



Corporate Performance Committee

at the conclusion of the City Services Committee which commences at 6:30 pm Wednesday 3 July 2024

Venue:
Botany Town Hall,
Corner Edward Street & Botany Road,
Botany

Contact Us:

1300 581 299 or 9562 1666

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PO Box 21, Rockdale NSW 2216

ABN: 80 690 785 443

Corporate Performance Committee Meeting – Councillor Seating



Andrew TSOUNIS



Michael NAGI



Chairperson
Scott MORRISEY



Christina CURRY



**Deputy
Chairperson**
Ann FARDELL



Paul SEDRAK



Greta WERNER

General Manager
Meredith
WALLACE

Director
Richard SHERIDAN

Statement of Ethical Obligations

Obligations

Oath [Affirmation] of Office by Councillors

Oath

I swear that I will undertake the duties of the office of councillor in the best interests of the people of Bayside Local Government Area and the Bayside Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation

I solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Bayside Local Government Area and the Bayside Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Code of Conduct conflict of interests

Pecuniary interests

A Councillor who has a **pecuniary interest** in any matter with which the council is concerned, and who is present at a meeting of the council at which the matter is being considered, must disclose the nature of the interest to the meeting.

The Councillor must not be present at, or in sight of, the meeting:

- a) at any time during which the matter is being considered or discussed, or
- b) at any time during which the council is voting on any question in relation to the matter.

Non-pecuniary conflicts of interests

A Councillor who has a **non-pecuniary conflict of interest** in a matter, must disclose the relevant private interest in relation to the matter fully and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.

Significant non-pecuniary interests

A Councillor who has a **significant** non-pecuniary conflict of interest in relation to a matter under consideration at a council meeting, must manage the conflict of interest as if they had a pecuniary interest in the matter.

Non-significant non-pecuniary interests

A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is **not significant** and does not require further action, when disclosing the interest must also explain why conflict of interest is not significant and does not require further action in the circumstances.

MEETING NOTICE

A meeting of the
Corporate Performance Committee
will be held in the Committee Room, Botany Town Hall
Corner of Edward Street and Botany Road, Botany
on **Wednesday 3 July 2024**
commences at the conclusion of the City Services meeting

AGENDA

1	ACKNOWLEDGEMENT OF COUNTRY	
2	APOLOGIES	
3	DISCLOSURES OF INTEREST	
4	MINUTES OF PREVIOUS MEETINGS	6
4.1	Minutes of the Corporate Performance Committee Meeting - 5 June 2024	6
5	ITEMS BY EXCEPTION	
6	PUBLIC FORUM	
7	REPORTS	12
CP24.018	Expression of Interest for Construction - Botany Aquatic Centre	12
CP24.019	SSROC Tender (T2023-03) - Stormwater, Drainage & GTP Services	35
CP24.020	Councillor Expenses & Facilities Policy Review - Post Public Exhibition	40

The meeting will be video recorded and live streamed to the community via Council's YouTube channel, in accordance with Council's Code of Meeting Practice.

Meredith Wallace
General Manager

1 ACKNOWLEDGEMENT OF COUNTRY

Bayside Council acknowledges the traditional custodians: the Gadigal and Bidjigal people of the Eora nation, and pays respects to Elders past, present and emerging. The people of the Eora nation, their spirits and ancestors will always remain with our waterways and the land, our Mother Earth.

2 APOLOGIES

3 DISCLOSURES OF INTEREST

In accordance with Council's Code of Meeting Practice, Councillors are reminded of their Oath or Affirmation of Office made under Section 233A of the Local Government Act and their obligations under the Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

4 MINUTES OF PREVIOUS MEETINGS

Corporate Performance Committee

3/07/2024

Item No	4.1
Subject	Minutes of the Corporate Performance Committee Meeting - 5 June 2024
Report by	Richard Sheridan, Director City Performance
File	SF23/8097

Officer Recommendation

That the Minutes of the Corporate Performance Committee meeting held on 5 June 2024 be noted

Present

Councillor Scott Morrissey, Chairperson
Councillor Christina Curry
Councillor Ann Fardell (via audio-visual link)
Councillor Paul Sedrak (via audio-visual link)
Councillor Greta Werner (via audio-visual link)

Also present

The Mayor, Councillor Bill Saravinovski (via audio-visual link)
Councillor Liz Barlow (via audio-visual link)
Councillor Jo Jansyn
Councillor Jennifer Muscat
Meredith Wallace, General Manager
Richard Sheridan, Director City Performance
Danijel Andric, Chief Information Officer
Louise Farrell, Manager City Projects
Guy Hancock, Manager City Works
Helen Tola, Manager Governance & Risk
Waisale Iowane, Head Financial Strategy & Reporting
Karen Barrass, Lead Governance
Gina Nobrega, Governance Officer
Nabin Bhattarai, IT Service Management Officer
Rakshya Rawat, IT Service Management Officer

The Chairperson opened the meeting in the Committee Meeting Room, Botany Town Hall at 8:15 pm.

1 Acknowledgement of Country

The Chairperson affirmed that Bayside Council acknowledges the traditional custodians the Gadigal and Bidjigal people of the Eora nation, and pays respects to Elders past, present and emerging. The people of the Eora nation, their spirits and ancestors will always remain with our waterways and the land, our Mother Earth.

2 Apologies, Leave of Absence & Attendance via audio-visual link

Apologies

Committee Recommendation (Councillors Curry and Jansyn)

That the following apology be received and leave of absence granted:

- Councillor Tsounis

Attendance Via Audio Visual Link

Committee Recommendation (Councillors Jansyn and Curry)

That Councillors Barlow, Fardell, Saravinovski, Sedrak and Werner's attendance at tonight's meeting via audio-visual link be granted.

Leave of Absence

There were no applications for Leave of Absence received.

3 Disclosures of Interest

There were no disclosures of interest.

4 Minutes of Previous Meetings

4.1 [Minutes of the Corporate Performance Committee Meeting - 1 May 2024](#)

Committee Recommendation (Councillors Muscat and Jansyn)

That the Minutes of the Corporate Performance Committee meeting held on 1 May 2024 be noted.

4.2 Business Arising

The Committee notes that the Minutes of the Corporate Performance Committee of Wednesday 1 May 2024 were received and the recommendations therein were adopted by the Council at its meeting of 22 May 2024 with the exception of the following item outlined below. The Council resolution for this item is shown below:

Item 11.2 CP24.012 Audit Risk & Improvement Committee – Independent Member Reappointments

RESOLUTION

Minute No. 2024/098

Resolved on the motion of Councillors McDougall and Saravinovski

- 1 That Council defers consideration of the Audit Risk & Improvement Committee Independent Member reappointments to the June 2024 Corporate Performance Committee to enable further discussions in relation to meeting commencement times.
- 2 That Council appoints Mark Sercombe as Chair of the June meeting of the Audit, Risk & Improvement Committee.
- 3 That the ARIC Terms of Reference be amended to include gender diversity as a selection criteria for members.

5 Items by Exception

There were no Items by Exception.

6 Public Forum

There were two Registered speakers for this Committee meeting however they did not attend.

Councillor Werner attended the meeting. The time being 8.20 pm.

7 Reports

[CP24.014 Tender - F23/953 Bexley Depot HVAC Upgrade](#)

Committee Recommendation (Councillors Muscat and Jansyn)

- 1 That the attachment to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10(A) (2) (c) of the Local Government Act 1993, the attachment relates to information that would, if disclosed, confer a commercial

advantage on a person with whom the Council is conducting (or proposes to conduct) business. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That the report be received and noted.
- 3 That in accordance with Regulation 178 (1) (a) of the Local Government (General) Regulations 2005, Council accepts the RFT Submission from Apex Air Mechanical Pty Ltd for the F23/953 contract, being the Bexley Depot HVAC Upgrade for the price of \$254,670.40, exclusive of GST.

CP24.015 Draft Financial Reserves Policy

Committee Recommendation (Councillors Morrissey and Muscat)

- 1 That Council receives and notes the updated Financial Reserves Policy.
- 2 That the updated Financial Reserves Policy in Attachment 1 be adopted.

CP24.016 Election Material Policy Review

Committee Recommendation (Councillors Curry and Jansyn)

- 1 That Council adopts the draft Election Material Policy {v2} attached to the report.
- 2 That the wording be amended in the draft Election Material Policy {v2} to read "Cannot be displayed on or within Council (owned or controlled) buildings/premises".

CP24.017 De-amalgamation process including a suggested community consultation program.

Committee Recommendation (Councillors Curry and Jansyn)

- 1 That Council notes the information provided about the de-amalgamation process and, specifically, the detail about community consultation. requirements.
- 2 That Council undertakes an independent preliminary community consultation to give our community an opportunity to have a say as to their views on de-amalgamation.
- 3 That a Have Your Say page be developed to support the community consultation along with Council's website.
- 4 That surveys be made available at Council's Customer Service areas and libraries.

