



**ENVIRONMENT ADVISORY COMMITTEE
TO BE HELD ON MONDAY, 11 AUGUST 2025 AT 6:30 PM
TEAMS / LEVEL 3 ANTE ROOM**

A G E N D A

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APOLOGIES

DECLARATIONS OF INTEREST

CONFIRMATION OF MINUTES

Minutes of Environment Advisory Committee

File: S14696

Meeting held 23 June 2025

Minutes numbered –Minutes not uploaded. Enter starting minute number here– to

–Enter ending minute number here–

GENERAL BUSINESS

GB.1 Overview of Council's regulation of trees on private property

4

File: S14696

To provide the Committee with an overview of Council's regulation of trees on private property.

Recommendation:

That the Committee notes the information provided.

GB.2 Information on the Code of Conduct

7

File: S14696

To provide newly appointed members of the Environment Advisory Committee with information on their duties under Council's Code of Conduct.

Recommendation:

That the Committee notes the information provided.

- | | | |
|------|---|-----------|
| GB.3 | Familiarisation with the Terms of Reference including meeting procedures | 57 |
|------|---|-----------|

File: S14696

To provide newly appointed members of the Environment Advisory Committee with information on the Committee's Terms of Reference.

Recommendation:

That the Committee notes the information provided.

- | | | |
|------|--|------------|
| GB.4 | Overview of the Green Grid Strategy | 106 |
|------|--|------------|

File: S14696

To provide the Committee with an overview of the Green Grid Strategy and discuss opportunities for the Committee to contribute to the development of the Implementation Plan.

Recommendation:

That the Committee notes the information provided.

- | | | |
|------|--|------------|
| GB.5 | Aligning National Emissions Targets & Policy with the Paris Agreement - Letter to the Australian Government | 112 |
|------|--|------------|

File: S13127

To recommend Council write to the Australia's Climate Change Minister, Environment Minister and Prime Minister urging for updated national targets and policy that firmly align with the Paris Agreement's emissions reduction objectives.

Recommendation:

That Council write to Australia's Climate Change Minister, Environment Minister and Prime minister urging the adoption of science based and credible national emissions targets and policy that are firmly aligned with the objectives of the Paris Agreement.

- | | | |
|------|--|------------|
| GB.6 | Overview of Council's environmental volunteering programs | 119 |
|------|--|------------|

File: S14696

To provide the Committee with an overview of Council's environmental volunteering programs.

Recommendation:

That the Committee notes the information provided.

GB.7 **Determination of priority items for the current term of the Committee** **123**

File: S14696

To provide the Committee with the opportunity to discuss and determine priority items to be progressed or dealt with during the current term of the Committee.

Recommendation:

That the Committee notes the information provided.

OTHER BUSINESS

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OVERVIEW OF COUNCIL'S REGULATION OF TREES ON PRIVATE PROPERTY

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To provide the Committee with an overview of Council's regulation of trees on private property.

BACKGROUND:

At the June 2025 Environment Advisory Committee meeting, the Committee identified management of the urban forest as an area of interest. The Committee requested staff provide information on how private tree removals and replacements are regulated.

COMMENTS:

Council regulates tree removal on private land via Development Applications (DAs) and tree permits, but cannot intervene when removals occur via Complying Development.

DA-based removals must comply with legislation and Council's DCP, and often include replacement requirements. Permit-based removals depend on arboricultural risk assessments and are only approved when no lesser mitigation is viable, with replacement trees typically matching removed ones .

Threatened species trigger further assessment and offsetting requirements via a Threatened Species Licence.

The main challenges Council faces in reversing the decline of canopy on private land are intensifying development, enforcement gaps, insurer risk aversion, and State laws allowing removal without Council oversight.

RECOMMENDATION:

That the Committee notes the information provided.

(Refer to the full Recommendation at the end of this report)

PURPOSE OF REPORT

To provide the Committee with an overview of Council's regulation of trees on private property.

BACKGROUND

At the June 2025 Environment Advisory Committee meeting, the Committee identified management of the urban forest as an area of interest. The Committee requested staff provide information on how private tree removals and replacements are regulated.

COMMENTS

Council has a role in approving the removal of trees on private land through the Development Application (DA) and tree permits pathways. Although, tree removals can be approved through Complying Development pathways, over which Council has no jurisdiction. In some cases trees may be removed from private land without approval where exemptions exist.

Tree removals proposed within DA's are assessed in accordance with relevant legislation including Council's Development Control Plan. Where trees removals are supported, when appropriate, conditions are applied to replace trees having regard to the species, size and quantity depending on site constraints. Alternatively, trees may be replaced as part of an approved landscape plan.

Trees proposed for removal through the permits system are subject to industry-standard arboricultural assessment to determine the level of risk they pose to people and property. Tree removal is only approved where other mitigation measures cannot adequately control the risk posed by the tree. Tree removal permits detail replacement requirements, which are generally for an equal number of trees of the same species as those removed.

Where trees proposed for removal are identified as threatened species or comprising a threatened ecological community, additional assessment and replacement conditions are required that aim to prevent and offset loss of biodiversity. This is administered and determined by the Department of Climate Change, Energy, the Environment and Water through a Threatened Species Licence approval process.

Council faces a number of challenges in halting the decline of tree canopy on private lands, the main drivers of which are:

- Intensifying development leading to tree removals and reduced suitable space for replacement trees;
- The difficulty of deterring and enforcing replacement of illegal tree removals;
- Council's insurers' low risk appetite resulting in tree removal permits being issued where lesser mitigation measures may be adequate; and
- State government legislation/policies allowing tree removals without Council approval.

SUMMARY

Council regulates tree removal on private land via Development Applications (DAs) and tree permits, but cannot intervene when removals occur via Complying Development.

DA-based removals must comply with legislation and Council's DCP, and often include replacement requirements. Permit-based removals depend on arboricultural risk assessments

Item GB.1

S14696

and are only approved when no lesser mitigation is viable, with replacement trees typically matching removed ones .

Threatened species trigger further assessment and offsetting requirements via a Threatened Species Licence.

The main challenges Council faces in reversing the decline of canopy on private land are intensifying development, enforcement gaps, insurer risk aversion, and State laws allowing removal without Council oversight.

RECOMMENDATION:

That the Committee notes the information provided.

Sybylla Brown
Natural Areas Program Leader

Shaun Garland
Manager Development Assessment Services

Michael Miocic
Director Development & Regulation

Andrew Watson
Director Strategy & Environment

INFORMATION ON THE CODE OF CONDUCT

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	To provide newly appointed members of the Environment Advisory Committee with information on their duties under Council’s Code of Conduct.
BACKGROUND:	All Committee members are required to abide by Council’s Code of Conduct.
COMMENTS:	The Code of Conduct (see Attachment A1) establishes rules around general conduct, dealing with pecuniary and non-pecuniary interests and personal benefits, and access to information and Council resources.
RECOMMENDATION:	That the Committee notes the information provided.

[Refer to the full Recommendation at the end of this report]

PURPOSE OF REPORT

To provide newly appointed members of the Environment Advisory Committee with information on their duties under Council's Code of Conduct.

BACKGROUND

All Committee members are required to abide by Council's Code of Conduct.

COMMENTS

The Code of Conduct (see **Attachment A1**) establishes rules around general conduct, dealing with pecuniary and non-pecuniary interests and personal benefits, and access to information and Council resources.

SUMMARY

The Code of Conduct establishes rules around general conduct, dealing with pecuniary and non-pecuniary interests and personal benefits, and access to information and Council resources.

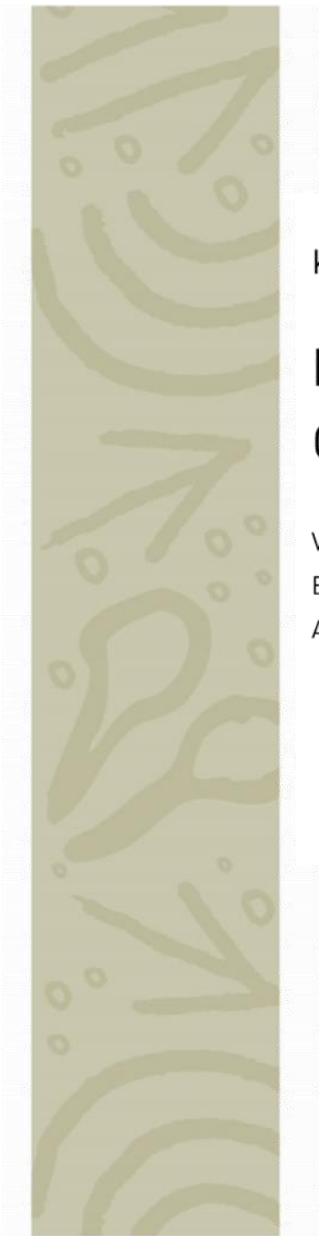
RECOMMENDATION:

A. That the Committee notes the information provided.

Sybylla Brown
Natural Areas Program Leader

Christopher M Jones
Manager Governance and Corporate Strategy

Attachments: A1 Ku-ring-gai Council Code of Conduct v5 2025/197172



Ku-ring-gai Council

Policy

Code of Conduct

Version Number 5

Effective: 16 November 2022

Adopted: 15 November 2022



Code of Conduct

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Related Document Information, Standards & References

Related Legislation:	Local Government Act 1993 Section 440 Local Government (General) Regulation 2005 Section 193 Work Health & Safety Act Work Health & Safety Regulations	Requirement for Council's to adopt the Office of Local Government Model Code of Conduct
Related Policies (Council & Internal)	Public Interest Disclosures Policy Procurement Policy Fraud & Corruption Prevention Policy	
Related Documents - Procedures, Guidelines, Forms, WHS Modules/PCD's, Risk Assessments, Work Method Statements, etc	Advice of Pecuniary Interest Form Advice of Non pecuniary Interest Form Gifts and Benefits Disclosure Form Additional Employment Approval application	2019/087771 2019/087766 2019/087774 2019/087772
Other References		

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Version History

Version Number	Version Start Date	Version End Date	Author	Details and Comments
1	1/12/2015	30/11/2015	Rod Kidd	This document existed before MyCouncil was implemented, it was added as a version during the initial data input process.
2	1/12/2015	9/4/2019	Rod Kidd	Version 1 transferred into MyCouncil policy template with no change to content.
3	10/04/2019	8/12/2020	Rod Kidd	New Code of Conduct issued by OLG on 14 December 2018 and approved by council resolution no. 68 on 9 April 2019.
4	9/12/2020	15/11/2022	Jennie Keato	Revised Code of Conduct issued by OLG on 14 August 2020 and approved by council resolution No.234 on 8 December 2020.
5	16/11/2022	TBA	Jennie Keato	Code of Conduct review within 12 months of ordinary election as required under Section 440 of the Local Government Act 1993. No Changes were made. Resolution 242.

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PART 1 INTRODUCTION

The Ku-ring-gai Council Code of Conduct is based on the Model Code of Conduct for NSW Councils, issued by the Office of Local Government, and is made under section 440 of the Local Government Act 1993 ("LGA") and the Local Government (General) Regulation 2005 ("the Regulation").

This Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council's or joint organisation's adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not "council officials" for the purposes of the Model Code of Conduct (e.g. volunteers, contractors and members of wholly advisory committees). Ku-ring-gai Council has extended the application of parts of the Code of Conduct to include members of wholly advisory committees

A council's or joint organisations adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a council's or joint organisation's adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Councillors, administrators, members of staff of councils, delegates of councils, (including members of council committees that are delegates of a council) and any other person a council's adopted code of conduct applies to, must comply with the applicable provisions of their council's code of conduct. It is the personal responsibility of council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the LGA. The LGA provides for a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office. A councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

Failure by a member of staff to comply with Ku-ring-gai's code of conduct may give rise to disciplinary action.

PART 2 DEFINITIONS

In this code the following terms have the following meanings:

Administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
Committee	see the definition of “council committee”
Complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures
Conduct	includes acts and omissions
Council	includes county councils and joint organisations
Council Advisor	A person who at the request or with the consent of the council or a council committee gives advice on any matter at any meeting of council or committee
Council Committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council’s audit, risk and improvement committee
Council Committee Member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council’s audit, risk and improvement committee
Council Official	includes councillors, members of staff of a council, administrators, council committee members, members of wholly advisory committees, delegates of council, and, for the purposes of clause 4.16, council advisers
Councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
Delegate Of Council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
Designated Person	a person referred to in clause 4.8
Election Campaign	includes council, state and federal election campaigns
Environmental Planning Instrument	has the same meaning as it has in the <i>Environmental Planning and Assessment Act 1979</i>

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General Manager	includes the executive officer of a joint organisation
Joint Organisation	a joint organisation established under section 400(O) of the LGA
LGA	the <i>Local Government Act 1993</i>
Local Planning Panel	a local planning panel constituted under the <i>Environmental Planning and Assessment Act 1979</i>
Mayor	includes the chairperson of a county council or a joint organisation
Members Of Staff Of A Council	includes members of staff of county councils and joint organisations
The Office	Office of Local Government
Personal Information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
The Procedures	the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW prescribed under the Regulation
The Regulation	the Local Government (General) Regulation 2005
Voting Representative	a voting representative of the board of a joint organisation
Wholly Advisory Committee	a council committee that the council has not delegated any functions to

PART 3 GENERAL CONDUCT OBLIGATIONS

General conduct

- 3.1 You must not conduct yourself in a manner that:
- a) is likely to bring the council or other council officials into disrepute
 - b) is contrary to statutory requirements or the council's administrative requirements or policies
 - c) is improper or unethical
 - d) is an abuse of power
 - e) causes, comprises or involves intimidation or verbal abuse
 - f) involves the misuse of your position to obtain a private benefit
 - g) constitutes harassment or bullying behaviour under this code or is unlawfully discriminatory.
- 3.2 You must act lawfully and honestly and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. *(section 439).*

Fairness and equity

- 3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.
- 3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

Harassment and discrimination

- 3.6 You must not harass or unlawfully discriminate against others or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.
- 3.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that:
- a) is not wanted by the person
 - b) offends, humiliates or intimidates the person, and
 - c) creates a hostile environment.

