives

Following an expression of interest process, a maximum of three (3) local community representatives, one (1) youth representative between ages 18 and 25, one (1) indigenous representative, will be appointed that meet the following criteria:

- An interest and understanding in the work required to increase the supply of affordable housing in Shoalhaven.
- A commitment to work with Council to implement the actions of its Affordable Housing Strategy.
- Demonstrated access to a relevant network(s) to facilitate awareness raising, education, and advocacy activities.
- A resident or businessperson living or working within the Shoalhaven.
- Desired representation from North, Central and South of the Shoalhaven LGA.

Community representative appointments:

- Nominations should be advertised throughout the community via an Expression of Interest (EOI) process.
- Appointments to the Taskforce will be for a two (2) year term with a set commencement and finish date; with an option to re stand for appointment for one (1) additional term.
- Vacancies will be advertised locally via media and Council communication networks via an Expression of Interest Process.
- Council will manage the application process.
- An assessment panel consisting of a Council staff member (Manager – Strategic Planning), the Chairperson of the Taskforce and one (1) suitably qualified independent representative will assess the applications and make recommendations for appointments to Council based on set criteria. Each member of the assessment panel will vote on recommendations with a majority ruling.

Council Officers

Council officers may attend meetings to provide specialist professional advice in land use planning, social planning, demographic, and governance matters. Council officers do not have voting rights.

Government Agencies, Community Organisations and Service Providers

Five (5) voting representatives will be selected as part of the EOI process from Government Agencies, Community Housing Providers, Service Providers, and the development industry. Should the representative leave their agency/organisation, that agency/organisation will be given the opportunity to nominate another representative on the Taskforce prior to the vacancy going out for EOI.

One (1) voting member will be selected from a community organisation in the crisis and emergency accommodation sector. Other representatives may be present at each meeting as non-voting members, with the voting member to be appointed at the beginning of each meeting.

The Chief Executive Officer (or nominee) may invite a range of other non-voting Government Agencies, Community Organisations, Community Housing Providers, Service

Affordable Housing Advisory Committee - Terms of Reference

Providers and the development industry to nominate representatives each to provide advice in relation to their functions and areas of expertise.

Chair and Deputy Chair

Council appoints one (1) Councillor to be the Chair of the Taskforce. In the absence of the nominated Chair at a particular meeting, the members shall elect a Chair for that meeting.

Terms of Office

Council appoints the Mayor or one (1) Councillor to be the Chair of the Committee.

In the absence of the nominated Chair at a particular meeting, another Councillor or the Chief Executive Officer (or nominee) can be selected to chair the meeting.

Community member appointments to the Taskforce will be for a two (2) year term with a set commencement and finish date; with an option to re stand for appointment for one (1) additional term.

Community member representatives are appointed through an Expression of Interest process.

The term of the Chair and elected members will be one (1) year which will be reviewed annually in September by Council.

8. Committee Meetings**Agenda**

Agenda will be distributed 7 days prior to the date of the meeting. Reports or queries about the meeting arrangements should be forwarded to the meeting secretariat (Governance). Councillors and members can contribute to the agenda by submitting a report on a particular issue within the scope of the terms of reference and delegation of the Taskforce four (4) weeks prior to the meeting. The inclusion of the item on the agenda will be subject to the approval of the Chair and the Director of City Development.

Quorum

Seven (7) provided that a minimum of one (1) Councillor, two (2) community representatives, and two (2) voting agency representatives are in attendance.

No proxy votes are permitted. If a quorum is not present within 30 minutes of the scheduled commencement time, the meeting lapses.

Voting

It is expected that the Committee, and any working group, develop recommendations by consensus. If voting is required, a majority shall prevail with the Chair having a casting vote in the case of a tie. Any votes against will be recorded in the minutes.

Meeting Schedule

In general, meetings should be held quarterly or otherwise as determined by the Chair and conducted either in person and/or electronically. Please note as required the Committee can request to meet informally via teams or in person without formal agenda or minutes for the purpose of receiving information only (i.e. not making recommendations/resolutions) and workshoping options to implement the actions set in the Strategy.

Minutes

Affordable Housing Advisory Committee - Terms of Reference

The Committee shall provide advice to the Council for consideration. The Committee's advice shall be posted on the Council website with minutes reported to the elected Council. Following consideration of the advice from the Committee, any resolution determined by Council, will be made available on the Council website.

Confidentiality And Privacy

Members who may have access to confidential or personal information retained by Council are required to maintain the security of such confidential or personal information and therefore shall not use, or remove any information unless the member is authorised to do so.