The next meeting will be held in the Committee Room, Botany Town Hall, on Wednesday 3 July 2024.

The Chairperson closed the meeting at 9:05 pm.

Attachments

Nil

5 ITEMS BY EXCEPTION

These are items that have been identified to be confirmed in bulk in accordance with the Officer Recommendation and without debate. These items will not include items identified in the Public Forum, items in which councillors have declared a Significant Conflict of Interest and a Pecuniary Interest, items requiring a Division and any other item that a Councillor has identified as one they intend to speak on or vote against the recommendation

6 PUBLIC FORUM

Members of the public, who have applied to speak at the meeting, will be invited to address the meeting.

Any item the subject of the Public Forum will be brought forward and considered after the conclusion of the speakers for that item.

7 REPORTS

Corporate Performance Committee

3/07/2024

Item No	CP24.018
Subject	Expression of Interest for Construction - Botany Aquatic Centre
Report by	Meredith Wallace, General Manager
File	SF20/198

Summary

The City Projects Program (CPP) includes the design and construction of the Botany Aquatic Centre Redevelopment.

The project includes the demolition of existing buildings and pools and construction of new pools, building, waterplay, including adventure slides, and associated landscaping works.

Extensive community consultation has been undertaken for the project in a variety of forums, including engagement with the Community Reference Group. Council has also provided updates at community events and email updates to registered residents on a project specific mailing list. The Bayside Council website has a dedicated tile to the project and provides regular updates.

A Development Application (DA) for the project was lodged in February 2024.

Council invited Expressions of Interest (EOI) via Vendor Panel for the Botany Aquatic Centre Redevelopment on Thursday 16 April 2024 with the EOI closing at 10am on Thursday 16 May 2024.

Seven (7) submissions were received, with one non-conforming submission.

Based upon the assessment criteria, the EOI assessment panel recommends that Council adopts the below five (5) contractors for selective tendering purposes for the delivery of the Botany Aquatic Centre Redevelopment via a Construction procurement contract:

- 1 ADCO Group Pty Ltd
 - 2 FDC Construction Pty Ltd
 - 3 Hutchinson Builders
 - 4 Lipman Pty Ltd
 - 5 Richard Crookes Constructions Pty Ltd.
-

Officer Recommendation

- 1 That attachment 2, EOI - Botany Aquatic Centre, to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10(A) (2) (d)(i) of the Local Government Act 1993, the attachment relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That for the purpose of inviting select tenders in accordance with Section 55 (4) of the Local Government Act 1993, Council adopts the below list of contractors for selective tendering purposes for the delivery of the Botany Aquatic Centre Redevelopment Construction procurement contract:

- ADCO Group Pty Ltd
- FDC Construction
- Hutchinson Builders
- Lipman Pty Ltd
- Richard Crookes Constructions Pty Ltd.

- 3 That Council rejects the Expressions of Interest received from the following contractors:

- Dalski Pty Ltd
- Elite Building Design & Constructions Pty Ltd (Non-Conforming submission).

Background

The redevelopment of Botany Aquatic Centre is included in the City Projects Program. The majority of the existing aquatic facilities are mostly original, ageing and are not considered to meet community expectations for a contemporary aquatic and leisure centre. Bayside Council is seeking to redevelop the Botany Aquatic Centre to deliver an improved, modern aquatic and recreational centre for Bayside Council's diverse and growing population.

Council endorsed to proceed with the Botany Aquatic Centre Redevelopment at its meeting of 28 September 2022.

The project scope includes the demolition of existing outdoor pools and buildings and construction of the following:

- 1 x 50m outdoor lap pool
- 1 x 25m indoor pool
- 1 indoor learn to swim / program pool.
- Adventure waterplay and slides
- A new building with entrance, amenities, gym space, change rooms and kiosk
- New grandstand with plant room and public amenities

- Landscaping of the open green space
- Upgrades to the existing carpark
- Stormwater management infrastructure.

The DA for the Botany Aquatic Centre Redevelopment was lodged in February 2024.

The appointment of a construction contractor is the next major milestone in the project. A two-stage process as per the Local Government (General) Regulation 2005 is being undertaken to appoint this contractor. It is anticipated that a two-stage procurement process will attract high-quality contractors and tender submissions resulting in a better outcome for the community.

To ensure that tenders are of a high standard, open Expressions of Interest were invited from suitably experienced, competent and skilled construction contractors to deliver the Botany Aquatic Centre Redevelopment via a construction procurement contract. The EOIs were invited in accordance with the requirements of Regulation 169 of the Local Government (General) Regulation 2005.

The preparation of the Construction tender and contract documentation is expected to be completed in Autumn 2025 and tenders will be invited within three months of the DA has been determined.

Stage 1 - Expression of Interest Process

The EOI for the Botany Aquatic Centre Redevelopment closed on 16 June 2024. Seven submissions were received. Select tenders will be invited from the shortlisted Contractors that have submitted Expressions of Interest demonstrating that they address the selection criteria as outlined in the Expression of Interest documents.

No pricing structure has been requested at this stage. The shortlisting is based upon the experience and capacity of the contractor and proposed subcontractors. The select tendering process will obtain the full project costs, as well as detailed program, methodology and design and construction details.

Submissions Received

The following seven submissions were received:

- 1 ADCO Group Pty Ltd
- 2 Dalski Pty Ltd
- 3 Elite Building Design & Constructions Pty Ltd
- 4 FDC Construction
- 5 Hutchison Builders
- 6 Lipman Pty Ltd
- 7 Richard Crookes Constructions Pty Ltd

One submission (Elite Building Design & Constructions Pty Ltd) was deemed non-conforming as it did not include any content.

Company	Company Directors	Location & Postcode
ADCO Group Pty Ltd	Judy Brinsmead, Neil Harding, Richard Carmont, Cameron McBurnie and Tom Hill	North Sydney NSW 2060
Dalski Pty Ltd	Martin Szkudlarek	Alexandria NSW 2015
FDC Construction Pty Ltd	Ben Cottle, Blake Cottle, Sean Gibbeson, Matt Hawkins and Peter McCabe	Forest Lodge, NSW, 2037
Hutchinson Builders	John Scott Hutchinson, Owen Jason Valmadre, Benjamin Paul Amos Young, Russell Mark Fryer, Gregory Denis Quinn, Kellie Leanne Williams, Paul John Hart and John Elmore Hutchinson	Roseberry NSW 2018
Lipman Pty Ltd	Robert Mackee, James Brendan Donohue, Peter Cameron Thomas, Paul Scott Edwards, John Leighton Waugh and Fiona Caroline Waugh	North Sydney NSW 2060
Richard Crookes Constructions Pty Ltd	Richard Crookes, Jamie Crookes, John Hodges and Peter Barnes	St Leonards NSW 2065
Elite Building Design and Constructions Pty Ltd	NON-CONFORMING	NON-CONFORMING

Late Submissions

One late submission was received from ADCO Group Pty Ltd . As the lateness of the submission did not compromise the integrity or competitiveness of the EOI process the submission was accepted by the EOI Evaluation Panel. This is in-line with advice from the procurement team and set out in the EOI contract.

Assessment Criteria

The submissions were reviewed in terms of compliance with the assessment criteria as outlined in the Expression of Interest document:

- Contractor's experience and capability including: overall experience in projects of similar size, nature and complexity;
- Corporate culture and business ethics;
- Relationship management and cooperative contracting, including demonstrated experience in delivery of projects collaboratively under GC21 contract or similar;
- Proposed personnel and sub-contractors including qualifications of key personnel and experience and capability in a similar project;

- Understanding of project requirements including understanding of key risks, innovation, relationship management and communications and sustainability;
- Construction methodology including key activity milestones and long lead time items;
- Environmental Managements, and
- Delivery program and resource management strategy.

The following details were required to be deemed complying but not scored:

- Legal Entity;
- Financial Capacity;
- Quality Management Information;
- Work Health and Safety Management Information;
- Environmental Management Information;
- Schedule of Skills, Training and Diversity in Construction;
- Schedule of Compliance - Dealing with Modern Slavery;
- Aboriginal Participation Information;
- Schedule of Company Insurances;
- Company Directors; and
- Conflict of Interests.

Expression of Interest assessment results

The submissions were reviewed in terms of compliance with the assessment criteria as outlined in the Expression of Interest document. The detailed assessment is included in the confidential attachment to this report.

Financial Check

An initial financial assessment was undertaken by Council based on the financial statements submitted as part of the EOI. It is proposed to undertake a comprehensive assessment on the contractor that is preferred as part of the detailed tender review process, before providing a recommendation on appointment to Council.

Referee Checks

Referee checks were undertaken for all companies proposed to be shortlisted with all found to have delivered relevant projects to a high standard and time and within budget.