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Bullying

- 3.8 You must not engage in bullying behaviour towards others.
- 3.9 For the purposes of this code, “bullying behaviour” is any behaviour in which:
- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons and
 - b) the behaviour creates a risk to health and safety.
- 3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:
- a) aggressive, threatening or intimidating conduct
 - b) belittling or humiliating comments
 - c) spreading malicious rumours
 - d) teasing, practical jokes or ‘initiation ceremonies’
 - e) exclusion from work-related events
 - f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker’s skill level
 - g) displaying offensive material
 - h) pressure to behave in an inappropriate manner.
- 3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:
- a) performance management processes
 - b) disciplinary action for misconduct
 - c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
 - d) directing a worker to perform duties in keeping with their job
 - e) maintaining reasonable workplace goals and standards
 - f) legitimately exercising a regulatory function
 - g) legitimately implementing a council policy or administrative processes.

Work health and safety

- 3.12 All council officials, including councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WH&S Act). You must comply with your duties under the WH&S Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:
- a) take reasonable care for your own health and safety
 - b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
 - c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WH&S Act and any policies or procedures adopted by the council to ensure workplace health and safety

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- d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
- e) report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations
- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WH&S Act in relation to the same matter.

Land use planning, development assessment and other regulatory functions

- 3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.
- 3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Binding caucus votes

- 3.15 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.16 For the purposes of clause 3.15, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.
- 3.17 Clause 3.15 does not prohibit councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting, or from voluntarily holding a shared view with other councillors on the merits of a matter.
- 3.18 Clause 3.15 does not apply to a decision to elect the mayor or deputy mayor, or to nominate a person to be a member of a council committee or a representative of the council on an external body.

Obligations in relation to meetings

- 3.19 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.20 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).

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- 3.21 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.
- 3.22 If you are a councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the council, or of a committee of the council. Without limiting this clause, you must not:
- a) leave a meeting of the council or a committee for the purposes of depriving the meeting of a quorum, or
 - b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another councillor from submitting a rescission motion with respect to the same decision, or
 - c) deliberately seek to impede the consideration of business at a meeting.

PART 4 PECUNIARY INTERESTS

What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- (a) your interest, or
 - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- (a) Your “relative” is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - ii) your spouse’s or de facto partner’s parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
 - (b) “de facto partner” has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
 - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
 - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

What interests do not have to be disclosed?

- 4.6 You do not have to disclose the following interests for the purposes of this Part:
- (a) your interest as an elector
 - (b) your interest as a ratepayer or person liable to pay a charge
 - (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code

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- (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code
- (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
- (f) if you are a council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the council committee
- (g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
- (h) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
- (i) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
 - i. the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
 - ii. security for damage to footpaths or roads
 - iii. any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
- (j) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor)
- (k) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252 of the LGA,
- (l) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor
- (m) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
- (n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or a council committee member
- (o) an interest arising from the appointment of a councillor to a body as a representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.

4.7 For the purposes of clause 4.6, “relative” has the same meaning as in clause 4.4 but includes your spouse or de facto partner.

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What disclosures must be made by a designated person?**4.8 Designated persons include:**

- (a) the general manager
- (b) other senior staff of the council for the purposes of section 332 of the LGA
- (c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
- (d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

4.9 A designated person:

- (a) must prepare and submit written returns of interests in accordance with clauses 4.23, and
- (b) must disclose pecuniary interests in accordance with clause 4.10.

4.10 A designated person must disclose in writing to the general manager (or if the person is the general manager, to the council) the nature of any pecuniary interest the person has in any council matter with which the person is dealing as soon as practicable after becoming aware of the interest by completing the "Advice of Pecuniary Interest" form.**4.11 Clause 4.10 does not require a designated person who is a member of staff of the council to disclose a pecuniary interest if the interest relates only to the person's salary as a member of staff, or to their other conditions of employment.****4.12 The general manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.****4.13 A disclosure by the general manager must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and the council must deal with the matter to which the disclosure relates or refer it to another person to deal with.****What disclosures must be made by council staff other than designated persons?****4.14 A member of staff of council, other than a designated person, must disclose in writing to the general manager the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest, by completing the "Advice of Pecuniary Interest" form.**

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- 4.15 The general manager must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council advisers?

- 4.16 A person, who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.
- 4.17 A person does not breach clause 4.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

What disclosures must be made by a council committee member?

- 4.18 A council committee member must disclose pecuniary interests in accordance with clause 4.30 and comply with clause 4.31.
- 4.19 For the purposes of clause 4.18, a "council committee member" includes a member of staff of council who is a member of the committee.

Note: A Council Committee member identified by Council as a 'Designated Person' for the purpose of clause 4.8(d) must also prepare and submit written returns of interest in accordance with clause 4.23

What disclosures must be made by a wholly advisory committee member?

- 4.20 A wholly advisory committee member must disclose pecuniary interests in accordance with clause 4.30 and comply with clause 4.31
- 4.21 For the purpose of clause 4.20, a "wholly advisory committee member" includes a member of staff of council who is a member of the committee

What disclosures must be made by a councillor?

- 4.22 A councillor:
- (a) must prepare and submit written returns of interests in accordance with clause 4.23, and
 - (b) must disclose pecuniary interests in accordance with clause 4.30 and comply with clause 4.31 where it is applicable.

Disclosure of interests in written returns

- 4.23 A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in schedule 1 to this code within 3 months after:
- (a) becoming a councillor or designated person, and
 - (b) 30 June of each year, and

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- (c) the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

4.24 A person need not make and lodge a return under clause 4.23, paragraphs (a) and (b) if:

- (a) they made and lodged a return under that clause in the preceding 3 months, or
- (b) they have ceased to be a councillor or designated person in the preceding 3 months.

4.25 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.

4.26 The general manager must keep a register of returns required to be made and lodged with the general manager.

4.27 Returns required to be lodged with the general manager under clause 4.23(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.

4.28 Returns required to be lodged with the general manager under clause 4.23(c) must be tabled at the next council meeting after the return is lodged.

4.29 Information contained in returns made and lodged under clause 4.23 is to be made publicly available in accordance with the requirements of the Government Information (Public Access) Act 2009, the Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

Disclosure of pecuniary interests at meetings

4.30 A council official who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.

4.31 The council official must not be present at, or in sight of, the meeting of the council or committee:

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

4.32 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.30 and 4.31 where they participate in the meeting by telephone or other electronic means.

4.33 A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.

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4.34 A general notice may be given to the general manager in writing by a council official to the effect that the council official, or the council official's spouse, de facto partner or relative, is:

- (a) a member of, or in the employment of, a specified company or other body, or
- (b) a partner of, or in the employment of, a specified person.

Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the council official's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.

4.35 A council official is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the council official has an interest in the matter of a kind referred to in clause 4.6.

4.36 A person does not breach clauses 4.30 or 4.31 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

4.37 Despite clause 4.31, a councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.

4.38 Clause 4.31 does not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting if:

- (a) the matter is a proposal relating to:
 - (i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
 - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
- (b) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
- (c) the councillor made a special disclosure under clause 4.39 in relation to the interest before the commencement of the meeting.

4.39 A special disclosure of a pecuniary interest made for the purposes of clause 4.38(c) must:

- (a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
- (b) be laid on the table at a meeting of the council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.

- 4.40 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
- (a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
 - (b) that it is in the interests of the electors for the area to do so.
- 4.41 A council official with a pecuniary interest in a matter who is permitted to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.40, must still disclose the interest they have in the matter in accordance with clause 4.30.

PART 5 NON-PECUNIARY CONFLICTS OF INTEREST

What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, by completing the "Advice of Non-Pecuniary Interest" form and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter by completing the "Advice of Non-Pecuniary Interest" form. In the case of council official's other than the general manager, such a disclosure is to be made to the general manager. In the case of the general manager, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.

5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:

- a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
- b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
- c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
- d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
- e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
- f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:

- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
- b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.30 and 4.31.

5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.

5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.

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- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14 Council officials are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

Political donations

- 5.15 Councillors should be aware that matters before council meetings or committee meetings, or wholly advisory committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 5.16 Where you are a councillor and have received or knowingly benefitted from a reportable political donation:
- a) made by a major political donor in the previous four years, and
 - b) the major political donor has a matter before council,
- you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.30 and 4.31. A disclosure made under this clause must be recorded in the minutes of the meeting.
- 5.17 For the purposes of this Part:
- a) a “reportable political donation” has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
 - b) “major political donor” has the same meaning as it has in the *Electoral Funding Act 2018*.
- 5.18 Councillors should note that political donations that are not a “reportable political donation”, or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.
- 5.19 Despite clause 5.16, a councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

Loss of quorum as a result of compliance with this Part

- 5.20 A councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:
- a) the matter is a proposal relating to:

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- i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
 - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
 - b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and
 - c) the councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.
- 5.21 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
 - b) that it is in the interests of the electors for the area to do so.
- 5.22 Where the Minister exempts a councillor or committee member from complying with a requirement under this Part under clause 5.21, the councillor or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Other business or employment

- 5.23 The general manager must not engage, for remuneration, in private employment, contract work or other business outside the service of the council without the approval of the council.
- 5.24 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council or that might conflict with the staff member's council duties unless they have notified the general manager in writing of the employment, work or business, by completing an "Employment Approval Application" and the general manager has given their written approval for the staff member to engage in the employment, work or business.
- 5.25 The general manager may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council, or that might conflict with the staff member's council duties.
- 5.26 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council if prohibited from doing so.
- 5.27 Members of staff must ensure that any outside employment, work or business they engage in will not:
- a) conflict with their official duties

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- b) involve using confidential information or council resources obtained through their work with the council including where private use is permitted
- c) require them to work while on council duty
- d) discredit or disadvantage the council
- e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

Personal dealings with council

- 5.28 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 5.29 You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

PART 6 PERSONAL BENEFIT

- 6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment.
- 6.2 A reference to a gift or benefit in this Part does not include:
- a) items with a value of \$10 or less
 - b) a political donation for the purposes of the Electoral Funding Act 2018
 - c) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them
 - d) a benefit or facility provided by the council to an employee or councillor
 - e) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
 - f) free or subsidised meals, beverages or refreshments provided to council officials in conjunction with the performance of their official duties such as, but not limited to:
 - i) the discussion of official business
 - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops
 - iii) conferences
 - iv) council functions or events
 - v) social functions organised by groups, such as council committees and community organisations.

Gifts and benefits

- 6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.
- 6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

How are offers of gifts and benefits to be dealt with?

- 6.5 Members of staff, must not;
- a) seek or accept a bribe or other improper inducement
 - b) seek gifts or benefits of any kind
 - c) accept a gift or benefit of any kind
 - d) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer-supplier relationship with the competition organiser
 - e) personally benefit from reward points programs when purchasing on behalf of the council.
- 6.6 Council officials (other than members of staff) must not:
- a) seek or accept a bribe or other improper inducement

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- b) seek gifts or benefits of any kind
 - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
 - d) subject to clause 6.8, accept any gift or benefit of more than token value as defined by clause 6.10.
 - e) accept an offer of cash or a cash-like gift as defined by clause 6.14, regardless of the amount
 - f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer–supplier relationship with the competition organiser
 - g) personally benefit from reward points programs when purchasing on behalf of the council.
- 6.7 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to the general manager in writing by completing the ‘Gifts or Benefits Disclosure Form’. The general manager must ensure that, at a minimum, the following details are recorded in the council’s gift register:
- a. the nature of the gift or benefit
 - b. the estimated monetary value of the gift or benefit
 - c. the name of the person who provided the gift or benefit, and
 - d. the date on which the gift or benefit was received
 - e. the name of the recipient
- 6.8 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

- 6.9 Council officials (other than members of staff) may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$100. They include, but are not limited to:
- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100
 - b) gifts of alcohol that do not exceed a value of \$100
 - c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
 - d) prizes or awards that do not exceed \$100 in value.

Gifts and benefits of more than token value

- 6.10 Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 6.6 (d) and, subject to clause 6.8, must not be accepted.
- 6.11 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the

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general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.

- 6.12 Council officials (other than members of staff), that have accepted a gift or benefit of token value from a person or organisation, must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.
- 6.13 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

“Cash-like gifts”

- 6.14 For the purposes of clause 6.6(e), “cash-like gifts” include but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and undue influence

- 6.15 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials through the proper exercise of their role as prescribed under the LGA.
- 6.16 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.

PART 7 RELATIONSHIPS BETWEEN COUNCIL OFFICIALS

Obligations of councillors and administrators

7.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy, and to keep the performance of the council under review.

7.2 Councillors or administrators must not:

- a) direct council staff other than by giving appropriate direction to the general manager by way of council or committee resolution, or by the mayor or administrator exercising their functions under section 226 of the LGA
- b) in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the staff member or delegate
- c) contact a member of the staff of the council on council-related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager
- d) contact or issue instructions to any of the council's contractors, including the council's legal advisers, unless by the mayor or administrator exercising their functions under section 226 of the LGA.

7.3 Despite clause 7.2, councillors may contact the council's external auditor or the chair of the council's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

Obligations of staff

7.4 Under section 335 of the LGA, the role of the general manager includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.

7.5 Members of staff of council must:

- a) give their attention to the business of the council while on duty
- b) ensure that their work is carried out ethically, efficiently, economically and effectively
- c) carry out reasonable and lawful directions given by any person having authority to give such directions
- d) give effect to the lawful decisions, policies and procedures of the council, whether or not the staff member agrees with or approves of them
- e) ensure that any participation in political activities outside the service of the council does not interfere with the performance of their official duties.