Communication, Media and Public Comment

In relation to the communication functions of Committee, the following apply:

- Members of the Committee are not permitted to speak to the media as Council representatives of the Committee unless approved by the Chairperson.
- Where approval has been given by the Chairperson, views and opinions expressed are those of the Committee and not of Shoalhaven City Council.
- Where endorsement is required from Shoalhaven City Council, approval must be sought through the formal processes.
- The Chair of the Committee is the preferred point of contact for communication between members and Council staff.
- Council will endeavour to utilise the Chair as the primary point of contact to communicate with Committee members.

9. Council Staff Responsibility

The Committee's contact within Council is the Strategy Planning Coordinator, within the City Development Directorate. This Directorate is considered to be responsible for, amongst other things, undertaking Council's requirements and obligations set within the Environmental Planning and Protection legislation.

Governance is responsible for administrative support functions of the committee such as collating and distributing the agenda, minutes and notation of apologies.

Guiding Principles

It is expected that members will carry out their functions as members of the Community responsibly. Members will endeavour to:

- Treat each other and those who interact with the Committee with respect and dignity.
- Recognise and respect diverse opinions.
- Give each other the space to speak.
- Listen with open minds.
- Work constructively within the group, including identifying issues and potential recommendations.
- Represent the interests of the community they support.

Affordable Housing Advisory Committee - Terms of Reference

- Attend scheduled meetings and inform Council's Governance Team in advance should they be unable to attend.

10. Code of Conduct

All members of the Committee are required to observe the provisions of Council's Code of Conduct and any other policy or requirement applicable to the proper functioning of the Committee.

A meeting where conduct not in accordance with these requirements may be adjourned or closed without notice and a breach of the Code of Conduct may lead to a member being expelled from the Committee.

11. Document Control

These Terms of Reference are reviewed at the commencement of each term of Council or as required. Amendments to these Terms of Reference are to be reported to Council for approval. A version history (footnote on front page) is included if amendments have been approved.

12. Other Relevant Documents List

Code Of Conduct
Code of Meeting Practice
Community Strategic Plan

Affordable Housing Action Taskforce - Terms of Reference

Adoption Date:	
Amendment Date:	
Minute Number:	MIN24.518
Next Review Date:	
Related Legislation:	Environmental Planning and Assessment Act 1979
Associated Policies/Documents	Code of Conduct Code of Meeting Practice Affordable Housing Strategy 2024 Community Strategic Plan Local Strategic Planning Statement Delivery Program and Operational Plan
Directorate:	City Development
Responsible Owner:	Manager, Strategic Planning
Record Number:	POL24/131

Affordable Housing Advisory Committee - Terms of Reference

1. Purpose

The purpose of the Affordable Housing Action Taskforce (the Taskforce) is to support Shoalhaven City Council's implementation of its *Affordable Housing Strategy 2024*. Council recognises the benefits of working with others to implement its Strategy. The Taskforce will lead work to execute the actions set in the Strategy by leveraging the knowledge, skills, and connections of its members in the planning and delivery of affordable housing (for rent or purchase) and related industries.

The purpose of the Taskforce aligns with Council's:

- Community Strategic Plan, supporting *Key Priority 1.1 Support inclusive, safe, and connected communities*
- Local Strategic Planning Statement, supporting *Planning Priority 1 Providing homes to meet all needs and lifestyles*

2. Interpretation

For the purpose of this document:

Affordable Housing is defined by the *Environmental Planning and Assessment Act 1979* as housing for very low income households, low income households and moderate income households, being such households as are prescribed by the associated regulations or as are provided for in an environmental planning instrument.

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Affordable Housing Advisory Committee - Terms of Reference

3. Status of the Committee

The Taskforce provides non-binding advice to Council for its consideration. The Taskforce also supports Council's implementation of its Strategy through leveraging the use of member's networks and joint advocacy efforts.

4. Role

- Provide Council with advice on the implementation of the Strategy, guided by its members skills, expertise, and experience.
- Use network, government, and industry connections to inform and drive the implementation of actions set in the Strategy.
- Utilise networks and connections to promote the Taskforces awareness raising, education, and advocacy campaigns.
- Advise on the development, review and implementation of the Strategy.
- Monitoring and evaluation of the effectiveness of the Strategy.

5. Key strategy, plan and other linkages

The purpose of this Committee is linked to the achievement of the following objectives and actions within the Council's Strategies, Plans and other documentation.

Document	Objective/Action	Anticipated date of achievement
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Affordable Housing Advisory Committee - Terms of Reference

Document	Objective/Action	Anticipated date of achievement
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	2.4 Consider adjusting planning controls to increase densities in strategic centres, new release areas and existing residential areas.	Dec '28
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The Taskforce may make recommendations to Council on all matters within the role outlined above. These recommendations may be submitted via the minutes of each meeting to Council for consideration. This does not include substantial issues and recommendations (possibly including expenditure) which will be reported to Council by a separate report prepared by Manager – Strategic Planning. The Committee does not have the power to incur expenditure (directly or indirectly), or the power to bind Council.