Based upon the assessment criteria, the EOI assessment panel recommends that Council adopts the below five contractors for selective tendering purposes for the delivery of the Botany Aquatic Centre Redevelopment via a Construction procurement contract:

- 1 ADCO Group Pty Ltd
- 2 FDC Construction Pty Ltd

- 3 Hutchinson Builders
- 4 Lipman Pty Ltd
- 5 Richard Crookes Constructions Pty Ltd.

Stage 2 - Tender to select Construction Contractor

- The preparation of the detailed design and tender documentation is expected to be completed in late 2024.
- The Select Tender of the short-listed contractors is expected to commence in 2025, three months after DA determination and will run for a four-week tender period.
- A recommendation for the engagement of the preferred Construction Contractor will be reported to Council following the tender process.

Financial Implications

- | | |
|--------------------------------------|-------------------------------------|
| Not applicable | <input checked="" type="checkbox"/> |
| Included in existing approved budget | <input type="checkbox"/> |
| Additional funds required | <input type="checkbox"/> |

Community Strategic Plan

- | | |
|--|-------------------------------------|
| Theme One – In 2032 Bayside will be a vibrant place | <input checked="" type="checkbox"/> |
| Theme Two – In 2032 Our people will be connected in a creative City | <input type="checkbox"/> |
| Theme Three – In 2032 Bayside will be green, resilient and sustainable | <input checked="" type="checkbox"/> |
| Theme Four – In 2032 Bayside will be a prosperous community | <input checked="" type="checkbox"/> |

Risk Management – Risk Level Rating

- | | |
|----------------|-------------------------------------|
| No risk | <input type="checkbox"/> |
| Low risk | <input checked="" type="checkbox"/> |
| Medium risk | <input type="checkbox"/> |
| High risk | <input type="checkbox"/> |
| Very High risk | <input type="checkbox"/> |
| Extreme risk | <input type="checkbox"/> |

Community Engagement

Extensive consultation has been undertaken for the project in a variety of forums, including engagement with the Community Reference Group. Council has also provided updates at community events and email updates to registered residents on a project specific mailing list. The Bayside Council website has a dedicated tile to the project and provides regular updates.

Attachments

- 1 BAC - EOI outcomes - presentation
- 2 Confidential EOI attachment - Botany Aquatic Centre (confidential)



Botany Aquatic Centre Redevelopment

EOI Outcomes – Construction Contractors

July 2024



Location Plan



Summary



At its meeting on 28 September 2022 Council endorsed to proceed with the Botany Aquatic Centre Redevelopment.

The redevelopment includes:

- 1 x 50m outdoor lap pool
- 1 x 25m indoor pool
- 1 indoor learn to swim / program pool.
- Adventure waterplay and slides
- A new building with entrance, amenities, gym space, change rooms and kiosk
- New grandstand with plant room and public amenities
- Landscaping of the open green space
- Upgrades to the existing carpark
- Stormwater management infrastructure.

Council invited Expressions of Interest (EOI) via Vendor Panel for the Botany Aquatic Centre Redevelopment on Thursday 16 April 2024 with the EOI closing at 10am on Thursday 16 May 2024.

Photomontage



Photomontage



Photomontage



Key Milestones



Milestone	Date
EOI advertised	Thursday 16 April 2024
EOI closed	Thursday 16 May 2024
EOI evaluation period and evaluation report completed	May 2024 – June 2024
Corporate Performance Committee	July 2024
Council Meeting	July 2024

Evaluation Criteria & Weightings



No pricing structure has been requested. The shortlisting is based upon non price criteria only.

Non – Price Criteria	Weighting
Experience and capability	25%
Corporate Culture and Ethics	10%
Relationship Management and Cooperative Contracting	5%
Proposed Personnel	15%
Proposed Sub-contractors and Sub-consultants	10%
Understanding of the Project Requirements	10%
Construction Methodology	10%
Environmental Management	5%
Program	10%
TOTAL NON-PRICE WEIGHTING	100%

Submissions Received - 7



Company Name	Company Directors	Location and Postcode
ADCO Group Pty Ltd	Judy Brinsmead, Neil Harding, Richard Carmont, Cameron McBurnie & Tom Hill	North Sydney NSW 2060
Dalski Pty Ltd	Martin Szkudlarek	Alexandria NSW 2015
FDC Construction Pty Ltd	Ben Cottle, Blake Andrew Cottle, Sean Gibbeson, Matt Hawkins and Peter McCabe	Forest Lodge, NSW, 2037
Hutchinson Builders	John Scott Hutchinson, Owen Jason Valmadre, Benjamin Paul Amos Young, Russell Mark Fryer, Gregory Denis Quinn, Kellie Leanne Williams, Paul John Hart, John Elmore Hutchinson	Roseberry NSW 2018
Lipman Pty Ltd	Robert Mackee, James Brendan Donohue, Peter Cameron Thomas, Paul Scott Edwards, John Leighton Waugh, Fiona Caroline Waugh	North Sydney NSW 2060
Richard Crookes Constructions Pty Ltd	Richard Crookes, Jamie Crookes, John Hodges, Peter Barnes	St Leonards NSW 2065
Elite Building Design and Constructions Pty Ltd	NON-CONFORMING	NON-CONFORMING

ADCO Group Pty Ltd



WAVES AQUATIC & LEISURE CENTRE
Client – The Hills Shire Council



FDC Construction Pty Ltd



ASHFIELD AQUATIC CENTRE
Client – Inner West Council



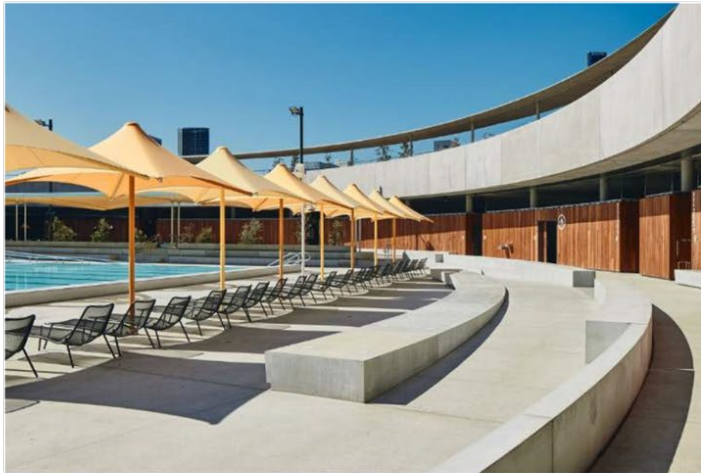
Hutchinson Builders



**OAK PARK SPORTS
& AQUATIC CENTRE**

**Client – Moreland
City Council VIC**

Lipman Pty Ltd



PARRAMATTA AQUATIC AND LEISURE CENTRE
Client – City of Parramatta



Richard Crookes Constructions Pty Ltd



CRANBROOK STAGE 2 REDEVELOPMENT
Client – Cranbrook School



Proposed Program



Recommendation



1. That for the purpose of inviting tenders in accordance with Section 55 (4) of the Local Government Act 1993, Council adopts the below list of recognised contractors for selective tendering purposes for the delivery of the Botany Aquatic Centre Redevelopment Construction procurement contract:
 - ADCO Group Pty Ltd
 - FDC Construction Pty Ltd
 - Hutchinson Builders
 - Lipman Pty Ltd
 - Richard Crookes Constructions Pty Ltd
2. That Council rejects the Expressions of Interest received from the following contractors:
 - Dalski Pty Ltd
 - Elite Building Design & Constructions Pty Ltd (Non-Conforming submission)

Corporate Performance Committee

3/07/2024

Item No	CP24.019
Subject	SSROC Tender (T2023-03) - Stormwater, Drainage & GTP Services
Report by	Richard Sheridan, Director City Performance
File	F24/378

Summary

This report recommends that Council opts into the Southern Sydney Regional Organisation of Councils (SSROC) contract for Provision of Stormwater, Drainage and Gross Pollutant Trap Services (T2023-03) and accepts the recommendation detailed in the attached SSROC Tender Recommendation Report for T2023-03.

The new contract replaces the SSROC contract for Cleaning and Inspection of Gross Pollutant Traps (GPT) and Ancillary Services (T2018-02) which expired on 26 March 2024.

To finalise the tendering process and formalise the new contract, each participating SSROC Council is required to seek formal endorsement from their Council in accordance with the Local Government Tendering Regulations and Guidelines.

Officer Recommendation

- 1 That the attachment, SSROC T2023-03 Tender Recommendation Report, to this report be withheld from the press and public as they are confidential for the following reason:

With reference to Section 10(A) (2) (d)(i) of the Local Government Act 1993, the attachment relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with

- 2 That the decision by the SSROC Tender Evaluation Panel to establish panels of contractors, as detailed in the body of the report, be endorsed.