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Inappropriate interactions

7.6 You must not engage in any of the following inappropriate interactions:

- a) councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- b) council staff approaching councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- c) subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
- d) councillors and administrators who have lodged an application with the council, discussing the matter with council staff in staff-only areas of the council
- e) councillors and administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the councillor has a right to be heard by the panel at the meeting
- f) councillors and administrators being overbearing or threatening to council staff
- g) council staff being overbearing or threatening to councillors or administrators
- h) councillors and administrators making personal attacks on council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
- i) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make
- j) council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
- k) council staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals
- l) councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the council associated with current or proposed legal proceedings unless permitted to do so by the council's general manager or, in the case of the mayor or administrator, unless they are exercising their functions under section 226 of the LGA.

PART 8 ACCESS TO INFORMATION AND COUNCIL RESOURCES

Councillor and administrator access to information

- 8.1 The general manager is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The general manager and public officer are also responsible for ensuring that members of the public can access publicly available council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 8.2 The general manager must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.
- 8.4 Members of staff of council who provide any information to a particular councillor in the performance of their official functions must also make it available to any other councillor who requests it and in accordance with council procedures.
- 8.5 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.
- 8.6 Despite clause 8.4, councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise available to members of the public, or the council has determined to make the information available under the GIPA Act.

Councillors and administrators to properly examine and consider information

- 8.7 Councillors and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

Refusal of access to information

- 8.8 Where the general manager or public officer determine to refuse access to information requested by a councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the councillor or administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The general manager or public officer must state the reasons for the decision if access is refused.

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Use of certain council information

8.9 In regard to information obtained in your capacity as a council official, you must:

- a) subject to clause 8.14, only access council information needed for council business
- b) not use that council information for private purposes
- c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with council
- d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

8.10 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.

8.11 In addition to your general obligations relating to the use of council information, you must:

- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
- b) protect confidential information
- c) only release confidential information if you have authority to do so
- d) only use confidential information for the purpose for which it is intended to be used
- e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body
- g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

8.12 When dealing with personal information you must comply with:

- a) the *Privacy and Personal Information Protection Act 1998*
- b) the *Health Records and Information Privacy Act 2002*
- c) the Information Protection Principles and Health Privacy Principles
- d) the council's privacy management plan
- e) the Privacy Code of Practice for Local Government

Use of council resources

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- 8.13 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.
- 8.14 Union delegates and consultative committee members may have reasonable access to council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:
- a) the representation of members with respect to disciplinary matters
 - b) the representation of employees with respect to grievances and disputes
 - c) functions associated with the role of the local consultative committee.
- 8.15 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- 8.16 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 8.17 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 8.18 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:
- a) for the purpose of assisting your election campaign or the election campaign of others, or
 - b) for other non-official purposes.
- 8.19 You must not convert any property of the council to your own use unless properly authorised.

Internet access

- 8.20 You must not use council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.

Council record keeping

- 8.21 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.

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- 8.22 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.
- 8.23 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of whether the original intention was to create the information for personal purposes.
- 8.24 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

Councillor access to council buildings

- 8.25 Councillors and administrators are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the general manager.
- 8.26 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or their delegate) or as provided for in the procedures governing the interaction of councillors and council staff.
- 8.27 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence council staff decisions.

PART 9 MAINTAINING THE INTEGRITY OF THIS CODE

Complaints made for an improper purpose

9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.

9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:

- a) to bully, intimidate or harass another council official
- b) to damage another council official's reputation
- c) to obtain a political advantage
- d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
- e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
- f) to avoid disciplinary action under the Procedures
- g) to take reprisal action against a person for making a complaint alleging a breach of this code
- h) to take reprisal action against a person for exercising a function prescribed under the Procedures
- i) to prevent or disrupt the effective administration of this code under the Procedures.

Detrimental action

9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.

9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.

9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:

- a) injury, damage or loss
- b) intimidation or harassment
- c) discrimination, disadvantage or adverse treatment in relation to employment
- d) dismissal from, or prejudice in, employment
- e) disciplinary proceedings.

Compliance with requirements under the Procedures

- 9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.
- 9.8 You must comply with a practice ruling made by the Office under the Procedures.

Disclosure of information about the consideration of a matter under the Procedures

- 9.9 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 9.10 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 9.11 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 9.12 You must not disclose information about a complaint you have made alleging a breach of this code or a matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.
- 9.13 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

- 9.14 Complaints alleging a breach of this Part by a councillor, the general manager or an administrator are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the council for consideration in accordance with the Procedures.
- 9.15 Complaints alleging a breach of this Part by other council officials are to be managed by the general manager in accordance with the Procedures.

SCHEDULE 1: DISCLOSURES OF INTERESTS AND OTHER MATTERS IN WRITTEN RETURNS SUBMITTED UNDER CLAUSE 4.23Part 1: PreliminaryDefinitions

1. For the purposes of the schedules to this code, the following definitions apply:

address means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the councillor or designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

de facto partner has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

disposition of property means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

gift means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

interest means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

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listed company means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

occupation includes trade, profession and vocation.

professional or business association means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

return date means:

- a) in the case of a return made under clause 4.23(a), the date on which a person became a councillor or designated person
- b) in the case of a return made under clause 4.23(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.23(c), the date on which the councillor or designated person became aware of the interest to be disclosed.

relative includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).

travel includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

2. *Interests etc. outside New South Wales:* A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
3. *References to interests in real property:* A reference in this schedule or in schedule 2 to real property in which a councillor or designated person has an interest includes a reference to any real property situated in Australia in which the councillor or designated person has an interest.
4. *Gifts, loans etc. from related corporations:* For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

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Part 2: Pecuniary interests to be disclosed in returnsReal property

5. A person making a return under clause 4.23 of this code must disclose:
 - a) the street address of each parcel of real property in which they had an interest on the return date, and
 - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
 - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
 - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
 - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a councillor or designated person.
8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

Gifts

9. A person making a return under clause 4.23 of this code must disclose:
 - a) a description of each gift received in the period since 30 June of the previous financial year, and
 - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
 - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
 - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - c) the donor was a relative of the donee, or
 - d) subject to paragraph (a), it was received prior to the person becoming a councillor or designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

12. A person making a return under clause 4.23 of this code must disclose:
 - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
 - b) the dates on which the travel was undertaken, and

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- c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
13. A financial or other contribution to any travel need not be disclosed under this clause if it:
- a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
 - b) was made by a relative of the traveller, or
 - c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
 - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
 - e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
 - g) subject to paragraph (d) it was received prior to the person becoming a councillor or designated person.
14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

Interests and positions in corporations

15. A person making a return under clause 4.23 of this code must disclose:
- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
 - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
 - c) the nature of the interest, or the position held, in each of the corporations, and
 - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
 - b) required to apply its profits or other income in promoting its objects, and
 - c) prohibited from paying any dividend to its members.
17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a councillor or designated person.

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Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.23 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.

20. For the purposes of clause 19 of this schedule:

close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.

property developer has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

Positions in trade unions and professional or business associations

21. A person making a return under clause 4.23 of the code must disclose:

- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
- b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
- c) a description of the position held in each of the unions and associations.

22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a councillor or designated person.

Dispositions of real property

23. A person making a return under clause 4.23 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.

24. A person making a return under clause 4.23 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.

25. A disposition of real property need not be disclosed if it was made prior to a person becoming a councillor or designated person.

Sources of income

26. A person making a return under clause 4.23 of this code must disclose:

- a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
- b) each source of income received by the person in the period since 30 June of the previous financial year.

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27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
- a) in relation to income from an occupation of the person:
 - (i) a description of the occupation, and
 - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
 - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
 - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
 - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
29. The source of any income received by the person that they ceased to receive prior to becoming a councillor or designated person need not be disclosed.
30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

Debts

31. A person making a return under clause 4.23 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
- a) on the return date, and
 - b) at any time in the period since 30 June of the previous financial year.
32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.23 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
33. A liability to pay a debt need not be disclosed by a person in a return if:
- a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
 - (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
 - (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
 - b) the person was liable to pay the debt to a relative, or
 - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
 - d) in the case of a debt arising from the supply of goods or services:

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- (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
- (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
- e) subject to paragraph (a), the debt was discharged prior to the person becoming a councillor or designated person.

Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

SCHEDULE 2: FORM OF WRITTEN RETURN OF INTERESTS SUBMITTED UNDER CLAUSE 4.23'Disclosures by councillors and designated persons' return

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the Ku-ring-gai Council Code of Conduct.
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.
6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

Important information

This information is being collected for the purpose of complying with clause 4.23 of the Code of Conduct. You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.25 of the Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.23 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

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You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

Disclosure of pecuniary interests and other matters by [full name of councillor or designated person]

as at [return date]

in respect of the period from [date] to [date]

[councillor's or designated person's signature]

[date]

A. Real Property

Street address of each parcel of real property in which I had an interest at the Nature of interest
return date/at any time since 30 June

B. Sources of income

1 Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from an occupation at any time since 30 June

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
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2 Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee
-----------------------------	-----------------------------

3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June

Sources of other income I received at any time since 30 June

[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]

C. Gifts

Description of each gift I received at any time since 30 June Name and address of donor

D. Contributions to travel

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Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
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E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June	Nature of interest (if any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
---	-----------------------------	----------------------------------	---

F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)**G. Positions in trade unions and professional or business associations**

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June	Description of position
---	-------------------------

H. Debts

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June

I. Dispositions of property

1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time

2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

J. Discretionary disclosures

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SCHEDULE 3: FORM OF SPECIAL DISCLOSURE OF PECUNIARY INTEREST SUBMITTED UNDER CLAUSE 4.39

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.38(c) of the Ku-ring-gai Council Code of Conduct.

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests by *[full name of councillor]*

in the matter of *[insert name of environmental planning instrument]*

which is to be considered at a meeting of the *[name of council or council committee (as the case requires)]*

to be held on the day of 20 .

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the councillor <i>[Tick or cross one box.]</i>	☐ The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). ☐ An associated person of the councillor has an interest in the land. ☐ An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest ¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² <i>[Tick or cross one box]</i>	☐ The identified land. ☐ Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	

¹ Clause 4.1 of the Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Code of Conduct.

² A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Code of Conduct has a proprietary interest.

Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor or associated person <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature

Date

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

ACCESS TO SERVICES**KU-RING-GAI COUNCIL**

Address 818 Pacific Highway, Gordon NSW 2072
Mailing address Locked Bag 1006, Gordon, NSW, 2072
Office Hours Monday-Friday, 8.30am-5.00pm
Special arrangements are available for Telephone Interpreter and National Relay Service. Refer to Ku-ring-gai Website. All offices are wheelchair accessible.

Phone (02) 9424 0000
Fax (02) 9424 0001
TTY (02) 9424 0875
Email kmc@kmc.nsw.gov.au
Website www.kmc.nsw.gov.au

THE OFFICE OF LOCAL GOVERNMENT

Address 5 O'Keefe Avenue , NOWRA NSW 2541
Mailing address Locked Bag 3015, NOWRA NSW 2541
Office Hours Monday-Friday, 8.30am-5.00pm
(Special arrangements may be made if these hours are unsuitable), offices are wheelchair accessible.

Phone 02 4428 4100
Fax 02 4428 4199
TTY TTY 02 4428 4209
Email olg@olg.nsw.gov.au
Website www.olg.nsw.gov.au

ALTERNATIVE MEDIA PUBLICATIONS

Special arrangements can be made for OLG publications to be provided in large print or an alternative media format. If you need this service, please contact their Executive Branch on (02) 4428 4100.

FAMILIARISATION WITH THE TERMS OF REFERENCE INCLUDING MEETING PROCEDURES

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	To provide newly appointed members of the Environment Advisory Committee with information on the Committee’s Terms of Reference.
BACKGROUND:	The Environment Advisory Committee is governed by its Terms of Reference.
COMMENTS:	The Terms of Reference set out the role of the Committee, the Committee’s membership, delegations, voting arrangements, meeting arrangements, reporting structure, and Code of Conduct and confidentiality requirements. The Environment Advisory Committee’s Terms of Reference are contained within the Council Advisory and Reference Committee Guideline (see Attachment A1).
RECOMMENDATION:	That the Committee notes the information provided.

(Refer to the full Recommendation at the end of this report)

PURPOSE OF REPORT

To provide newly appointed members of the Environment Advisory Committee with information on the Committee's Terms of Reference.

BACKGROUND

The Environment Advisory Committee is governed by its Terms of Reference.

COMMENTS

The Terms of Reference set out the role of the Committee, the Committee's membership, delegations, voting arrangements, meeting arrangements, reporting structure, and Code of Conduct and confidentiality requirements.

The Environment Advisory Committee's Terms of Reference are contained within the Council Advisory and Reference Committee Guideline (see **Attachment A1**).

SUMMARY

The Terms of Reference set out the role of the Committee, the Committee's membership, delegations, voting arrangements, meeting arrangements, reporting structure, and Code of Conduct and confidentiality requirements.