Affordable Housing Advisory Committee - Terms of Reference

7. Membership

The Taskforce will be chaired by a Councillor, elected by Council. The Taskforce is expected to act in accordance with the Role of the Taskforce as defined in Section 4.

Membership of the Taskforce will consist of representatives from NSW Government Agencies, CHPs, related service providers, industry representatives, and members of the community with skills, experience, or an interest in increasing the supply of affordable housing in Shoalhaven. Members will also have access to networks which they can promote, educate, and advocate with matters relating to affordable housing.

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- Appointed Chair (to be selected at the first meeting from the Mayor or Councillors)
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- Indigenous representative
- Youth representative (18-25 years)
- Three (3) Community representatives with an interest in supporting Council's implementation of the Strategy, with desired representation from North, Central, and South of Shoalhaven Local Government Area.
- Five (5) representatives of relevant Government Agencies, Community Housing Providers, Service Providers, and the Development Industry.
- One (1) representative from a community organisation in the crisis and emergency accommodation sector to be selected at each meeting.

Non-Voting Members

- All Councillors
- Council's Chief Executive Officer (CEO) or nominee
- Five (5) Additional –representatives of relevant Government Agencies, Community Organisations, Community Housing Providers, Service Providers, and the development industry.
- State and Federal Members
- Relevant Shoalhaven City Council staff required to support or inform the Taskforce's considerations, for example representatives of Strategic Planning, Development Assessment, Strategic Property, and Community Connections, ~~and Governance.~~

Councillor Representatives

Council appoints (1) Councillor to be the voting Chair of the Committee and three (3) Councillors as voting members (one from each of the three wards). Note: Any non-voting Councillor in attendance may act as an alternate voting member in circumstances where achievement of a quorum is required, noting that this doesn't apply when quorum specifies the quorum to require community member attendance.

All other Councillors are welcome to attend meetings of the Committee as non-voting members and contribute to discussions however, do not have voting rights.

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Community Representatives

Following an expression of interest process, a maximum of three (3) local community representatives, one (1) youth representative between ages 18 and 25, one (1) indigenous representative, will be appointed that meet the following criteria:

- An interest and understanding in the work required to increase the supply of affordable housing in Shoalhaven.
- A commitment to work with Council to implement the actions of its Affordable Housing Strategy.
- Demonstrated access to a relevant network(s) to facilitate awareness raising, education, and advocacy activities.
- A resident or businessperson living or working within the Shoalhaven.
- Desired Representation from North, Central and South of the Shoalhaven LGA.

Community representative appointments:

- Nominations should be advertised throughout the community via an Expression of Interest (EOI) process.
- Appointments to the Taskforce will be for a two (2) year term with a set commencement and finish date; with an option to re stand for appointment for one (1) additional term.
- Vacancies will be advertised locally via media and Council communication networks via an Expression of Interest Process ~~with the exclusion of casual vacancies should they arise.~~
- Council will manage the application process.
- An assessment panel consisting of a Council staff member (Manager – Strategic Planning), the Chairperson of the Taskforce and one (1) suitably qualified independent representative will assess the applications and make recommendations for appointments to Council based on set criteria. Each member of the assessment panel will vote on recommendations with a majority ruling.

Council Officers

Council officers may attend meetings to provide specialist professional advice in land use planning, social planning, demographic, and governance matters. Council officers do not have voting rights.

Government Agencies, Community Organisations and Service Providers

~~The Chief Executive Officer (or nominee) invites a range of Government Agencies, Community Organisations, Community Housing Providers, Service Providers and the development industry to nominate representatives each. The nominated representatives can provide advice in relation to their functions and areas of expertise however do not have voting rights.~~

Five (5) voting representatives will be selected as part of the EOI process from Government Agencies, Community Housing Providers, Service Providers, and the development industry. Should the representative leave their agency/organisation, that agency/organisation will be given the opportunity to nominate another representative on the Taskforce prior to the vacancy going out for EOI.

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One (1) voting member will be selected from a community organisation in the crisis and emergency accommodation sector. Other representatives may be present at each meeting as non-voting members, with the voting member to be appointed at the beginning of each meeting.

The Chief Executive Officer (or nominee) may invite a range of other non-voting Government Agencies, Community Organisations, Community Housing Providers, Service Providers and the development industry to nominate representatives each to provide advice in relation to their functions and areas of expertise.