Background

Stormwater systems include drainage, piping, and gross pollutant traps (GPTs) that manage stormwater flow in council areas. GPTs are devices for the removal of solids waste conveyed by runoff and for maintaining quality water control. All forms of development and land utilise GPTs (litter and debris) with several types of GPTs currently in use across the SSROC region located in urban catchments, including gully baskets, in-ground GPTs, trash racks and pipe nets. GPTs are a threat to wildlife and aquatic habitats, reduce environment aesthetics, create unpleasant odour and are known to attract vermin. Bayside Council currently has 70 GPTs in the Botany Bay area and 22 in the Rockdale area which requires ad-hoc and ongoing cleaning and maintenance.

Analysis of the preceding contract indicated the provision of GPT cleaning and maintenance suppliers with limited stormwater system service companies. In total five suppliers were initially available to councils on the prior contract, with one supplier withdrawing from the panel due to their own business decisions during the contract's term.

Bayside Council's spend for the services outlined in the previous contract is:

	FY22/23	FY23/24
Total Drain Cleaning Services	\$666,376.43	\$573,352.22
Pipe Management Australia	\$44,029.70	\$116,607.82
Total	\$710,406.13	\$689,960.04

Majority of the work is required due to specialist machinery and the technical capabilities of the Contractors.

Council currently engages Pipe Management Australia Pty Ltd and Total Drain Cleaning services for the majority of work.

Both contractors have been recommended in the new contract.

The services sought in the new contract aims to renew and enhance the services provided in the preceding contract. There were 3 categories tendered for in the request for services as separate but concurrent panel contract packages including:

- Stormwater, Drainage Treatment Services - GPTs and Raingardens
- Stormwater and Drainage Maintenance Services
- Stormwater System Design & Construction Services

The scope of the new contract will enable participating Councils to access services on an ad-hoc basis and/or service GPT assets on an ongoing basis in accordance with council's asset cleaning and maintenance programs.

The services in the new contract will cover the following areas:

Category 1: Stormwater Treatment & Inspection Services - GPTs and Raingardens	Category 2: Stormwater and Drainage Maintenance Services	Category 3: Stormwater Design & Construction Services
Auditing of GPT, drainage system installations	Robotic CCTV investigation of drainage systems	Design and construct and installation of drainage, culverts and pipe works
Auditing of waste and biological components of waste and water	QuickView Camera inspections of drainage systems	Design and construct and installation of GPT units, barriers
Stormwater treatment and harvesting system inspections	Pipe and pit jetting, root cutting	Supply only of GPT, drainage and piping units.
GPT, drainage system, pipe, and unit cleaning	Recycling and processing or disposal of waste collected	Removal of GPT, or drainage system units
Recycling and processing or disposal of waste collected	Clean-up of open water bodies - ponds, lakes, creeks, and others	Civil, structural hydraulics, performance, and maintenance
Clean-up of open water bodies - ponds, lakes, creeks, and others	Drainage related plumbing services - relining, repair	Non-destructive digging
On-destructive digging	Non-destructive digging	

Procurement Process

The Request for Tender was publicly advertised on the 7 November 2023 by Bayside Council, with an original closing date of 7 December 2023, subsequently extended to 13 December 2023. Two addenda were issued during the tender open period for clarifications and amendments to aspects of the tender.

A Tender Evaluation Panel was established and determined the weightings against the selection criteria with a Tender Evaluation Plan signed off prior to the opening of tenders.

11 tender submissions were received at the final closing time and day, with no late or alternative submissions received.

The tenderer details including company names, ABNs, company directors and registered addresses are included in the below table:

Tenderer Name	ABN	Address	Company Director(s)
Aqua Assets Pty Ltd	32 075 144 419	4 Wordie Place Padstow NSW	Wayne Tonner Deborah Tonner
Atlan Stormwater (SPEL Environmental P/L)	83 151 832 629	100 Silverwater Road Silverwater NSW	James Hales Cameron Hales
Attcall Civil Contractors Pty Ltd	58 135 193 001	2 Sedgwick Street Smeaton Grange NSW	Clinton McKinnon
Australian Wetlands Consulting Pty Ltd	81 140 533 919	25 Leslie Street Bangalow NSW	Damian McCann
Interflow Pty Ltd	34 000 563 208	254 Toongabbie Road Girraween NSW	Geoffrey David Weaver Michael Joseph Weaver Daniel Joseph Weaver David William Lilley Paul Vincent Borg
J.J. Coleman Plumbing Pty Ltd	62 085 504 454	101 Carrington Street Revesby NSW	John Coleman
Optimal Stormwater Pty Ltd	53 139 725 894	Suite 2.01, 828 Pacific Highway Gordon NSW	Murray Powell Rodney Boss Lars Herrgren
Pipe Management Australia Pty Ltd	14 145 894 695	47 Lancaster Street Ingleburn NSW	Justin Johansen Luke Moore
Planet Fm Pty Ltd	68 147 975 380	12 Harp Street Campsie NSW	Anthony Alafaci
Total Drain Cleaning Services Pty Ltd	17 130 467 346	6 Sleigh Place Wetherill Place NSW	Nick Messina
Urban Asset Solutions Pty Ltd	73 627 354 830	7 Marigold Place Milperra NSW	Adrian Fair Andrew Macklin

All submissions were deemed conforming and progressed to the detailed evaluation assessment. The submissions were evaluated against the weighted Agreed Evaluation Criteria which is detailed in Table 1 on page 3 of the SSROC Tender Recommendation Report. A summary of each of the tenderer's submitted information and justification for recommendations is provided on pages 4 to 7 of the SSROC Tender Evaluation Report.

Following an extensive evaluation period, the Tender Evaluation Panel agreed to recommend to Participating Councils to award in accordance with the Local Government Act 1993 and Local Government (General) Regulation 2021, contracts to the following tenderers:

- 1 Australian Wetlands Consulting Pty Ltd

- 2 Interflow Pty Ltd
- 3 J.J. Coleman Plumbing Pty Ltd
- 4 Optimal Stormwater Pty Ltd
- 5 Pipe Management Australia Pty Ltd
- 6 SPEL Environmental Pty Ltd t/as Atlan Stormwater
- 7 Total Drain Cleaning Services Pty Ltd
- 8 Urban Asset Solutions Pty Ltd

Tender Outcome

The Tender Evaluation Panel evaluated the qualitative non-price components and the price submissions in accordance with Evaluation Plan. A summary of the evaluation including the overall scores is detailed on pages 7 to 12 of the SSROC Tender Recommendation Report.

The Tender Evaluation Panel recommended awarding standing offer agreements to the successful tenderers.

Contract

This contract term is 3 years, plus 2 periods of 12 months extension options, subject to satisfactory performance, which will be determined by SSROC in consultation with participating Councils.

Financial Implications

- | | |
|--------------------------------------|-------------------------------------|
| Not applicable | <input type="checkbox"/> |
| Included in existing approved budget | <input checked="" type="checkbox"/> |
| Additional funds required | <input type="checkbox"/> |

Community Strategic Plan

- | | |
|--|-------------------------------------|
| Theme One - In 2032 Bayside will be a vibrant place | <input type="checkbox"/> |
| Theme Two - In 2032 Our people will be connected in a creative City | <input type="checkbox"/> |
| Theme Three - In 2032 Bayside will be green, resilient and sustainable | <input checked="" type="checkbox"/> |
| Theme Four - In 2032 Bayside will be a prosperous community | <input type="checkbox"/> |

Risk Management - Risk Level Rating

- | | |
|----------------|-------------------------------------|
| No risk | <input type="checkbox"/> |
| Low risk | <input checked="" type="checkbox"/> |
| Medium risk | <input type="checkbox"/> |
| High risk | <input type="checkbox"/> |
| Very High risk | <input type="checkbox"/> |
| Extreme risk | <input type="checkbox"/> |

Community Engagement

Not Applicable

Attachments

SSROC T2023-03 Tender Recommendation Report (confidential)

Corporate Performance Committee

3/07/2024

Item No	CP24.020
Subject	Councillor Expenses & Facilities Policy Review - Post Public Exhibition
Report by	Meredith Wallace, General Manager
File	F11/553

Summary

Council at its meeting of 22 May 2024 resolved to place on public exhibition a revised Councillor Expenses and Facility Policy. The Policy governs the payment of expenses incurred by and the provision of facilities to the Mayor and Councillors. The public exhibition period was from 23 May 2024 to 20 June 2024.

There were no public submissions received during the exhibition process. Accordingly, the exhibited revised Policy may be adopted by Council subject to some minor clarification and administrative amendments of style, formatting and typographical errors. In addition, a change has been made to the use of the Council provided vehicle to the Mayor allowing for its exclusive use by the Mayor for civic functions and private purposes to reflect the Local Government Regulations and common sector practice. These changes and previously exhibited changes are reflected in the attached revised Policy.

Officer Recommendation

That Council adopts the draft Councillor Expenses and Facilities Policy {v6}, attached to the report.

Background

The Local Government Act makes provision for the payment of expenses and provision of facilities for the mayor and councillors. This proposed draft revised policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* (the Regulation) and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The Policy was last reviewed in November 2022 and has recently been reviewed in anticipation of the new Council term following the September 2024 local government elections.