RECOMMENDATION:

A. That the Committee notes the information provided.

Sybylla Brown
Natural Areas Program Leader

Christopher M Jones
Acting Director Corporate

Attachments: A1 Council Advisory and Reference Committee Guideline 2025 2025/159796

Ku-ring-gai Council

Council Advisory and Reference Committee Guideline

Adopted: 20 May 2025

Effective 21 May 2025



Council Advisory and Reference Committee Guideline

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Other References	nil	

Version History

Version Number	Version Start Date	Version End Date	Author	Details and Comments
1	2014	11/01/2022	Manager Governance	First Version
2	12/01/2022	24/05/2022	David Marshall	Updates to guidelines and terms of reference.
3	25/05/2022	15/11/2022	Christopher M Jones	Policy updated to include resolution 89 corresponding to MM.2 at the Ordinary Meeting of Council of 24 May 2022. Council resolved to amend the relevant sections to provide for non-member Councillors to attend committee meetings as observers only. Minor formatting updates.
4	14/12/2022	20/1/2023	Christopher M Jones	Updates to reflect new committees, requirement for committees to undertake a review during each term of council and minor formatting changes.
5	21/1/2023	18/3/2024	Senior Governance Officer	Updates to reflect disbandment of Marian Street Theatre Reference Committee (OMC19.09.2023), new terms of references Arts & Culture Advisory Committee (OMC 21.11.2023) and The Status of Women's Advisory Committee (OMC 21.11.2023)
6	19/3/2024	21/5/2024	Christopher M Jones	Minor updates to reflect resolutions of Council in March 2024.
7	22/5/2024	16/7/2024	Christopher M Jones	Updated to reflect adoption Youth Advisory Committee Terms of Reference (OMC 21/5/2024)
8	17/7/2024	19/9/2024	Christopher M Jones	Minor update to reflect resolution of Council regarding appointments to the Status of Women's Advisory Committee (OMC16/7/2024)
9	20/9/2024	16/12/2024	Christopher M Jones	Removal of ARIC Terms of Reference (published separately). No other changes.
10	16/04/2025	20/05/2025	Christopher M Jones	Insertion of Terms of Reference for new Smart Transport Advisory Committee and Environment Advisory Committee (OMC 15/4/2025).
11	21/05/2025	May 2027	Christopher M Jones	Insertion of increased membership numbers for Multicultural Advisory Committee (OMC 20/5/2025).

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PURPOSE, OBJECTIVES, AND SCOPE OF COMMITTEES

Why does council have advisory and reference committees?

Advisory and reference committees provide a mechanism by which members of the community can play a role in the formulation of Council policy, direction and practice. Committees assist Council to engage with and obtain feedback from the community.

Objectives

Advisory and reference committees are established by Ku-ring-gai Council to:

- harness the views and expertise of the wider community
- assist Council in its understanding of, and approach to, specific or localised issues, initiatives or community assets
- provide a structured approach to the ongoing involvement of community members in Council affairs and the democratic process.

Scope

The scope of each advisory and reference committee is outlined in its Charter. Committees may make recommendations to Council, but do not have the authority to make decisions on Council's behalf.

Note that these guidelines do not include the Ku-ring-gai Local Planning Panel (KLPP), the Major Projects Steering Committee or the Audit, Risk and Improvement Committee (ARIC). These committees have their own governance arrangements and separate Terms of Reference.

Delegation of functions and decision-making

Advisory and reference committees do not have delegated authority from Council.

How are advisory and reference committees established?

Advisory and reference committees are established by a resolution of Council. Prior to establishing a committee, Council will generally determine the following criteria:

- Terms of reference for the committee
- Expertise or relevant background which community members should possess
- Size (minimum and maximum) of the committee
- Quorum requirements
- Frequency of meetings (minimum and regularity)
- Any specific interest groups that are to be represented on the committee (i.e. government departments, community organisations)

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-
- Term and tenure of members.

This Guideline serves to address these elements.

Ku-ring-gai Council has established the following advisory and reference committees:

- Arts and Culture Advisory Committee
- Environment Advisory Group
- Flood Risk Management Committee
- Heritage Reference Committee
- Ku-ring-gai Traffic Committee
- Multicultural Advisory Committee
- Smart Transport Advisory Committee
- Status of Women Advisory Committee
- Youth Advisory Committee.

Terms of reference

Details of the terms of reference (or charter) of each committee are presented in this guide. The terms of reference for each committee may be updated from time to time by Council resolution.

Evaluation and review

Each Committee will undertake a review before the end of each term of council to ensure it is operating effectively, delivering on its roles and responsibilities, and to recommend any changes to its terms of reference.

Any recommendations to make significant changes to committee terms of reference (or dissolve a committee) arising from a review is to be reported to Council at the first ordinary meeting of Council following the local government elections.

MEMBERSHIP OF ADVISORY AND REFERENCE COMMITTEES

Term

An advisory or reference committee continues until such time as it is dissolved by Council. Council may dissolve a committee at any time by resolution.

Councillor membership

Councillors will be appointed to committees at the first ordinary meeting of Council following the local government elections. Appointments are to be made at the same time as the Mayoral election, which will generally be every two years.

All other Councillors may attend committee meetings in a non-voting capacity and as observers only.

Community membership

Community membership will be in accordance with the terms of reference of the respective committee. Representatives should carry adequate expertise, experience or the specific knowledge necessary to fulfil their obligations and to contribute to the output of the committee.

Unless otherwise provided in its terms of reference, Council must appoint all committee members by a resolution of Council. Similarly, Council may terminate a person's committee membership at any time by a resolution of Council.

Nominations for appointment to a committee should generally be submitted in writing to Council, for consideration against the committee terms of reference.

The term of office for all non-Councillor members will be as set out in the relevant terms of reference. Committee members are generally eligible for re-appointment.

Vacation of office

Membership of the committee will become vacant in the following circumstances:

- If the member resigns membership by notice in writing to the committee
- If the member ceases to be a member of the organisation which he/ she represents
- Upon the death of the member
- If the member becomes a mentally incapacitated person
- If Council in its absolute discretion resolves to terminate a person's membership, including for reason of absence from committee meetings.

Chairperson

Generally, a Chairperson and Deputy Chairperson will be appointed by Council resolution.

The role of the Chairperson is to:

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-
- chair all meetings, open meetings, welcome and introduce members and guests
 - keep people at the meeting focused on the topics being discussed
 - encourage all members to participate, and ensure adequate opportunity is given to members who wish to speak
 - ensure correct meeting procedures are followed and maintain control of the meeting
 - keep track of time
 - make sure members are aware of decisions being made and that the minute taker has recorded decisions of the meeting
 - act impartially and uses discretionary powers in the best interests of members and in accordance with the meeting practices
 - ensure all statutory regulations and organisational rules (such as Code of Conduct) are observed
 - close meetings after business at hand has properly concluded.

In the absence of the Chairperson, the Deputy Chairperson will chair the meeting.

MEETING PROCEDURES FOR ADVISORY AND REFERENCE COMMITTEES

Legislative requirements

The *Local Government Act 1993* does not legally bind meeting procedures for advisory and reference committees¹. As such, this guide sets the meeting procedures that these committees must comply with.

Notice of meeting

Notice of meetings will be provided to members, along with all Councillors, at least three days prior to the meeting. The period of notice should not include the day the notice is given or the day the meeting is held.

The notice will specify the time, place and date of the meeting and the business proposed to be transacted. Notice of less than three days may be given of a meeting in an emergency.

All Councillors are entitled to attend committee meetings

Councillors who are not members of a committee are entitled to attend meetings as observers only. Non-member Councillors are not entitled to add items to the agenda, move or second a motion, vote or speak at the meeting.

Quorum

The quorum for a meeting will be as resolved by Council at the time that the committee is established.

A committee meeting must be adjourned if a quorum is not present:

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

Starting times for meetings

The committee shall generally set the frequency, time, date and place of its meetings.

Meetings are to commence at the time designated for the meeting.

Agenda

The agenda is an organised list of the business that will be transacted at the meeting. A copy of the agenda will be distributed to all committee members at least three days before the meeting.

¹ The *Local Government Act 1993* and *Local Government (General) Regulation 2021* contain provisions relating to the conduct of meetings of councils and committees of councils of which all the members are Councillors. These do not necessarily relate to advisory and reference committees.

Each item of business to be discussed at the meeting needs to be placed on the agenda.

If any items on the agenda are not discussed due to limitations of time, they are carried over to the next meeting agenda.

Order of business

Each item of business is generally discussed in the order in which it appears on the agenda.

Voting

Voting can be used as a mechanism for members to express their agreement or disagreement on an item.

The terms of reference for each committee set out the requirements for voting.

A member who is present but who abstains from voting on a motion is counted as having voted against the motion.

Members who are not present may not vote by proxy or by any other means.

Minutes of meetings

The committee is to keep full and accurate minutes of the proceedings of meetings. It will be the responsibility of Council staff attending the meeting to take the minutes.

Minutes of a committee meeting will record any voting to determine recommendations of the committee to Council. The minutes will also record any recommendations a committee makes by consensus. At the discretion of the Chairperson, the minutes may also include brief commentary to reflect discussion on a matter. Upon request, a member may have their name recorded in the minutes as being against a recommendation of the committee.

The draft minutes of a meeting will be circulated to committee members within 10 working days of the meeting. Members will be provided with five working days to comment on the accuracy of the minutes. The minutes will subsequently be referred to the Chairperson for approval as an accurate record of the meeting.

Once approved by the Chairperson, the minutes will be put to an ordinary meeting of Council for adoption. The recommendations of a committee, so far as adopted by the Council at an ordinary meeting of Council, are resolutions of the Council.

The minutes will also be placed on the agenda to be noted at the subsequent committee meeting.

General Manager and staff attendance at meetings

The General Manager is entitled to attend committee meetings.

On consultation with the Chairperson, the General Manager shall ensure the appropriate staff attend the meetings.

The role of the staff attending will be to offer advice and to answer questions within their individual fields of expertise and experience. Council staff are not permitted to vote unless they are members of the committee.

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Duration of meetings

Committee meetings shall generally close at the scheduled finish time. However, a motion to extend the meeting for up to an additional 30 minutes may be considered by the Chairperson.

Matters listed on the agenda that are not dealt with by the conclusion of the meeting will be carried forward to the next meeting of the committee.

Absence from committee meetings

All committee members must make reasonable efforts to attend meetings.

All committee members are required to advise the Chairperson when they are unable to attend a meeting. The absence of committee members from the meeting is to be recorded in the minutes.

Council may by resolution terminate a person's membership of a committee due to unreasonable absence from meetings. As a guide, it may be considered unreasonable absence if a committee member:

- has been absent from three consecutive meetings without giving reasons acceptable to the committee, or
- has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given reasons acceptable to the committee.

Recording of committee meetings prohibited without permission

A person may use a recording device to record the proceedings of a meeting of a committee only with the authority of the committee.

A person may be expelled from a committee meeting for using or having used a device to record the meeting in contravention with this section.

Code of Conduct and conflicts of interest

The Ku-ring-gai Council Code of Conduct applies to all members of advisory and reference committees.

Amongst other things, the Code provides that members of committees must not conduct themselves in a manner that:

- is likely to bring Council or other Council officials into disrepute
- is contrary to statutory requirements or Council's administrative requirements or policies
- is improper or unethical
- is an abuse of power
- causes, comprises or involves intimidation or verbal abuse
- involves the misuse of your position to obtain a private benefit

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- constitutes harassment or bullying behaviour under the Code or is unlawfully discriminatory.

In relation to meetings, members of advisory and reference committees:

- must comply with rulings by the Chairperson
- must not engage in bullying behaviour towards the Chairperson, other Council officials or any members of the public present in committee meetings or other proceedings of the Council (such as, but not limited to, workshops and briefing sessions).
- must not engage in conduct that disrupts committee meetings or other proceedings of the Council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.

All committee members are required to declare conflicts of interest, including pecuniary interests, in accordance with the Code of Conduct.

All committee members must declare and manage any conflicts of interest they may have in matters being considered at meetings in accordance with the Code. 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.

There are two types of interests – pecuniary and non-pecuniary:

- **Pecuniary Interests** – Dealt with in Part 4 of the Code of Conduct. Under clause 4.1 of the Code, pecuniary interests are interests you may have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3. These persons include your spouse or de facto partner, your relative, your partner or employer or a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- **Non-Pecuniary Interests** – Dealt with in Part 5 of the Code of Conduct. Under clause 5.1 of the Code, non-pecuniary interests are private or personal interests that do not amount to a pecuniary interest. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.

These interests can be classified further as “significant” or “less than significant” depending on the extent of the interest declared.

The following procedure must be followed for the disclosure of pecuniary and non-pecuniary interests by a committee member:

- The committee member must disclose to the meeting any agenda item(s) the member has a pecuniary or non-pecuniary interest in, as well as the nature of the interest, and whether it is significant or less than significant.
- If the interest declared is pecuniary or significant non-pecuniary, the committee member must leave the meeting before discussion, debate and voting on that matter.
- If the interest declared is less than significant non-pecuniary, the committee member must provide an explanation of why the conflict of interest does not require any further

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action in the circumstances.

- The Chairperson must ensure the minutes of the committee meeting will record the disclosure of interest and how it was managed.

Attendance at committee meetings may be by audio visual link

Members of advisory and reference committees may attend meetings by audio visual link, as set out below.

What is an “audio-visual link”?

For the purposes of this guideline, an audio-visual link is a facility that enables audio and visual communication between persons at different places.

Approval to attend committee meetings by audio-visual link

Members may attend committee meetings remotely by audio-visual link.

Members must notify the General Manager (or delegate) of their intention to attend a meeting remotely by audio-visual link no later than 2.00 pm on the day of the meeting, to allow time to set up the remote technology.

Staff may attend committee meetings by audio visual link with the approval of the General Manager.

Attendance by members at committee meetings by audio-visual link

Where a member attends a meeting by audio-visual link, they are to be taken as attending the meeting in person and will have the same voting rights as if they were attending the meeting in person.

Members must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link.

Members must be appropriately dressed when attending meetings 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 committee into disrepute.

Members who are not visible, not able to hear or not able to be heard when attending a meeting by audio-visual link, whether for technical or other reasons, will be taken not to be present at the meeting and may not speak on matters nor vote until the issue is rectified.

If remote audio-visual technology is not available at a meeting for technical or other reasons, the meeting will proceed (subject to quorum requirements) and members seeking to attend remotely will be treated as absent and granted an apology.