Chair and Deputy Chair

Council appoints one (1) Councillor to be the Chair of the Taskforce. In the absence of the nominated Chair at a particular meeting, the members shall elect a Chair for that meeting.

Terms of Office

Council appoints the Mayor or one (1) Councillor to be the Chair of the Committee.

In the absence of the nominated Chair at a particular meeting, another Councillor if no Councillors are appointed as members, or the Chief Executive Officer (or nominee) can be selected represents the elected member to chair the meeting.

Community member appointments to the Taskforce will be for a two (2) year term with a set commencement and finish date; with an option to re stand for appointment for one (1) additional term.

~~If a representative is terminated or resigns an early substitute will be appointed only until the fixed finish date as a casual vacancy.~~

Community member representatives are appointed through an Expression of Interest process ~~with the exclusion of casual vacancies should they arise.~~

The term of the Chair and elected members will be one (1) year which will be reviewed annually in September by Council.

8. Committee Meetings

Agenda

Agenda will be distributed 7 days prior to the date of the meeting. Reports or queries about the meeting arrangements should be forwarded to the meeting secretariat (Governance). Councillors and members can contribute to the agenda by submitting a report on a particular issue within the scope of the terms of reference and delegation of the Taskforce four (4) weeks prior to the meeting. The inclusion of the item on the agenda will be subject to the approval of the Chair and the Director of City Development.

Quorum

~~Six Seven (67)~~ provided that a minimum of ~~the Chair, one~~ (1) Councillor, ~~and four two (2)~~ community representatives, and two (2) voting agency representatives are in attendance.

No proxy votes are permitted. If a quorum is not present within 30 minutes of the scheduled commencement time, the meeting lapses.

Voting

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It is expected that the Committee, and any working group, develop recommendations by consensus. If voting is required, a majority shall prevail with the Chair having a casting vote in the case of a tie. Any votes against will be recorded in the minutes.

Meeting Schedule

In general, meetings should be held quarterly or otherwise as determined by the Chair and conducted either in person and/or electronically. Please note as required the Committee can request to meet informally via teams or in person without formal agenda or minutes for the purpose of receiving information only (i.e. not making recommendations/resolutions) and workshoping options to implement the actions set in the Strategy.

Minutes

The Committee shall provide advice to the Council for consideration. The Committee's advice shall be posted on the Council website with minutes reported to the elected Council. Following consideration of the advice from the Committee, any resolution determined by Council, will be made available on the Council website.

Confidentiality And Privacy

Members who may have access to confidential or personal information retained by Council are required to maintain the security of such confidential or personal information and therefore shall not use, or remove any information unless the member is authorised to do so.

Communication, Media and Public Comment

In relation to the communication functions of Committee, the following apply:

- Members of the Committee are not permitted to speak to the media as Council representatives of the Committee unless approved by the Chairperson.
- Where approval has been given by the Chairperson, views and opinions expressed are those of the Committee and not of Shoalhaven City Council.
- Where endorsement is required from Shoalhaven City Council, approval must be sought through the formal processes.
- The Chair of the Committee is the preferred point of contact for communication between members and Council staff.
- Council will endeavour to utilise the Chair as the primary point of contact to communicate with Committee members.

9. Council Staff Responsibility

The Committee's contact within Council is the Strategy Planning Coordinator, within the City Development Directorate. This Directorate is considered to be responsible for, amongst other things, undertaking Council's requirements and obligations set within the Environmental Planning and Protection legislation.

Governance is responsible for administrative support functions of the committee such as collating and distributing the agenda, minutes and notation of apologies.

Guiding Principles

It is expected that members will carry out their functions as members of the Community responsibly. Members will endeavour to:

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- Treat each other and those who interact with the Committee with respect and dignity.
- Recognise and respect diverse opinions.
- Give each other the space to speak.
- Listen with open minds.
- Work constructively within the group, including identifying issues and potential recommendations.
- Represent the interests of the community they support.
- Attend scheduled meetings and inform Council's Governance Team in advance should they be unable to attend.

10. Code of Conduct

All members of the Committee are required to observe the provisions of Council's Code of Conduct and any other policy or requirement applicable to the proper functioning of the Committee.

A meeting where conduct not in accordance with these requirements may be adjourned or closed without notice and a breach of the Code of Conduct may lead to a member being expelled from the Committee.

11. Document Control

These Terms of Reference are reviewed at the commencement of each term of Council or as required. Amendments to these Terms of Reference are to be reported to Council for approval. A version history (footnote on front page) is included if amendments have been approved.

12. Other Relevant Documents List

Code Of Conduct
Code of Meeting Practice
Community Strategic Plan