While the review has not identified the need for any substantive changes to the existing Policy, some updates are proposed consistent with the Office of Local Government's (OLG) 'Guidelines for the payment of expenses and the provision of facilities for Mayors and councillors in NSW', the model template, clarification of certain expenses, current market forces and industry practices, technology and communication updates and legislative changes to superannuation contribution payments for Councillors.

Post exhibition it was noted that an amendment to the Policy concerning the exclusive use of the mayoral vehicle by the mayor for civic and private purposes. This is consistent with the previous policies, common practice in the local government sector and clause 403 of the Local Government (General) Regulations. The latter allows the Council Policy to make a motor vehicle owned or leased by the council available for the exclusive or primary use or disposition of a mayor but not so for a councillor.

As outlined in the previous report to Council, it is proposed to provide greater time for Councillors to claim their expenses from the current one month time frame to three months.

The major change previously reported is to reduce the provision of computers to Councillors to 1. As mentioned, in the past few years, due in part to the pandemic and to keep up with the hyper-connected digital world, Bayside Council has been exploring and implementing new technologies (hardware, software, connectivity and security) to continue to allow Councillors to fulfil their important community role either remotely or by hybrid. This also included the remote attendance at Council meetings and briefings/committees, to help provide greater accessibility and transparency to the community and to potentially reach a larger community audience. To facilitate this transition, Councillors were provided with two devices to simultaneously be able to remote into a meeting with one device and use the other device for accessing business papers etc. Through this investment process, there has been a historic opportunity to transform how Councillors and Council together meet the needs and expectations of the customers, businesses, partners, leaders and stakeholders across this diverse city and communities that the Council serves. With the passage of time and the proficiency of use, generally councillor is able to perform their civic duties with one computer.

The attached updated Policy may be adopted by Council.

Financial Implications

Not applicable	<input checked="" type="checkbox"/>
Included in existing approved budget	<input type="checkbox"/>
Additional funds required	<input type="checkbox"/>

Community Strategic Plan

Theme One – In 2032 Bayside will be a vibrant place	<input type="checkbox"/>
Theme Two – In 2032 Our people will be connected in a creative City	<input type="checkbox"/>
Theme Three – In 2032 Bayside will be green, resilient and sustainable	<input type="checkbox"/>
Theme Four – In 2032 Bayside will be a prosperous community	<input checked="" type="checkbox"/>

Risk Management – Risk Level Rating

No risk	<input type="checkbox"/>
Low risk	<input checked="" type="checkbox"/>
Medium risk	<input type="checkbox"/>
High risk	<input type="checkbox"/>
Very High risk	<input type="checkbox"/>
Extreme risk	<input type="checkbox"/>

Community Engagement

Not Applicable.

Attachments

Councillor Expenses & Facilities Policy - Bayside (V6 post exhibition for approval)



Councillor Expenses & Facilities Policy

June 2024 (TBC)A



© Bayside Council

Councillor Expenses & Facilities Policy

File: F11/553 Document: 16/111665[v6]

Policy Register: F16/951 Policy No.: PP16/4

Class of document: Council Policy

Enquiries: Manager [Governance & Risk](#) [Mayoral & Councillor Support](#)



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Councillor Expenses & Facilities Policy

2

Contents

Part A – Introduction	87
1 Introduction	<u>87</u>
2 Policy objectives.....	<u>87</u>
3 Principles	<u>87</u>
4 Private or political benefit	<u>98</u>
Part B – Expenses	98
5 General expenses	<u>98</u>
6 Specific expenses	<u>119</u>
7 Insurances	<u>1543</u>
8 Legal assistance	<u>1643</u>
9 Superannuation contributions for Councillors	<u>1644</u>
Part C – Facilities	1744
10 General facilities for all councillors	<u>1744</u>
11 Additional facilities for the Mayor	<u>1846</u>
Part D – Processes	1946
12 Approval, payment and reimbursement arrangements	<u>1946</u>
13 Disputes.....	<u>2048</u>
14 Return or retention of facilities.....	<u>2048</u>
15 Publication	<u>2148</u>
16 Reporting	<u>2148</u>
17 Auditing.....	<u>2148</u>
18 Breaches.....	<u>2149</u>
Part E – Other matters	2320
19 Policy implementation	<u>2320</u>
20 Document Control	<u>2424</u>
Appendix 1 – Legal Costs Reimbursement Claims	2522

Policy summary

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to councillors to help them undertake their civic duties. It ensures accountability and transparency and seeks to align councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* (the Regulation), and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed, unless approved by the General Manager due to extenuating circumstances.

The main expenses are summarised in the table below. All monetary amounts are exclusive of GST.

Expense or facility	Clause	Maximum amount	Frequency
South Eastern City Planning Panel	1.6	\$600 per meeting \$100 per hour (max \$600) per briefing	Per meeting / Briefing For appointed representatives only
General local travel expenses	6.1	\$500 per councillor \$500 for the Mayor	Per year Per year Total for ride-share, public transport, private car, hire car, etc
Interstate, long distance intrastate travel expenses	6.5	\$25,000 total amount – inclusive for all 15 councillors	Per year (total amount inclusive for all 15 councillors NOT per individual councillor) Case-by-case approval by GM
Overseas travel	6.5	Nil	All private
Accommodation and meals Items not provided associated with conference, seminar, function;	6.18	Per councillor: <ul style="list-style-type: none"> Breakfast \$30 per councillor Dinner \$80 per councillor Lunch \$40 per councillor Accommodation (capital cities) up to \$350 per night Accommodation (country centres) \$275 	Per meal / night as applicable Items <u>not</u> associated with conference, seminar, function; Maximum amount specified per meal OR maximum provided by Crown Employees (Public Service Conditions of Employment) Reviewed Award for meal / accommodation if amount greater than amount stated in policy.
Professional development	6.24	\$75,000 total for all councillors, based on \$5,000 per councillor (includes allowable annual professional memberships)	Per year based on \$5,000 per councillor x 15 councillors. Notwithstanding the

Expense or facility	Clause	Maximum amount	Frequency
			accommodation limits, accommodation at the conference venue or a partnering venue will be booked if available.
Conferences and seminars	6.27	\$75,000 total for all councillors	Per year based on \$5,000 per councillor x 15 councillors Notwithstanding the accommodation limits, accommodation at the conference venue or a partnering venue will be booked if available.
ICT Pad (with internet) provided iPad Pro (with internet) OR Surface Pro (with internet) OR Laptop with SIM data (with internet)	6.33	\$4,000 per councillor	Per term
Mobile phone expenses Preferred own phone provided by councillors and that councillors choose their own phone and plan package under or to the maximum limit specified.	6.33	\$115 per councillor	Per month
Carer expenses	6.36	\$150 per accredited carer	Per day
Home office expenses \$100 pa general office expenses (e.g. toner) Provided: - protective equipment - name badge - electronic letterhead - electronic festive cards	6.42	\$100 per councillor	Per year
Non-Council functions attendance	6.43	\$300 per councillor	Per function/event
Superannuation	9.0	As per Commonwealth Superannuation Guarantee (Administration) Act 1992	Per month
Access to Facilities in Councillors' room and meeting rooms	10.1	Provided to all councillors	Not relevant
Christmas or Festive cards/ Electronic Festive Cards	10.4	Up to 200 cards per councillor and 500 cards Mayor	Per year Per year
Letterheads, Electronic Letterhead , business cards, stationery etc.	10.4	Provided to all councillors on request Maximum business cards 500	Per year Per year
Council Mayor al vehicle and fuel card and e-tag	11.1	Below Luxury Tax Threshold. Provided to Mayor	Not relevant Per Term of Mayor
Furnished Mayor al Office		Provided to Mayor	Not Relevant Per Term of Mayor

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

Councillors must provide claims for reimbursement within ~~one~~three months of an expense being incurred. Claims made after this time cannot be approved.

Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a council meeting every six months and published in full on council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

Definitions

The following definitions apply throughout this policy:

Term	Definition
accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor
appropriate refreshments	Means food and beverages, excluding alcohol, provided by council to support councillors undertaking official business
Act	Means the <i>Local Government Act 1993</i> (NSW)
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of council who is not suspended, including the mayor
General Manager	Means the general manager of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
LGNSW	Local Government New South Wales
long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
NSW	New South Wales
official business	Means functions that the mayor or councillors are required or invited to attend to fulfil their legislated role and responsibilities for council or result in a direct benefit for council and/or for the local government area, and includes: <ul style="list-style-type: none"> • meetings of council and committees of the whole • meetings of committees facilitated by council • civic receptions hosted or sponsored by council • meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by council
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a councillor or the mayor
Regulation	Means the Local Government (General) Regulation 2005 (NSW)

year	Means the financial year, that is the 12 month period commencing on 1 July each year
------	--

Part A – Introduction

1 Introduction

- 4.1. The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Bayside Council.
- 4.2. The community is entitled to know the extent of expenses paid to councillors, as well as the facilities provided.
- 4.3. The purpose of this policy is to clearly define the facilities and support that are available to councillors to assist them in fulfilling their civic duties.
- 4.4. Council staff are empowered to question or refuse a request for payment from a councillor when it does not accord with this policy.
- 4.5. Expenses and facilities provided by this policy are in addition to fees paid to councillors. The minimum and maximum fees a council may pay each councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.
- 4.6. Councillors appointed as council representatives to the Sydney Eastern City Planning Panel are paid an attendance fee for formal meetings, and a fee per hour, with a minimum of 1 hour up to a maximum of the amount for Panel briefings – as specified in the Policy Summary. Such briefing fees include travel and briefings on multiple applications on the one occasion.