Where a member attends a meeting by audio-visual link, the minutes of the meeting must record that they attended the meeting by audio-visual link.

Conflicts of interest

Members 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 as if they were attending

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the meeting in person.

Where a member has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the member's audio-visual link to the meeting must be managed such that the member must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the committee, or at any time during which the committee is voting on the matter.

Confidentiality

Members 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 confidential matters are being considered.

Maintenance of order

Where a member is attending a meeting by audio-visual link, the Chairperson (or a person authorised by the Chairperson) may mute the member's audio link to the meeting for the purposes of maintaining order.

If a member 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 member's audio-visual link to the meeting.

ARTS AND CULTURE ADVISORY COMMITTEE

Role of the committee

The primary roles and responsibilities of the Arts and Culture Advisory Committee are to:

- Contribute to the development and enhancement of a strong, recognisable profile for arts, music, culture and innovation in Ku-ring-gai that reflects the local identity, diversity and values of the community.
- Provide input and assistance into the development and implementation of objectives and strategies within Council's Community Strategic Plan.
- Contribute to and provide feedback on activities, forums, projects, programs and events relating to arts and cultural communities.
- Provide input into wider policies, plans and services that impact arts and cultural industries within the community.
- Facilitate communication between community representatives, cultural organisations and Council in arts and cultural related disciplines and assist in gathering input from the local creative community for future cultural planning initiatives.
- Facilitate networks and partnerships that encourage and support creative initiatives, stimulate cultural economy, express cultural diversity, enhance public places and increase community connectiveness.
- Advocate for local artists and creative producers in developing a strong cultural identity which will enhance the liveability and wellbeing of local residents.
- Advise and share relevant information and facilitate partnerships with arts and cultural groups through capacity building and increased community connections.

Committee members

The Arts and Culture Advisory Committee members will represent the community in an advisory role to Council. Committee members will provide specialist knowledge and diverse perspectives about creative practice, arts, music, cultural activities relevant to Council's key strategies and policies, and events and programs.

Membership

Membership of the Arts and Culture Advisory Committee will be comprised of:

- Any interested Councillors, including the Mayor.
- A maximum of sixteen (16) community members representing a range of arts and cultural groups which may include experience and/or membership of arts and cultural organisations within, but not limited to the following fields:
 - Arts education

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- Arts venues, festivals and events
 - Film, television and digital arts
 - Literature and writing
 - Theatre performing arts and dance
 - Visual arts including painting and sculpture
 - Music and musicians
 - Indigenous arts and artists.

Other members may be co-opted from time to time if required with specific, knowledge, expertise or qualifications pertaining to arts and cultural communities.

Community members are to be appointed by resolution of Council following an Expression of Interest process.

The following Ku-ring-gai Council staff will be available to attend the Committee meetings and will provide professional advice and administrative support:

- Director Community
- Manager Library and Cultural Services
- Manager Visitor Experience and Events

A Committee facilitator will be provided along with other staff members as required.

Term of membership to committee

The term of office for committee members will be for the term of Council, plus up to 6 months to allow time for the incoming Council to make new appointments. At the expiration of the term, members will be eligible for re-appointment, subject to referral to Council for its consideration and resolution. Membership of the Committee can be withdrawn by resolution of Council. Council staff representation will be appointed by the General Manager.

Membership of the Committee can be withdrawn by resolution of Council. Council staff representation will be appointed by the General Manager.

If a member misses three (3) consecutive meetings without apology, their membership will be withdrawn and the position will be deemed vacant.

Councillors who are not formal members of the Committee are invited to attend meetings as observers.

Chairperson

The Chairperson of the Committee is the Mayor, or a Councillor as nominated by Council.

The Chairperson is to be elected by Council for the same period as the term of office of the Mayor. If the Chairperson is not present at the time designated for the meeting, the Deputy

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Chairperson shall take the responsibilities of the Chairperson.

The Chairperson is to have precedence at the meeting and shall determine the order of proceedings, generally as set out in the agenda.

The Chairperson has the discretion to exclude a member of the Committee if a member displays inappropriate conduct. If this occurs, the matter is to be reported to the next available Council meeting.

Deputy Chairperson

The Deputy Chairperson of the Committee will be a Councillor as nominated by Council.

Committee facilitator

A Committee Facilitator (Convenor) shall be appointed by the General Manager. The Facilitator shall be a staff member of Council who will be responsible for coordinating the preparation of agendas, invitations, and minutes of the Committee.

The Facilitator will be responsible for coordinating any presentations from guest speakers and for considering requests from members of the public to address the Committee in consultation with the Chairperson and other staff.

The Facilitator will also be responsible for arranging induction, training and support required by the Deputy Chairperson to fulfil the role.

Delegation

No delegation. The committee is an advisory body only and has no decision-making authority. It cannot commit Council to a course of action or direct Council staff.

Voting

No formal voting rules apply as the Committee has an advisory role only, and its recommendations are made by consensus. No recommendation from the Committee will be deemed to be a decision of Council.

Only members in attendance at the meeting shall be entitled to participate in the decision-making process of the Committee.

Quorum

The Quorum will be five (5) members (including the Chairperson or Deputy Chairperson).

Meetings

Meetings will be held quarterly, or as determined by the Chairperson.

The Chairperson has the authority to call meetings in accordance with the agreed meeting schedule. A proposed change to this meeting schedule, either ongoing or one-off, should give consideration to operational requirements, and be agreed upon by the majority of Committee members.

The Committee Facilitator will produce a draft agenda in consultation with the Chairperson.

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Committee members should raise items they would like to be included on the agenda at least two weeks prior to the meeting. Alternatively, the item may be raised as part of General Business during a meeting.

The Facilitator and all members should consider the scheduled meeting length when developing the agenda and participating in the meeting.

The agenda and meeting papers shall be circulated to members at least three (3) days prior to meeting. All agendas will be published on Council's website. Each meeting shall be properly recorded by the taking of minutes.

Each meeting will start and finish at the scheduled time. The Chairperson may consider a motion to extend a meeting for up to 30 minutes. Matters listed on the agenda that are not dealt with by the conclusion of the meeting will be carried forward to the next meeting of the committee.

Where a matter requires the Committee's consideration between meeting cycles (e.g. time constraints), the matter may also be referred informally to committee members, for guidance or advice.

Attendance by audio-visual link

Members of the committee may attend meetings by audio-visual link, in accordance with the Council Advisory and Reference Committee Guideline.

Communication and Reporting

The Minutes of the Committee shall be reported to Council following the meetings.

The Minutes of the meeting shall be circulated to all members within seven (7) working days following the meeting. Any questions regarding the Minutes are to be referred immediately to the Committee Facilitator and if any error in the Minutes is confirmed by the committee, the Committee Facilitator shall arrange to make the appropriate changes.

Code of Conduct, Confidentiality, and other Council policies

The Ku-ring-gai Council Code of Conduct applies to all members of advisory and reference committees.

All Committee members must declare and manage any conflicts of interest they may have in matters being considered at meetings in accordance with the Code. 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.

Each Committee member shall be provided with Council's Code of Conduct and other related policies that may be applicable to the operation of the Committee.

The Committee may be dealing with limited confidential information. Committee members will be required to complete appropriate disclosure forms.

The conduct of each Committee member is expected to be consistent with the principles outlined in these Council publications.

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ENVIRONMENT ADVISORY COMMITTEE

Role of the Committee

The Environment Advisory Committee is established to provide strategic advice and feedback to Ku-ring-gai Council on the preservation, management, enhancement, and recreational use of Ku-ring-gai's natural environment. The Committee's focus is to guide Council on ensuring ecological sustainability, promoting biodiversity, and fostering community engagement in the care of environmental areas.

The Committee will:

- Advise on the planning and management of environmental programs, excluding those related to bushfire and flood risk management.
- Support the design and planning of recreational facilities within natural areas, ensuring these align with sustainability and community needs.
- Contribute to the development and review of Council's biodiversity, urban greening, and environmental plans and policies, ensuring alignment with best practice.
- Guide the creation, engagement around, and implementation of, environmental education and sustainable recreation initiatives.
- Provide input on environmental monitoring and reporting to assess Council's efforts in protecting and enhancing the environment.

Membership

The Committee will consist of:

- Two Councillor representatives (voting members), appointed by Council as Chairperson and Deputy Chairperson.
- Up to eight community representatives (voting members), selected based on their expertise in environmental management, biodiversity conservation, urban forestry, sustainable recreation, or related fields.
- One representative from NSW National Parks and Wildlife Service (voting member).
- The following Ku-ring-gai Council staff will be available to attend the Committee meetings (non-voting), and will provide professional advice and administrative support:
 - Manager Environment and Sustainability
 - Environmental Programs Leader
 - Other staff as required for their expertise or specific knowledge areas.

Community representatives are to be appointed by resolution of Council following an Expression of Interest process with recommendations based on candidate merit and ensuring diverse representation across the relevant disciplines.

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Term of membership

The term of office for committee members will be for the term of Council, plus up to 6 months to allow time for the incoming Council to make new appointments. At the expiration of the term, members will be eligible for re-appointment, subject to referral to Council for its consideration and resolution.

Council may nominate additional applicants to the Committee as reserves to fill vacancies. Members will be appointed in the order recommended by the assessment panel.

Chairperson

The Chairperson of the Committee is the Mayor, or a Councillor as nominated by Council.

The Chairperson is to be elected by Council for the same period as the term of office of the Mayor. If the Chairperson is not present at the time designated for the meeting, the Deputy Chairperson shall take the responsibilities of the Chairperson.

The Chairperson is to have precedence at the meeting and shall determine the order of proceedings, generally as set out in the agenda.

The Chairperson has the discretion to exclude a member of the Committee if a member displays inappropriate conduct. If this occurs, the matter is to be reported to the next available Council meeting.

Deputy Chairperson

The Deputy Chairperson of the Committee will be a Councillor as nominated by Council.

Committee Facilitator

A Committee Facilitator (Convenor) shall be appointed by the General Manager. The Facilitator shall be a staff member of Council who will be responsible for coordinating the preparation of agendas, invitations and minutes of the Committee.

The Facilitator shall also be responsible for coordinating any presentations from guest speakers and for considering requests from members of the public to address the Committee in consultation with the Chairperson and other staff.

Delegation

No delegation. The committee is an advisory body only and has no decision-making authority. It cannot commit Council to a course of action or direct Council staff.

Voting

Decisions will be made by a simple majority vote, with the Chair having the casting vote in the event of a tie.

Quorum

A quorum will be established by the presence of at least half the appointed members of the Committee, including at least one Councillor.

Meetings

The Committee will meet quarterly, or as determined by the Chairperson. The Chairperson has the authority to call meetings in accordance with the agreed meeting schedule. A proposed change to this meeting schedule, either ongoing or one-off, should give consideration to operational requirements, and be agreed upon by the majority of Committee members.

Agendas will be distributed at least five (5) business days before each meeting. Minutes of each meeting will be recorded and circulated to members for review and endorsement by the Chairperson.

Each meeting will start and finish at the scheduled time. The Chairperson may consider a motion to extend a meeting for up to 30 minutes. Matters listed on the agenda that are not dealt with by the conclusion of the meeting will be carried forward to the next meeting of the committee.

If an issue arises that requires the Committee's input before the next scheduled meeting (e.g., due to time constraints), the matter may be referred informally to committee members for their guidance or advice.

Attendance by audio-visual link

Members of the committee may attend meetings by audio-visual link, in accordance with the Council Advisory and Reference Committee Guideline.

Reporting Structure

Once approved by the Chairperson, the minutes will be put to an Ordinary Meeting of Council for adoption. The recommendations of the committee, so far as adopted by the Council at an Ordinary Meeting of Council, are resolutions of the Council.

The Committee will provide formal recommendations to Ku-ring-gai Council. Recommendations and progress reports will be submitted through the Director of Strategy and Environment for inclusion in relevant Council meetings and decision-making processes.

Code of Conduct

All Committee members are expected to adhere to the Ku-ring-gai Council Code of Conduct. Members must declare any pecuniary or non-pecuniary interests at the start of meetings where applicable. Conflicts of interest will be managed in accordance with Council policies.

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.

Each Committee member shall be provided with Council's Code of Conduct and other related policies that may be applicable to the operation of the Committee.

Confidentiality

Committee members may be privy to sensitive or confidential information, and they are expected to maintain confidentiality in line with Council's guidelines. Breaches of

confidentiality may result in removal from the Committee.

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FLOOD RISK MANAGEMENT COMMITTEE

The NSW Government has prepared its Flood Prone Land Policy and Floodplain Development Manual (2005) to guide councils in managing the risks associated with floods and flooding. It achieves this through a floodplain risk management process which involves the development of flood studies, flood risk management studies and flood risk management plans. The manual indicates that responsibility for the management of flood risks remains with local government and it assists councils to balance the conflicting objectives of the floodplain through a risk management process. The establishment of a Flood Risk Management Committee as an advisory committee of Council is an important step in the floodplain risk management process.

The committee acts as both a focus and forum for the discussion of technical, social, economic and environmental matters relating to floodplain management and for the distillation of possibly differing objectives and viewpoints on these matters. The committee is tasked with seeking solutions to existing, future and continuing flood risk issues, not solely on addressing the past.

The terms of reference for the Flood Risk Management Committee are outlined below:

Role of the committee

The Floodplain Risk Management Committee's main objective is to assist Council in developing and implementing flood risk management plans. The plans are to be developed for catchments within the Council's area of responsibility.

To achieve this, the committee will focus on:

- formulating objectives, strategies and outcomes sought from the process
- acting as a liaison between the local community and Council and advising Council regarding matters involving flooding that can be included within the flood risk management studies and plan
- acting to increase awareness within the Council and the community regarding flooding
- identifying the flood problems to be assessed, including prioritisation
- ensuring that the flood management studies and plans are developed and implemented in accordance with the manual
- monitoring the progress and findings of studies being undertaken in the various stages of the risk management plan
- considering and making recommendations to Council on appropriate development controls
- determining and advising on appropriate options for the management of flood risk
- identifying implementation strategies for flood risk management plans
- monitoring and assessing the effectiveness of the flood risk management plans during and after implementation.