2 Policy objectives

- 2.1. The objectives of this policy are to:
- enable the reasonable and appropriate reimbursement of expenses incurred by councillors while undertaking their civic duties
 - enable facilities of a reasonable and appropriate standard to be provided to councillors to support them in undertaking their civic duties
 - ensure accountability and transparency in reimbursement of expenses and provision of facilities to councillors
 - ensure facilities and expenses provided to councillors meet community expectations
 - support a diversity of representation
 - fulfil the council's statutory responsibilities.

3 Principles

- 3.1. Council commits to the following principles:
- **Proper conduct:** councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
 - **Reasonable expenses:** providing for councillors to be reimbursed for expenses reasonably incurred as part of their role as councillor

- **Participation and access:** enabling people from diverse backgrounds, under-represented groups, those in carer roles and those with special needs to serve as a Councillor
- **Equity:** there must be equitable access to expenses and facilities for all councillors
- **Appropriate use of resources:** providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to councillors.

4 Private or political benefit

- 4.1.● Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2.● Incidental private use of council equipment and facilities by councillors may occur from time to time. For example, telephoning home to advise that a council meeting will run later than expected.
- 4.3.● Such incidental private use does not require a compensatory payment back to council.
- 4.4.● Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of council facilities does occur, councillors must make a reasonable estimate as to their private and civic use and reimburse the council for the private use.
- 4.5.● Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
- production of election material
 - use of council resources and equipment for campaigning
 - use of official council letterhead, publications, websites or services for political benefit
 - fundraising activities of political parties or individuals, including political fundraising events.
- 4.6.● No travel, accommodation or other benefit is to be sponsored by private enterprise.

Part B – Expenses

5 General expenses

- 5.1.● All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2.● Expenses not explicitly addressed in this policy will not be paid or reimbursed unless approved by the General Manager due to extenuating circumstances.

Councillor Expenses & Facilities Policy

10

6 Specific expenses

General travel arrangements and expenses.

~~6.1.~~ All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.

~~6.2.~~ The ~~M~~Mayor and each councillor may be reimbursed up to a total per year, as specified in the Policy Summary, for travel expenses incurred while undertaking official business or professional development or attending approved conferences, seminars and functions within NSW. This includes reimbursement:

- ~~•~~ for public transport fares
- ~~•~~ for the use of a private vehicle
- ~~•~~ for the use of a hire car (with prior approval of the General Manager or nominee)
- ~~•~~ for parking costs for Council and other meetings
- ~~•~~ for tolls
- ~~•~~ for ride-share and the like
- ~~•~~ for documented ride-share programs.

~~6.3.~~ Allowances for the use of a private vehicle will be reimbursed at the kilometre rate specified in the Local Government (State) Award.

~~6.4.~~ ~~The Mayor and/or~~ Councillors seeking to be reimbursed for use of a private vehicle ~~for Council Business~~ must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided with the claim. ~~The Mayor must keep a log book recording the date, distance and purpose of travel.~~

Interstate, overseas and long distance intrastate travel expenses

~~6.5.~~ All overseas travel by a councillor is at the expense of the individual councillor.

~~6.6.~~ Deleted.

~~6.7.~~ Interstate and long distance intrastate travel expenses for all councillors are approved on a case-by-case basis as detailed in the following clauses.

~~6.8.~~ Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of the Council by resolution, or by the General Manager, prior to travel.

~~6.9.~~ Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full council meeting prior to travel.

~~6.10.~~ The case should include:

- ~~-~~ objectives to be achieved in travel, including an explanation of how the travel aligns with current council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the councillor's civic duties
- ~~-~~ who is to take part in the travel
- ~~-~~ duration and itinerary of travel.

- 6.11. For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.12. For interstate journeys by air of more than three hours, the class of air travel may be premium economy, if available.
- 6.13. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.14. Bookings for approved air travel are to be made through the General Manager's office.
- 6.15. For air travel that is reimbursed as council business, councillors will not accrue points from the airline's frequent flyer program. Such programs are considered a private benefit.

Travel expenses not paid by council

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

Accommodation and meals

~~6.17. Deleted.~~

- 6.18. Council will reimburse costs for accommodation and meals while councillors are undertaking prior approved travel or professional development outside metropolitan Sydney, in accordance with the maximum rates specified in the Policy Summary. The accommodation and/or meals for conferences, seminars and functions (if any) are included in the expense provisions for each of these items.

~~6.19. Deleted.~~

~~6.20. Deleted.~~

- 6.21. Councillors will not be reimbursed for alcoholic beverages.

Refreshments for council related meetings

- 6.22. Appropriate non-alcoholic refreshments will be available for council meetings, council committee meetings, councillor briefings, approved meetings and engagements, and official council functions as approved by the General Manager or nominee.

- 6.23. As an indicative guide for the standard of refreshments to be provided at council related meetings, the General Manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

Professional development

- 6.24. Council will set aside the amount specified in the Policy Summary annually in its budget to facilitate professional development of councillors through programs, training, education courses and membership of professional bodies.
- 6.25. In the first year of a new council term, Council will provide a comprehensive induction program for all councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.

6.26. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the councillor's civic duties, the councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.

6.27. Approval for professional development activities is subject to a prior written request to the General Manager or nominee outlining the:

- details of the proposed professional development
- relevance to council priorities and business
- relevance to the exercise of the councillor's civic duties.

6.28. In assessing a councillor request for a professional development activity, the General Manager or nominee must consider the factors set out in Clause 6.27, as well as the cost of the professional development in relation to the councillor's remaining budget.

Conferences and seminars

6.29. Council is committed to ensuring its councillors are up to date with contemporary issues facing council and the community, and local government in NSW.

6.30. Council sets aside the amount included in the Policy Summary annually in its budget to facilitate councillor or seminar attendance at conferences and seminars. This allocation is for all councillors.

6.31. Approval to attend a conference or seminar is normally subject to a resolution of Council. When there is no convenient council meeting, the General Manager may approve a written conference / seminar request from a councillor. In assessing a councillor's request, the General Manager must consider factors including the:

- relevance of the topics and presenters to current council priorities and business and the exercise of the councillor's civic duties
- cost of the conference or seminar in relation to the total remaining budget.

6.32. Council will meet the reasonable cost of registration fees, transportation, parking and accommodation (including the night before and the night of the final day of the conference or seminar) associated with attendance at approved conferences outside the Sydney metropolitan area. Council will also meet the reasonable cost of meals when they are not included in the conference fees.

- Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.18-6.21.
- Bookings for approved conferences and seminars are to be made through the [Manager Mayoral and Councillor Support](#) ~~General Manager's~~ office.
- Refer to clause 11.16 for non-attendance at a booked conference or seminar.

Information and Communications Technology (ICT) expenses

6.33. Council will provide the following ICT devices and software / applications for each councillor:

- ~~iPad Pro with SIM OR Surface Pro with SIM OR One~~ Laptop with SIM data.

- ~~Also provided one~~ screen protector and cover ~~for above-for the above selected option. Device used for viewing business papers and other council business.~~
 - ~~iPad with SIM, and screen protector and cover. Device used to participate in meetings by audio-visual link and other council business.~~
 - Council will replace the Laptop devices if accidentally broken, but not for the purposes of upgrading the model.
- Council will reimburse the cost of a phone / data plan for a private smart mobile phone for each councillor, up to a monthly limit specified in the Policy Summary ~~OR provide a standard current model iPhone (128GB).~~
Council will also reimburse 50% of the cost of noise cancelling headphones that are purchased by a councillor for use in their civic duties
- 6.34. Reimbursements will be made only for communications devices and services used for councillors to undertake their civic duties, such as:
 - receiving and reading council business papers
 - relevant phone calls and correspondence
 - diary and appointment management.
- 6.35. Council will provide relevant software, applications and the like for private mobile phones. Councillors may seek reimbursement for additional applications on their mobile phone if it can be shown that they are directly related to their duties as a councillor, within the monthly limit.
- Council only supports Council provided software and applications.

Special requirements and carer expenses

- 6.36. Council encourages wide participation and interest in civic office. It will seek to ensure council premises and associated facilities are accessible, including provision for sight or hearing impaired councillors and those with other disabilities.
- 6.37. Transportation provisions outlined in this policy will also assist councillors who may be unable to drive a vehicle.
- 6.38. In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a councillor with a disability to perform their civic duties.
- 6.39. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of an accredited carer's expenses up to a maximum per occasion, as specified in the Policy Summary, for attendance at meetings and other civic duties, plus reasonable travel from the principal place of residence.
 - The period of care to be reimbursed may commence up to one (1) hour before the occasion, and conclude one (1) hour after the civic duty.
 - Monetary and time limits do not apply to caring expenses, as described above, at the LGNSW Annual Conference.
- 6.40. Childcare expenses may be claimed for children up to and including the age of 16 years where the carer is ~~not a relative~~ an accredited/registered carer.

6.41.● In the event of caring for an adult person, councillors will need to provide suitable evidence to the General Manager or nominee that reimbursement is applicable. Such evidence may take the form of advice from a medical practitioner.

Home office expenses

6.42.● Each councillor may be reimbursed up to an amount as specified in the Policy Summary per year for costs associated with the maintenance of a home office, such as minor items of consumable stationery and printer ink cartridges.

Non-Council Functions

6.43.● Council will meet the cost of councillors attending non-Council functions, up to a maximum per event as specified in the Policy Summary, when representing the mayor or Council, on the basis that the function provides feedback from key members / organisations of the community, members of parliament and business.

Accompanying persons

6.44.● Council will ~~not~~ meet the reasonable costs of spouses, partners and accompanying persons when they accompany a councillor in the following circumstances:

6.45.● Attendance at formal and ceremonial events within the local government area. Such events include, but are not limited to: Australia Day Award ceremonies, citizenship ceremonies, civic receptions and functions for charities formally supported by the Council.

6.46.● Attendance at the LGNSW Annual Conference with costs limited to conference registration and the official conference dinner. Council will not meet any costs relating to additional accommodation and other costs as a result of the attendance of an accompanying person.

6.47.● Attendance by the Mayor, or a councillor representing the Mayor, at an official Council function or official ceremonial duty outside the local government area but within the state. Interstate and overseas events are expressly excluded.

6.48.● The above reasonable costs are limited to the ticket, meal and/or direct costs of attending the function – they specifically exclude grooming, special clothing and transport costs, as well as the costs of accompanying persons' attendance at other conferences and seminars. The costs are reimbursed at the same rate as the accompanied councillor.

7 Insurances

7.1.● In accordance with Section 382 of the Local Government Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this Policy.

7.2.● Insurance protection is only provided if a claim arises out of, or in connection with, the councillor's performance of his or her civic duties, or exercise of his or her functions as a councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.

7.3.● Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.

- 7.4. Appropriate travel insurances will be provided for any councillors travelling on approved interstate travel and long distance intrastate travel on council business.

8 Legal assistance

8.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:

- a councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the councillor
- a councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the councillor
- a councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the councillor.

8.2. In the case of a code of conduct complaint made against a councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the councillor.

8.3. Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a councillor acted corruptly would not be covered by this section.

8.4. Council will not meet the legal costs:

- of legal proceedings initiated by a councillor under any circumstances
- of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
- for legal proceedings that do not involve a councillor performing their role as a councillor.

8.5. Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a council meeting prior to costs being incurred.

8.6. The process for claiming legal expenses is outlined in Appendix A.

9 Superannuation contributions for Councillors

9.1. In accordance with Section 254B of the Local Government Act and the Council resolution of 27 April 2022 (Minute No. 2022/121), Council will make a payment (a superannuation contribution payment) as per the

amount Council would be required to contribute under the *Commonwealth Superannuation Guarantee (Administration) Act 1992* as a contribution to a superannuation account nominated by a Councillor, starting from the financial year **commencing 1 July 2022**.

9.2. A council is not permitted to make a superannuation contribution payment:

- if the Councillor does not nominate a superannuation account for the payment before the end of the month to which the payment relates, or
- to the extent the Councillor has agreed in writing to forgo or reduce the payment.

9.3. The amount of the contribution payment will be the amount the council would have been required to contribute under the Commonwealth superannuation legislation as superannuation if the Councillor were an employee of the council.

A person is not, for the purposes of any Act, taken to be an employee of a council and is not disqualified from holding civic office merely because the person is paid a superannuation contribution payment and that a superannuation contribution payment does not constitute salary for the purposes of any Act.

Part C – Facilities

10 General facilities for all councillors

Facilities

10.1. Council will provide the following facilities to councillors to assist them to effectively discharge their civic duties:

- a councillor common room appropriately furnished to include telephone, photocopier, printer, desks, computer terminals, pigeon holes and appropriate refreshments (excluding alcohol)
- access to shared car parking while attending council offices on official business
- personal protective equipment for use during site visits
- a name badge which may be worn at official functions, indicating office of the wearer.

10.2. Councillors may book meeting rooms for official business in specified council buildings at no cost. Rooms may be booked through the General Manager's office.

10.3. The provision of facilities will be of a standard deemed by the General Manager or nominee as appropriate for the purpose.

Stationery

10.4. Council will provide the following stationery to councillors each year (refer to table in Policy Summary (page 4) for maximum amount and frequency):

- electronic letterhead, to be used only for correspondence associated with civic duties

- business cards
 - Christmas or Festive cards
 - end-of-year electronic festive card for councillors.
- 40.5. As per Section 4, stationery may only be used for council business.

Administrative support

- 40.6. Council will provide limited administrative support to councillors to assist them with their civic duties only.
- 40.7. As per Section 4, council staff are expected to assist councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

Information communications and technology (ICT) devices

- 40.8. Refer to clauses 6.33 - 6.35.

Recognition of service

- 40.9. In recognition of long service as councillor and/or mayor, councillors are eligible to receive particular Local Government NSW awards if their service meets certain criteria. Refer to Council's *Councillors' Recognition of Service Policy* for details.
- 40.10. A Recognition of Service plaque will be provided to each councillor when they cease to hold office.

Allowance (salary) sacrifice

- 40.11. Councillors may forego all or part of their annual fee in exchange for the Council making contributions to a complying superannuation fund on their behalf¹.
- 40.12. No other allowance (salary) sacrifice benefits are available to Councillors.

11 Additional facilities for the Mayor

- 41.1. Council will provide to the mayor a maintained vehicle to a similar standard of other council vehicles, with a fuel card. The vehicle is to be valued below the Luxury Car Tax threshold, and available.
- ~~41.2. The mayor must keep a log book setting out the date, distance and purpose of all travel. This must include any travel for private benefit. The log book must be submitted to council on a monthly basis.~~
- ~~41.3. The mayoral allowance will be reduced to cover the cost of any private travel recorded in the log book, calculated at the kilometre rate specified in the Local Government (State) Award.~~
- 41.4. A parking space at council's offices will be reserved for the mayor's council-issued vehicle for use on official business, professional development and attendance at the mayor's office.

¹ Australian Taxation Office Interpretive Decision 2007/205

41.5. Council will provide the mayor with a furnished office incorporating a computer configured to council's standard operating environment, telephone and meeting space.

41.6. In performing his or her civic duties, the mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the General Manager.

41.7. Deleted.

41.8. As per Section 4, council staff assisting the mayor are expected to work on official business only, and not for matters of personal or political interest, including campaigning.

Part D – Processes

12 Approval, payment and reimbursement arrangements

Approval

42.1. Expenses should only be incurred by councillors in accordance with the provisions of this policy.

42.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.

42.3. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:

- local travel relating to the conduct of official business
- carer costs
- ICT expenditure.

42.4. Final approval for payments made under this policy will be granted by the General Manager or nominee.

Direct payment

42.5. Council may approve and directly pay expenses rather than by reimbursement. Requests for direct payment must be submitted to the General Manager's office for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

42.6. All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the General Manager's office.

Advance payment

42.7. Delete

42.8. Delete

42.9. Delete

Notification

42.10.● If a claim is approved, council will make payment directly or reimburse the councillor through accounts payable.

42.11.● If a claim is refused, council will inform the councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to council

42.12.● If council has incurred an expense on behalf of a councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:

- council will invoice the councillor for the expense
- the councillor will reimburse council for that expense within 14 days of the invoice date.

42.13.● If the councillor cannot reimburse council within 14 days of the invoice date, they are to submit a written explanation to the General Manager or nominee. The general manager may elect to deduct the amount from the councillor's allowance.

Timeframe for reimbursement

42.14.● Unless otherwise specified in this policy, councillors must provide all claims for reimbursement within one month of an expense being incurred. Claims made after this time cannot be approved.

Non-attendance

42.15.● Where costs are paid by Council for a councillor to attend an approved conference, seminar, or function, and the councillor does not attend and has not provided opportunity for Council to seek a refund of the costs incurred or substitute another Councillor to attend; the councillor shall be personally liable to repay all amounts incurred (and not refunded) to Council. In this case, the costs incurred (net of any refund) by the Council will be charged to that Mayor/Councillor.