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Options that could be considered include (but are not necessarily limited to) land use planning options, engineering works and planning for emergency and evacuation works. Any options presented will have regard to the role of other authorities involved in floodplain management.

In addition to flood risk management, the committee may also be required to provide advice on other stormwater programs run by Council. Such advice will be incorporated into the committee's agenda as required and topics will match the technical skills of the committee members.

Membership

The membership of the committee shall comprise:

- two Councillor Representatives (voting members) – Chairperson and Deputy Chairperson appointed by Council. All other Councillors are welcome to attend (as observers)
- up to six residents from the local community (voting members) – representing local community, business and industry (preference for one when nominated) and environmental interests (preference for one when nominated) associated with the floodplain
- two Council staff (voting members) - Manager Technical Services and Manager Environment and Sustainability
- representative(s) from NSW Department of Planning and Environment (only one voting member) – Floodplain Engineer
- representative(s) from the NSW State Emergency Services (SES) (only one voting member) – Northern Region SES and Ku-Ring-Gai SES
- four Council staff (non-voting members) - Team Leader Natural Areas, Team leader Development Engineers, Water and Catchments Program Leader and Drainage Assets Engineer
- representative(s) from Sydney Water (only one voting member)
- representative(s) from Transport for NSW (only one voting member)
- representative(s) from National Parks and Wildlife Service (only one voting member)
- ex-officio members (non-voting members) as required.

Councillors are appointed to the committee by resolution of Council.

The committee term continues unless the committee is dissolved by resolution of Council.

The role of Council staff is mainly coordination and provision of local specialist advice. Recommended final flood risk management studies will require significant input from staff before submission to Council.

Technical sub-committees may be established within the committee structure on an as-needs basis to complete tasks emanating from the deliberations of the committee. Each

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technical sub-committee will be led by a member of the committee and provide the communication link between the committee and the technical sub-committee.

Ex-officio members may be called upon to assist the committee from time to time, because of their expertise or knowledge in a specific area. They may attend meetings and provide input, papers or presentations in the meetings.

Expressions of interest for community representatives will be sought by public advertisement in local newspapers and Council's website and by personal invitation. Selection (if required) will be made in accordance with Council's Code of Conduct for Community Representatives and the selection criteria.

The selection criteria are as follows:

- ability to represent either community, business or environmental interests in matters related to floodplain management
- a broad interest and understanding of flooding and floodplain risk management
- ability and preparedness to attend and actively participate in regular meetings which may be during business hours or in the evenings
- commitment to floodplain management in the Ku-ring-gai LGA.

Committee members will be asked to consider any potential conflicts of interest when nominating for a role on the committee.

The committee shall be chaired by one of the Councillors, as nominated by the Council.

Term of membership

Councillors will be appointed as Chairperson and Deputy Chairperson to this committee by a resolution of Council for the same period as the term of office of the Mayor.

The term of office for all other committee members will be for the term of Council, plus up to six months to allow time for the incoming Council to make new appointments. At the expiration of the term, members will be eligible for re-appointment, subject to referral to Council for its consideration and resolution.

Quorum

A quorum shall be a simple majority of the full membership of the committee.

Delegation

No delegation. The Flood Risk Management Committee does not have any formal decision-making powers but rather performs as a review committee with an important advisory role through recommendations to Council. Recommendations determined as substantially operational in nature can be dealt with by the relevant director or manager. The committee does not have the power to incur expenditure or to bind the Council.

Meeting frequency

The committee will meet as necessary to provide input into the floodplain risk management

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process. It is anticipated that meetings (limited to a maximum 2 hours) will be required approximately every 2-3 months (i.e. 4-6 meetings per year). The location, date and starting time for meetings will be advised on the agenda.

The committee shall meet in Council premises although some site inspections may be required. Where meeting in Council premises is not practical, Councillors and staff shall be able to attend and participate by audio-visual link where it is reasonably practicable to do so.

Proposed meeting arrangements shall be in line with the requirements of any NSW Office of Local Government circulars relating to attendance by Councillors and others at council and committee meetings that are current at the time.

Special meetings may be called at the discretion of the Chairperson, provided that at least seven days written notice is first given to members.

The outcome of meetings shall be reported to Council after each meeting.

Voting

The committee shall operate in a democratic manner keeping formalities to a minimum. However, should a matter require a formal recommendation to Council, the matter shall be put to members in the form of a motion, which must be seconded and then voted upon. A simple majority vote, by members present, shall carry the motion. The Chairperson shall have a casting vote in the event of a tie but should first consider these terms of reference and the status quo.

Any member dissenting to make a recommendation to Council may have their name recorded if they so wish.

Attendance by audio-visual link

Members of the committee may attend meetings by audio-visual link, in accordance with the Council Advisory and Reference Committee Guideline.

Code of Conduct

The Ku-ring-gai Council Code of Conduct applies to all members of advisory and reference committees. All committee members must declare and manage any conflicts of interest they may have in matters being considered at meetings in accordance with the Code. 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.

HERITAGE REFERENCE COMMITTEE

The terms of reference for the Heritage Reference Committee are outlined below.

Role of the committee

The committee is to provide advice to Council on heritage matters and assistance in promoting an understanding and appreciation of heritage through specific activities and events. The objective of the committee is to conserve the identity of Ku-ring-gai.

Membership

The committee's membership consists of:

- Two Councillors (as Chairperson and Deputy Chairperson) appointed by Council. All other Councillors are welcome to attend (as observers)
- Three community representatives, who are residents of Ku-ring-gai
- One representative (or their nominated alternative) from the following organisations:
 - National Trust of Australia
 - Ku-ring-gai Historical Society
 - Australian Institute of Architects (AIA)

Quorum

The quorum consists of a majority of the committee members, one of whom must be a Councillor.

Delegation

No delegation.

Meeting frequency

As required, and to be determined by the Chairperson.

Attendance by audio-visual link

Members of the committee may attend meetings by audio-visual link, in accordance with the Council Advisory and Reference Committee Guideline.

Voting

Recommendations are made by a majority vote of committee members.

Committee term

The committee term continues unless the committee is dissolved by resolution of Council.

Term of membership

Councillors will be appointed as Chairperson and Deputy Chairperson to this committee by a resolution of Council for the same period as the term of office of the Mayor.

The term of office for all other committee members will be for the term of Council, plus up to six months to allow time for the incoming Council to make new appointments. At the expiration of the term, members will be eligible for re-appointment, subject to referral to Council for its consideration and resolution.

Code of Conduct

The Ku-ring-gai Council Code of Conduct applies to all members of advisory and reference committees. All committee members must declare and manage any conflicts of interest they may have in matters being considered at meetings in accordance with the Code. 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.

KU-RING-GAI TRAFFIC COMMITTEE

The terms of reference for the Ku-ring-gai Traffic Committee are outlined below:

Role of the Committee

The committee has been formed in response to the conditional delegation of authority to Council from Transport for New South Wales (TfNSW).

Membership

Committee membership is limited to 'formal' (voting) members and 'informal' (non-voting) members. Each category provides a single representative.

- Formal members:
 - Council (one member who is the Chairperson. Council will also appoint an alternate member who will act as Chairperson in the member's absence)
 - TfNSW (one member)
 - Local Member of Parliament (for respective electorate only) (one member)
 - Police Local Area Command (one member)

Formal members may (with the committee's approval) have additional persons attend in a support or observer or technical capacity.

Informal members are representatives of the local bus companies, Bicycle Institute of NSW, Ambulance Service and Fire Service, and others as determined by the committee

Term of membership

Councillors will be appointed to this committee by a resolution of Council for the same period as the term of office of the Mayor.

Delegation

The committee is an advisory body only, having no decision-making powers. It is primarily a technical review committee that is required to advise the Council on traffic related matters referred to it by Council.

The General Manager or their delegate may consult with members of the committee prior to determining matters for which delegation has been granted to the General Manager.

Attendance by audio-visual link

Members of the committee may attend meetings by audio-visual link, in accordance with the Council Advisory and Reference Committee Guideline.

Voting

All formal members of the committee have an equal vote on all matters on the agenda. The majority view becomes the recommendation to Council. A tied vote results in no

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recommendation with the matter being referred to Council for determination. If a formal member objects to a recommendation, they may have their objection noted in the minutes of the meeting.

Rules and procedures of the committee

In the absence of a direction from TfNSW, the committee may determine its own meeting procedures. These are set out below:

- The meeting will operate on a formal basis. All business will be transacted through the Chairperson. Unless there is a consensus, a formal vote will be taken on individual items and the vote will be recorded in the minutes of the meeting.
- Meetings of the committee are not public meetings. Written submissions are preferred. However, provision is made for interested members of the public to address the committee under certain circumstances. Members of the public (including Councillors) may only address the committee on matters listed on the agenda under general business where prior notice of the intention to speak has been made to Council staff, and the intended speaker has a relevant interest in the subject matter.
- Only committee members may submit items for the agenda, ask questions about items that are not listed as general business, address the committee with respect to confirmation of minutes, raise late items, or ask a question of committee members.
- 'Address the committee' will normally take place immediately before each relevant item is considered. Items which have speakers will generally be dealt with earlier in the meeting – with the order of business being changed accordingly with the consent of the committee.
- Members of the public (excluding Councillors) shall leave the meeting after all addresses relating to the item under consideration have been made. Members of the public wanting to address more than one item shall re-enter the meeting room when invited to do so.
- Technical discussion on agenda items and establishment of recommendations for Council are undertaken in closed session.
- The Chairperson of the committee will be the representative appointed on behalf of the Council (or their duly authorised representative).

Code of Conduct

The Ku-ring-gai Council Code of Conduct applies to all members of advisory and reference committees. All committee members must declare and manage any conflicts of interest they may have in matters being considered at meetings in accordance with the Code. 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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MULTICULTURAL ADVISORY COMMITTEE

The Terms of Reference for the Multicultural Advisory Committee are outlined below:

Role of the committee

The primary roles and responsibilities of the Multicultural Advisory Committee are to:

- provide input and assistance into the development and implementation of objectives and strategies of Council's Community Strategic Plan
- contribute to and provide feedback on activities, forums, projects, programs and events relating to multicultural communities
- provide input into wider policies, plans and services that impact multicultural communities.
- advocate on behalf of culturally and linguistically diverse communities
- promote greater understanding and appreciation of multiculturalism
- ensure community engagement includes voices of and engagement with multicultural community members, groups, and leaders
- assist in the development of programs and services that ensure equity of access for multicultural members
- advise and share relevant information and facilitate partnerships that nurture cultural diversity, capacity building, and increase community connections.

Community engagement principles

The community engagement principles guide how Council will engage with culturally and linguistically diverse communities so that a range of perspectives are sought, and the community has a strong voice in Council's decision-making. Effective engagement will:

- ensure community needs and expectations are understood and reflected in the decisions and actions of Council
- build trust and improve accountability through transparency of decision-making
- value local knowledge and foster local problem-solving
- improve understanding of Council's planning, prioritising and resourcing
- identify critical issues and opportunities
- optimise equitable allocation of Council resources.

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Membership

Membership of the Multicultural Advisory Committee comprises of:

- any interested Councillors, including the Mayor, and
- a maximum of 15 community members representing various multicultural communities
- other members may be co-opted from time to time if required with specific, knowledge, expertise or qualifications pertaining to culturally and linguistically diverse communities

Council may nominate additional applicants to the Committee as reserves to fill vacancies. Members will be appointed in the order recommended by the assessment panel.

Community members are to be appointed by resolution of Council following an Expression of Interest process.

The following Ku-ring-gai Council staff will be available to attend the Committee meetings and will provide professional advice and administrative support:

- Director Community
- Manager Community Development
- Committee Facilitator and other staff members as required

Term of membership

Councillors (including the Chairperson and Deputy Chairperson) are to be elected by Council for the same period as the term of office of the Mayor.

The term of office for committee members will be for the term of Council, plus up to six months to allow time for the incoming Council to make new appointments. At the expiration of the term, members will be eligible for re-appointment, subject to referral to Council for its consideration and resolution. Membership of the Committee can be withdrawn by resolution of Council. Council staff representation will be appointed by the General Manager.

If a member misses 3 consecutive meetings without apology, their membership will be withdrawn and the position will be deemed vacant.

Chairperson

The Chairperson will be the Mayor, or a Councillor as nominated by Council.

The Chairperson and Deputy Chairperson are to be elected by Council for the same period as the term of office of the Mayor.

If the Chairperson is not present at the time designated for the meeting, the Deputy Chairperson shall take the responsibilities of the Chairperson.

The Chairperson is to have precedence at the meeting and shall determine the order of proceedings, generally as set out in the agenda.

Committee Facilitator

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A Committee Facilitator (Convenor) shall be appointed by the General Manager. The Facilitator shall be a staff member of Council who will be responsible for coordinating the preparation of agendas, invitations and minutes of the Committee.

The Facilitator shall also be responsible for coordinating any presentations from guest speakers and for considering requests from members of the public to address the Committee in consultation with the Chairperson and other staff.

Delegation

No delegation. The committee is an advisory body only and has no decision-making authority.

Quorum

The quorum will be half the number of members plus one (including the Chairperson or Deputy Chairperson).

Meetings

Meetings will be held quarterly, or as determined by the Chairperson.

The Chairperson has the authority to call meetings in accordance with the agreed meeting schedule. A proposed change to this meeting schedule, either ongoing or one-off, should give consideration to operational requirements, and be agreed upon by the majority of Committee members.

The Committee Facilitator will produce a draft agenda in consultation with the Chairperson.

Committee members should raise items they would like to be included on the agenda at least 2 weeks prior to the meeting. Alternatively, the item may be raised as part of General Business during a meeting.

The Facilitator and all members should consider the scheduled meeting length when developing the agenda and participating in the meeting.

The agenda and meeting papers shall be circulated to members at least 3 days prior to meeting. All agendas will be published on Council's website. Each meeting shall be properly recorded by the taking of minutes.

Should any meeting time extend beyond 2 hours the Chairperson may consider a motion to extend the meeting for up to 30 minutes. Matters listed on the agenda that are not dealt with by the conclusion of the meeting will be carried forward to the next meeting of the committee.

Attendance by audio-visual link

Members of the committee may attend meetings by audio-visual link, in accordance with the Council Advisory and Reference Committee Guideline.

Voting

No formal voting rules apply as the Committee has an advisory role only, and its recommendations are made by consensus. No recommendation from the Committee will be

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deemed to be a decision of Council. Only members in attendance at the meeting shall be entitled to participate in the decision-making process of the Committee.

Communication and reporting

The Minutes of the Committee shall be reported to Council following the meetings.

The Minutes of the meeting shall be circulated to all members within 7 working days following the meeting. Any questions regarding the Minutes are to be referred immediately to the Committee Facilitator and if any error in the Minutes is confirmed by the Committee, the Committee Facilitator shall arrange to make the appropriate changes.

Code of Conduct, confidentiality and other Council policies

The Ku-ring-gai Council Code of Conduct applies to all members of advisory and reference committees.

All committee members must declare and manage any conflicts of interest they may have in matters being considered at meetings in accordance with the Code. 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.

Each Committee member shall be provided with Council's Code of Conduct and other related policies that may be applicable to the operation of the Committee.

The Committee may be dealing with limited confidential information. Committee members will be required to complete appropriate disclosure forms.

The conduct of each Committee member is expected to be consistent with the principles outlined in these Council publications.

SMART TRANSPORT ADVISORY COMMITTEE

Role of the Committee

The Smart Transport Advisory Committee is established to provide guidance on the development and implementation of a sustainable transportation hierarchy that enhances the health, wellbeing, and liveability of the Ku-ring-gai community while contributing to Council's net zero emissions target.

By prioritising walking, cycling, and public transport over private vehicle use, the Committee aims to create a healthier, more connected community. Its focus is to align Council's transport initiatives with climate targets, promote active and sustainable mobility options, and reduce greenhouse gas emissions, ensuring Ku-ring-gai's transition towards a net zero future.

The Committee will:

- Promote and support a transportation hierarchy that prioritises:
 - Walking, cycling and other micromobility devices
 - Public transport
 - Car-sharing schemes
 - Electric vehicle (EV) transition
- Provide recommendations on integrating sustainable mobility choices into Council policies to create a more efficient, low-emission transport system.
- Encourage active transport options that foster healthier, more ecologically sustainable communities.
- Ensure that public domain initiatives are aligned with smart transport goals and contribute to more sustainable and accessible transportation networks.

Key Focus Areas

- **Active Transport:** Enhancing walking and cycling infrastructure and safety.
- **Public Transport:** Encouraging greater use of public transport and advocating for improved services.
- **Public Domain Initiatives:** Advising on how public spaces can support smart transport and the transportation hierarchy.
- **Car Share:** Expanding access to car-sharing services as a sustainable alternative to car ownership.
- **EV Transition:** Supporting the shift to electric vehicles and the necessary charging infrastructure.

Membership

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The Committee will consist of:

- Two Councillor representatives (voting members), appointed by Council as Chairperson and Deputy Chairperson.
- Up to eight community representatives (voting members) with expertise or interest in sustainable transport, climate policy, or urban planning.
- At least 1 representative from Bike North (voting member).
- 1 representative of pedestrian's interests (voting member).
- External experts or representatives from relevant organizations may be invited to participate on an ad-hoc basis, as determined by the Committee.

Community representatives are to be appointed by resolution of Council following an Expression of Interest process with recommendations based on candidate merit and ensuring diverse representation across the relevant disciplines.

Term of membership

The term of office for committee members will be for the term of Council, plus up to 6 months to allow time for the incoming Council to make new appointments. At the expiration of the term, members will be eligible for re-appointment, subject to referral to Council for its consideration and resolution.

Council may nominate additional applicants to the Committee as reserves to fill vacancies. Members will be appointed in the order recommended by the assessment panel.

Membership of the Committee can be withdrawn by resolution of Council.

If a member misses three (3) consecutive meetings without apology, their membership will be withdrawn and the position will be deemed vacant.

Chairperson

The Chairperson of the Committee is the Mayor, or a Councillor as nominated by Council.

The Chairperson is to be elected by Council for the same period as the term of office of the Mayor. If the Chairperson is not present at the time designated for the meeting, the Deputy Chairperson shall take the responsibilities of the Chairperson.

The Chairperson is to have precedence at the meeting and shall determine the order of proceedings, generally as set out in the agenda.

The Chairperson has the discretion to exclude a member of the Committee if a member displays inappropriate conduct. If this occurs, the matter is to be reported to the next available Council meeting.

Deputy Chairperson

The Deputy Chairperson of the Committee will be a Councillor as nominated by Council.

Committee Facilitator

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A Committee Facilitator (Convenor) shall be appointed by the General Manager. The Facilitator shall be a staff member of Council who will be responsible for coordinating the preparation of agendas, invitations and minutes of the Committee.

The Facilitator shall also be responsible for coordinating any presentations from guest speakers and for considering requests from members of the public to address the Committee in consultation with the Chairperson and other staff.

Delegation

No delegation. The committee is an advisory body only and has no decision-making authority. It cannot commit Council to a course of action or direct Council staff.

Voting

Decisions will be made by a simple majority vote, with the Chair having the casting vote in the event of a tie.

Quorum

A quorum will be established by the presence of at least half the appointed members of the Committee, including at least one Councillor.

Meetings

The Committee will meet quarterly, or as determined by the Chairperson. The Chairperson has the authority to call meetings in accordance with the agreed meeting schedule. A proposed change to this meeting schedule, either ongoing or one-off, should give consideration to operational requirements, and be agreed upon by the majority of Committee members.

Agendas will be distributed at least five (5) business days before each meeting. Minutes of each meeting will be recorded and circulated to members for review and endorsement by the Chairperson.

Each meeting will start and finish at the scheduled time. The Chairperson may consider a motion to extend a meeting for up to 30 minutes. Matters listed on the agenda that are not dealt with by the conclusion of the meeting will be carried forward to the next meeting of the committee.

If an issue arises that requires the Committee's input before the next scheduled meeting (e.g., due to time constraints), the matter may be referred informally to committee members for their guidance or advice.

Attendance by audio-visual link

Members of the committee may attend meetings by audio-visual link, in accordance with the Council Advisory and Reference Committee Guideline.

Reporting Structure

Once approved by the Chairperson, the minutes will be put to an Ordinary Meeting of Council for adoption. The recommendations of the committee, so far as adopted by the

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Council at an Ordinary Meeting of Council, are resolutions of the Council.

The Committee will provide formal recommendations to Ku-ring-gai Council. Recommendations and progress reports will be submitted through the Director of Strategy and Environment for inclusion in relevant Council meetings and decision-making processes.

Code of Conduct

All Committee members are expected to adhere to the Ku-ring-gai Council Code of Conduct. Members must declare any pecuniary or non-pecuniary interests at the start of meetings where applicable. Conflicts of interest will be managed in accordance with Council policies.

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.

Each Committee member shall be provided with Council's Code of Conduct and other related policies that may be applicable to the operation of the Committee.

Confidentiality

Committee members may be privy to sensitive or confidential information, and they are expected to maintain confidentiality in line with Council's guidelines. Breaches of confidentiality may result in removal from the Committee.

STATUS OF WOMEN'S ADVISORY COMMITTEE

Role

The primary role of the Status of Women 's Advisory Committee is to provide advice, advocate and raise awareness of issues that impact women in the Ku-ring-gai community.

Responsibilities

The Status of Women's Advisory Group will:

- identify and participate in projects, activities and opportunities that promote the inclusion of women in the community.
- where appropriate, participate in and provide advice and feedback on Council's planning processes, projects, events and policies, to ensure objectives and actions reflect issues affecting women.

Membership, Chairperson and Voting

Membership of the Status of Women 's Advisory Committee comprises of:

- The Mayor (or a Councillor as nominated by Council) as Chairperson
- A Councillor as nominated by Council as Deputy Chairperson
- All interested women on the elected Council
- A maximum of 15 community members representing:
 - Women who represent women's organisations
 - Business and professional women
 - Indigenous women
 - Women from culturally and linguistically diverse backgrounds
 - Young women under the age of 25
 - Women who have previous advocacy experience highlighting women's issues
 - Individuals with specialist skills and professional interest in women's health and wellbeing
 - Engaged community members
 - Other women may be co-opted from time to time if required.

Community members are to be appointed by resolution of Council following an Expression of Interest process. Vacancies may be advertised online and through relevant local community groups and appointments approved by Council.

The following Ku-ring-gai Council staff will be available to attend the Committee meetings

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and will provide professional advice and administrative support:

- Director Community
- Manager Community Development
- Committee Facilitator and other staff members as required.

Term of Membership to Committee

The term of office for committee members will be for the term of Council, plus up to 6 months to allow time for the incoming Council to make new appointments. At the expiration of the term, members will be eligible for re-appointment, subject to referral to Council for its consideration and resolution. Membership of the Committee can be withdrawn by resolution of Council. Council staff representation will be appointed by the General Manager.

Council may nominate additional applicants to the Committee as reserves to fill vacancies. Members will be appointed in the order recommended by the assessment panel.

Membership of the Committee can be withdrawn by resolution of Council. Council staff representation will be appointed by the General Manager.

If a member misses three (3) consecutive meetings without apology, their membership will be withdrawn and the position will be deemed vacant.

Councillors who are not formal members of the Committee are invited to attend meetings as observers.

The Chairperson of the Committee is the Mayor, or a Councillor as nominated by Council

The Chairperson is to be elected by Council for the same period as the term of office of the Mayor. If the Chairperson is not present at the time designated for the meeting, the Deputy Chairperson shall take the responsibilities of the Chairperson.

The Chairperson is to have precedence at the meeting and shall determine the order of proceedings, generally as set out in the agenda.

The Chairperson has the discretion to exclude a member of the Committee if a member displays inappropriate conduct. If this occurs, the matter is to be reported to the next available Council meeting.

Committee Facilitator

A Committee Facilitator (Convenor) shall be appointed by the General Manager. The Facilitator shall be a staff member of Council who will be responsible for coordinating the preparation of agendas, invitations and minutes of the Committee.

The Facilitator will be responsible for coordinating any presentations from guest speakers and for considering requests from members of the public to address the Committee in consultation with the Chairperson and other staff.

Delegation

No delegation. The committee is an advisory body only and has no decision-making

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authority. It cannot commit Council to a course of action or direct Council staff.

Voting

No formal voting rules apply as the Committee has an advisory role only, and its recommendations are made by consensus. No recommendation from the Committee will be deemed to be a decision of Council.

Only members in attendance at the meeting shall be entitled to participate in the decision-making process of the Committee.

Quorum

The Quorum will be five (5) members (including the Chairperson or Deputy Chairperson).

Meetings

Meetings will be held quarterly, or as determined by the Chairperson.

The Chairperson has the authority to call meetings in accordance with the agreed meeting schedule. A proposed change to this meeting schedule, either ongoing or one-off, should give consideration to operational requirements, and be agreed upon by the majority of Committee members.

The Committee Facilitator will produce a draft agenda in consultation with the Chairperson. Committee members should raise items they would like to be included on the agenda at least two weeks prior to the meeting. Alternatively, the item may be raised as part of General Business during a meeting.

The Facilitator and all members should consider the scheduled meeting length when developing the agenda and participating in the meeting.

The agenda and meeting papers shall be circulated to members at least three (3) days prior to meeting. All agendas will be published on Council's website. Each meeting shall be properly recorded by the taking of minutes.

Each meeting will start and finish at the scheduled time. The Chairperson may consider a motion to extend a meeting for up to 30 minutes. Matters listed on the agenda that are not dealt with by the conclusion of the meeting will be carried forward to the next meeting of the committee.

Where a matter requires the Committee's consideration between meeting cycles (e.g. time constraints), the matter may also be referred informally to committee members, for guidance or advice.

Attendance by audio-visual link

Members of the committee may attend meetings by audio-visual link, in accordance with the Council Advisory and Reference Committee Guideline.

Communication and Reporting

The Minutes of the Committee shall be reported to Council following the meetings.

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The Minutes of the meeting shall be circulated to all members within seven (7) working days following the meeting. Any questions regarding the Minutes are to be referred immediately to the Committee Facilitator and if any error in the Minutes is confirmed by the committee, the Committee Facilitator shall arrange to make the appropriate changes.

Code of Conduct, Confidentiality and other Council policies

The Ku-ring-gai Council Code of Conduct applies to all members of advisory and reference committees.

All Committee members must declare and manage any conflicts of interest they may have in matters being considered at meetings in accordance with the Code. 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.

Each Committee member shall be provided with Council's Code of Conduct and other related policies that may be applicable to the operation of the Committee.

The Committee may be dealing with limited confidential information. Committee members will be required to complete appropriate disclosure forms.

The conduct of each Committee member is expected to be consistent with the principles outlined in these Council publications.