42.16.● Where the councillor believes there are extenuating circumstances (such as family or medical emergency) for non-attendance they may apply to the General Manager to have such repayment waived.

13 Disputes

43.1.● If a councillor disputes a determination under this policy, the councillor should discuss the matter with the General Manager or nominee.

43.2.● If the councillor and the General Manager cannot resolve the dispute, the councillor may submit a notice of motion to a council meeting seeking to have the dispute resolved.

If the matter is determined by Council, the resolution is final and binding.

14 Return or retention of facilities

44.1.● All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a councillor or mayor ceasing to hold office or at the cessation of their civic duties.

14.2. Should a councillor desire to keep any equipment allocated by council, then this policy enables the councillor to make application to the General Manager or nominee to purchase any such equipment. The general manager will determine an agreed fair market price or written down value for the item of equipment.

- The prices for all equipment purchased by councillors under Clause 13.2 will be recorded in Council's annual report.

Where a Councillor opts to purchase the device at the end of their term, Council will calculate a buy-back market value based on device age and condition. Because devices are configured to protect sensitive information, where a device is being purchased, these will be returned to the Council's Information Technology team for security configuration removal. This process includes resetting the device to a factory state where all data and pre-installed applications are removed.

14.3.

15 Publication

- 15.1. This policy will be published on council's website.

16 Reporting

16.1. Council will report on the provision of expenses and facilities to councillors as required in the Act and Regulations. ~~Currently this is through its Annual Report reporting requirements.~~

16.2. ~~Annually, a D~~etailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a council meeting ~~every six months~~ and published in full on council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

Refer also to section 13 'Return or retention of facilities' regarding reporting.

17 Auditing

- 17.1. The operation of this policy, including claims made under the policy, will be included in council's audit program and an audit undertaken at least every two years.

18 Breaches

18.1. Suspected breaches of this policy are to be reported to the General Manager.

18.2. Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code of Conduct Procedures.

Part E – Other matters

19 Policy implementation

Policy responsibilities

- General Manager has overall responsibility for the policy.
- Manager Governance & Risk has responsibility for the development and maintenance of the policy
- Manager Governance & Risk is responsible for the policy's implementation

Procedures

The Manager Governance & Risk may approve procedures and forms that support this policy.

20 Document Control

Review

This policy is to be reviewed at least within the first twelve months of each term of Council. The Manager Governance & Risk may authorise editorial amendments which do not change any policy substance.

Relevant legislation and guidance

- [Local Government Act 1993, Sections 252 and 253](#)
- [Local Government \(General\) Regulation 2021](#)
- [Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009](#)
- [Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities](#)
- [Local Government Circular 05-08 legal assistance for Councillors and Council Employees.](#)

Related Council policies

- [Code of Conduct](#)
- [Councillor Professional Development Policy](#)
- ~~[Councillor Vehicle](#)~~
- [Councillor Recognition of Service Policy](#)
- [Electronic Communications Policy](#)
- [Council Official Relationships & Access Policy](#)

Version history

Version	Release Date	Author	Reason for Change
1.0	14/09/2016	Coordinator Governance	New document
2.0	12/07/2017	Coordinator Governance	Review of document
2.1	30/08/2017	Coordinator Governance	Minor edits
3.0	10/10/2018	Coordinator Governance	Review of document
4.0	14/07/2021	Coordinator Governance	New OLG Model
5.0	23/11/2022	Coordinator Governance	Review of Document First term of Council
6.0	TBATBC	Coordinator Governance Manager Mayoral & Councillor Support	Review of document

Appendix 1 – Legal Costs Reimbursement Claims

1. To whom do you make the application for reimbursement?

The application for reimbursement of legal expenses should be made in writing to the General Manager. The General Manager may ask for additional information and shall put such application before the Council in accordance with the Policy.

2. When can you make an application for reimbursement?

An application for reimbursement of legal expenses can be made having regard to rights and obligations in the Policy.

3. Requirement for previous application to the Attorney-General where acting as a witness before an ICAC hearing

If you have been called as a witness at a hearing (public or private) conducted by the Independent Commission Against Corruption (ICAC), you must have:

3.1. **Prior to or during your appearance as a witness at the hearing**, applied in writing to the Attorney General for financial assistance with respect to your legal representation, pursuant to section 52 of the *Independent Commission Against Corruption Act 1988*; and

3.2. Have been refused such financial assistance in part or full.

Note: Your application to the Attorney-General will need to include the full details of your financial situation and, provided your summons does not prevent you from doing so, the evidence you expect to give.

4. What other eligibility requirements need to be addressed in your application?

The application should address the following criteria where relevant:

4.1 specify which investigative body has conducted the relevant interview/s and hearing/s (except where a suppression order or other such order is in force which prevents disclosure of this information – see paragraph 6);

4.2 specify whether you are currently a Councillor or Mayor, or have been a former Councillor or Mayor (in which case you must have been acting in this office at any time from or in a previous term of Council);

4.3 state whether you are the subject of the investigation/s and/or the hearing/s and, if not, specify who is the subject (except where a suppression order or other such order is in force which prevents disclosure of this information – see paragraph 6);

Note: Where you are uncertain as to whether you are the subject of the investigation/s and/or the hearing/s, or as to whom the subject is, you should state this.

4.4 provide details of the request or summons to attend an interview/s or hearing/s by the relevant investigative body (except where a suppression order or other such order is in force which prevents disclosure of this information – see paragraph 6);

4.5 detail the legal expenses (including hourly rate charged) in part or in full incurred in connection with attending the interview/s or hearing/s (public or private);

4.6 describe the nature of the information the investigative body has, through requesting an interview or your attendance at a hearing, sought from you (except where a suppression order or other such order is in force which

- prevents disclosure of this information – see paragraph 6);
- 4.7 describe how the information the investigative body has sought from you directly derives from your discharge of duties or your exercise of civic functions as the mayor or as a councillor (except where a suppression order or other such order is in force which prevents disclosure of this information – see paragraph 6);
- 4.8 state whether you are satisfied you discharged the duties or exercised the functions in question in good faith or with honest intent (except where a suppression order or other such order is in force which prevents disclosure of this information – see paragraph 6);
- 4.9 show that you have complied with any reasonable and lawful direction of your insurer and/or the General Manager (if there has been any such direction); and
- 4.10 provide evidence that the investigative body or Court has:
- 4.10.1 confirmed in writing that it has completed the investigation/s or hearing/s or, where a Report is to be provided pursuant to the relevant legislation, published its Report; and
 - 4.10.2 confirmed in writing that the outcome of the legal proceedings is not substantially unfavourable to Council has been made with respect to you.

5. What documents need to be included with your application?

Where appropriate the following information should be provided:

- 5.1 A copy of the document requesting your attendance at an interview/s or hearing/s by the investigative body or Court, for example, a letter or summons (except where a suppression order or other such order is in force which prevents disclosure of this information – see paragraph 6);
- 5.2 If you have been called as a witness at a hearing (public or private) conducted by ICAC, a copy of your request to the Attorney-General for legal assistance pursuant to section 52 of the *Independent Commission Against Corruption Act 1988*, and a copy of the Attorney General's response;
- 5.3 Copies of any itemised invoices issued to you for legal expenses (fees charged for legal representation or legal advice including the hourly rate charged) in connection with the interview/s or hearing/s and any receipts for payment for such invoices;
- 5.4 Confirmation in writing from the investigative body or Court that it has completed its investigation/s or hearing/s or, where a Report has been prepared, a copy of the Report or the decision of the Court;
- 5.5 Where not included in the Report, or where a Report is not provided, written confirmation that the outcome of the legal proceedings is not substantially unfavourable to Council has been made with respect to you;
- 5.6 Any other documents relevant to the eligibility requirements outlined in paragraph 4.

6. What will happen where a suppression order or other order restricting disclosure of information applies?

- 6.1 Where you have been ordered by the investigative body or Court, for example, in your summons, not to disclose information which the Policy requires you to provide (see paragraph 4 and 5 above), you should refrain from including such information in your application.

- 6.2 Once any suppression order or other order has been lifted by the investigative body or Court, you should immediately provide the General Manager with the information previously omitted from your application on this basis.
- 6.3 The General Manager may not be able to consider your application where a suppression order or other order restricting disclosure of information applies until the suppression order or other order is lifted and information previously omitted is available where the information is required to approve the reimbursement.

7. Will Council need to pass a resolution regarding my application?

- 7.1 Yes, a Councillor must seek and obtain approval from Council for indemnity and reimbursement of any legal cost covered by this policy prior to legal expenses being incurred.
 - 7.2 Any resolution by Council to provide indemnity and reimbursement needs to be consistent with this Policy.
 - 7.3 Where Council is not satisfied of the above, Council should provide reasons for its determination.
-