YOUTH ADVISORY COMMITTEE

Role of Committee

The primary roles and responsibilities of the Youth Advisory Committee² are to:

- represent the voices of young people (aged 14-24 years) in the Ku-ring-gai Local Government Area and promote the positive contributions that young people make in the local community.
- provide feedback on community activities, forums, projects, programs and events accessed by young people.
- provide input into wider policies, plans and services that impact young people.
- assist in the development of youth specific community activities, forums, projects, programs and events.
- advocate on behalf of young people.
- promote greater understanding and appreciation of young people.
- advise and share relevant information.
- empower young people through leadership, training and development opportunities.
- facilitate partnerships that nurture youth participation, capacity building, and increase community connections.

Committee Members

The Youth Advisory Committee members will represent the community in an advisory role to Council. Committee members will provide lived experience, specialist knowledge and diverse perspectives relevant to Council's key strategies and policies, events and programs that involve or impact young people.

Membership

Membership of the Youth Advisory Committee will be comprised of:

A maximum of 15 community members aged 14 to 24 years, reflecting the diversity of the local community (including gender, cultural and linguistic background and life experience).

Members will demonstrate:

- they live or study in the Ku-ring-gai LGA.
- they can work in a team and participate in group discussions.

² Note resolution of Council on 21 May 2024 (resolution 105) that in the leadup to the update of Council's Community Strategic Plan in 2025, Council commences extensive consultation with local young people including a forum to identify youth needs and establish a five year action plan, that Council commence the Youth Advisory Committee with a short first term to December 2025, and that Council review its approach to the Youth Advisory Committee and other supporting initiatives, then update the Committee's Terms of Reference before seeking members for its second term starting January 2026.

- they have the capacity and motivation to commit to the Committee for the required duration.
- they have a genuine interest in making a contribution to the community.

The Mayor and Councillors are invited to attend the meetings as observers.

Other members with specific, knowledge, expertise or qualifications pertaining to the work of the Committee may be co-opted from time to time, if required

Community members are to be appointed by resolution of Council following an Expression of Interest process. A membership eligibility list will be created to fill vacancies on the committee, in the event of a vacancy.

All Youth Advisory Committee members over the age of 18 must have a valid WWCC Number which has been verified by Council.

Council will seek formal, written consent from parents/guardians for young people under the age of 18 years seeking to be a member of the Youth Advisory Committee.

The following Ku-ring-gai Council staff will be available to attend the Committee meetings and will provide professional advice and administrative support:

- Director Community
- Manager Community Development
- Youth Services Coordinator
- Committee Facilitator and other staff members as required.

Term of Membership to Committee

The term of office for committee members will be for two (2) years aligning with the calendar year (January to December).

At the expiration of the term, members will be eligible for re-appointment, subject to referral to Council for its consideration and resolution.

Membership of the Committee can be withdrawn by resolution of Council.

Council staff representation will be appointed by the General Manager.

If a member misses three (3) consecutive meetings without apology, their membership will be withdrawn and the position will be deemed vacant.

Chairperson

The Youth Advisory Committee will select one of its members as the Chairperson. The functions of the Chair are to:

- Chair meetings

- Ensure the agenda and minutes are distributed prior to each meeting, and
- Convene sub-committee meetings from time to time to address specific issues.

The Chairperson and Deputy Chairperson will be elected by the members following a secret ballot and after each candidate has accepted the nomination.

All positions shall be declared vacant after 12 months and new elections held.

The Chairpersons position can only be held by the same person for two consecutive years.

In the absence of the Chairperson the Deputy Chairperson shall chair the meeting.

Deputy Chairperson

The Deputy Chairperson will be a member of the Youth Advisory Committee selected by its members.

Committee Facilitator

A Committee Facilitator (Convenor) shall be appointed by the General Manager.

The Facilitator shall be a staff member of Council who will be responsible for coordinating the preparation of agendas, invitations and minutes of the Committee.

The Facilitator will be responsible for coordinating any presentations from guest speakers and for considering requests from members of the public to address the Committee in consultation with the Chairperson and other staff.

The Facilitator will also be responsible for arranging induction, training and support required by the members to fulfil their role.

Delegation

No delegation. The committee is an advisory body only and has no decision-making authority. It cannot commit Council to a course of action or direct Council staff.

Voting

No formal voting rules apply as the Committee has an advisory role only, and its recommendations are made by consensus. No recommendation from the Committee will be deemed to be a decision of Council. Only members in attendance at the meeting shall be entitled to participate in the decision-making process of the Committee.

Quorum

The Quorum will be five (5) members (including the Chairperson or Deputy Chairperson).

Meetings

Meetings will be held at quarterly basis.

Formal quarterly meetings may be supported by working group meetings and training opportunities which will be identified by the Committee based on need.

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The Chairperson has the authority to call meetings in accordance with the agreed meeting schedule. A proposed change to this meeting schedule, either ongoing or one-off, should give consideration to operational requirements, and be agreed upon by the majority of Committee members.

The Committee Facilitator will produce a draft agenda in consultation with the Chairperson.

Committee members should raise items they would like to be included on the agenda at least 2 weeks prior to the meeting. Alternatively, the item may be raised as part of General Business during a meeting.

The Facilitator and all members should consider the scheduled meeting length when developing the agenda and participating in the meeting. The agenda and meeting papers shall be circulated to members at least 3 days prior to meeting.

All agendas will be published on Council's website. Each meeting shall be properly recorded by the taking of minutes. Should any meeting time extend beyond 2 hours the Chairperson may consider a motion to extend the meeting for up to 30 minutes. Matters listed on the agenda that are not dealt with by the conclusion of the meeting will be carried forward to the next meeting of the committee.

Attendance by audio-visual link

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Communication and Reporting

The Minutes of the Committee shall be reported to Council following the meetings.

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Code of Conduct, Confidentiality and other Council policies

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Each Committee member shall be provided with Council's Code of Conduct and other related policies that may be applicable to the operation of the Committee.

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ATTACHMENTS

Attached are forms for committee nominations and consent for use of personal information.
These forms may be modified from time to time without referral to Council.

ATTACHMENT 1 – COMMITTEE NOMINATION FORM – [2021/266657](#)

ATTACHMENT 2 – USE OF PERSONAL INFORMATION CONSENT FORM – [2021/267241](#)

OVERVIEW OF THE GREEN GRID STRATEGY

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	To provide the Committee with an overview of the Green Grid Strategy and discuss opportunities for the Committee to contribute to the development of the Implementation Plan.
BACKGROUND:	At the June 2025 Environment Advisory Committee meeting, the Committee identified the Green Grid Strategy as being an area of interest. Council is currently developing the Strategy’s Implementation Plan and the Committee may serve as an avenue of consultation on the Plan.
COMMENTS:	Following the adoption of the Green Grid Strategy in June the next steps for implementation include commencement of community engagement. This report provides an overview of the proposal.
RECOMMENDATION:	That the Committee notes the information provided.
[Refer to the full Recommendation at the end of this report]	

PURPOSE OF REPORT

To provide the Committee with an overview of the Green Grid Strategy and discuss opportunities for the Committee to contribute to the development of the Implementation Plan.

BACKGROUND

At the June 2025 Environment Advisory Committee meeting, the Committee identified the Green Grid Strategy as being an area of interest. Council is currently developing the Strategy's Implementation Plan and the Committee may serve as an avenue of consultation on the Plan. The Action and Implementation Plan provides specific actions for implementing the projects identified in the Green Grid. This includes resourcing and funding implications.

COMMENTS

Following the adoption of the Green Grid Strategy at the June OMC, the next steps for implementation include commencement of community engagement post phase one public exhibition.

The second phase will involve more targeted consultation on a ward-by-ward basis (moving from south to north) to further refine the proposed routes and inform the Action and Implementation Plan.

This will involve targeted communication between staff and the community, meeting in local parks, outside train stations or in local centres to discuss how people get around their suburb and where they would like to see improved access to make their journey more comfortable. People will have the opportunity to mark-up maps and highlight where they walk and what their favourite walks are.



- Drop-in events at Train Stations, Local Centres, Parks
- Routes - preferred, priority
- Maps to mark-up
 - Where I walk
 - Favourite destinations



Finalisation and prioritisation of routes will be a collaborative process driven by community engagement with the community, stakeholders, neighbouring Councils and First Nations advisors - to determine the most feasible and desirable locations for improving walking and cycling trips. The draft routes will be formalised and prioritised as an iterative process. This will include further on-ground examination of proposed routes with those that contribute to multiple layers - hydrology, ecology, biodiversity, cultural amenity and accessibility - allocated the highest priority rating.

The finalised Action and Implementation Plan will include a breakdown of the location of the routes in priority order and the associated infrastructure required to enhance the route (specific actions). Responsible teams will be assigned, including timeframes for delivery and funding mechanisms.

The Ku-ring-gai Green Grid Strategy working group meets on a quarterly basis to manage the implementation of the strategy and would welcome any feedback on this proposed community engagement approach.

INTEGRATED PLANNING AND REPORTING

Outcome 3:

Infrastructure and assets support community needs

Community Strategic Plan Strategy	Delivery Program Term Achievement	Operational Plan Action
A2: Provide, upgrade and maintain open space, recreation and sporting facilities to meet the needs of current and future user groups and a growing population.	A2.1: A program is implemented to provide, improve and maintain open space, recreation and sporting facilities including multi-use facilities.	A2.1.10: Progress preparation of the Green Grid Strategy consistent with Council's Local Strategic Planning Statement (LSPS).

GOVERNANCE MATTERS

The State Government of NSW has in place several mechanisms to ensure that access to green space and enhanced biodiversity across the state is increased. Premier's Planning Priorities, The Greater Sydney Region Plan: A Metropolis of Three Cities, and the North District Plan all include objectives relating to increasing canopy cover and improving walking and cycling connections. The preparation of the Ku-ring-gai Green Grid Strategy is a requirement of the Local Strategic Planning Statement (LSPS) to facilitate the delivery of these objectives.

Strategic planning of the Green Grid in the Council area is driven by the Ku-ring-gai Community Strategic Plan 2038 and Council's Operational Plan and Delivery Program. Community Strategic Plans are required by all Councils in NSW under the Integrated Planning and Reporting (IP&R) Framework.

RISK IMPLICATION STATEMENT

The production of the Green Grid Strategy document has managed risk through ongoing cross-discipline reviews, and well-managed internal resourcing. A working group has been engaged with regular review meetings with collation of internal feedback utilised to develop the documents.

The implementation of the strategy will be subject to risk assessments carried out by the relevant department prior to conducting any work

SOCIAL CONSIDERATIONS

The implementation of the Green Grid network will have a range of social benefits, including:

- Social connection. As a part of the Urban Forest, these spaces improve social connection; they offer a sense of place and support community interaction through events, festivals and passive daily interaction. Parts of the urban forest can become closely linked with people's identities and sense of place.
- Community cohesiveness. Studies have also shown that green space in major Australian cities is unevenly distributed, with less green space in areas with a higher proportion of low-income residents. Improving the distribution of green space and urban forests in Ku-ring-gai may foster improved community cohesiveness and a sense of shared identity across the City.
- Health benefits by improving the opportunities for walking and cycling which form part of an active healthy lifestyle

ENVIRONMENTAL CONSIDERATIONS

The contribution of green infrastructure to ecosystem services is significant. These services include air and water filtration, shade, habitat for animals, oxygen production, carbon sequestration, and nutrient cycling. Add to this the connection that the urban forest and green infrastructure provides between nature and people, and it's clear that trees and vegetation have a crucial role as part of an urban landscape. From the native fauna species that have improved access to food and shelter, to community members who have enhanced recreational opportunities and water and air quality, to individual property owners who have a more comfortable environment and often increased property resale value – all benefit from a robust and extensive urban forest supported by green infrastructure.

The environmental benefits of the green grid include:

- Greenhouse gas mitigation and reduction;
- improved air quality;
- water cycling and erosion mitigation;
- biodiversity; and
- reduction of the urban heat island effect.

COMMUNITY CONSULTATION

Community engagement is fundamental to achieving sustainability and biodiversity goals. We need to work with the community to ensure our target areas are the right locations for achieving well-being for residents and our environment. An engaged community supports stewardship and investment in the environment.

Public exhibition of the draft strategy document formed the first phase of our community engagement. Now the Strategy is adopted, we will undertake more targeted consultation on a ward-by-ward basis to further refine the proposed routes and inform the action and implementation plan.

Item GB.4

S14696

This will involve targeted communication between staff and the community, meeting in local parks to discuss how people get around their suburb and where they would like to see improved access to make their journey more comfortable.

INTERNAL CONSULTATION

A working group from multiple departments across Council was established at the commencement of the project and has met regularly to review the progress of the Strategy.

SUMMARY

The development of the Ku-ring-gai Green Grid Strategy has been an intensely collaborative process involving internal and external stakeholders, and the community. The resulting finalised strategy is the culmination of extensive research and best practice examples which will provide the most beneficial outcomes for the LGA.

The next steps are to develop and prioritise finalised routes through engagement and collaboration. Feedback from the committee regarding the proposed approach and any additional opportunities would be welcomed.

RECOMMENDATION:

That the Committee notes the information provided.

Sybylla Brown
Natural Areas Program Leader

Fleur Rees
Senior Landscape Architect

Emily Jacobsson
Student Urban Planner

Jacob Sife
Manager Environment and Sustainability

ALIGNING NATIONAL EMISSIONS TARGETS & POLICY WITH THE PARIS AGREEMENT - LETTER TO THE AUSTRALIAN GOVERNMENT

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To recommend Council write to the Australia's Climate Change Minister, Environment Minister and Prime Minister urging for updated national targets and policy that firmly align with the Paris Agreement's emissions reduction objectives.

BACKGROUND:

The Australian Government is due to submit its updated national emissions targets (Nationally Determined Contributions - NDCs) in September 2025. Therefore, there is an opportunity to urge the Government to commit to credible targets and policy that are consistent with the Paris Agreement objective of limiting global heating to 1.5°C.

COMMENTS:

Australia is a signatory to the Paris Agreement which requires a commitment to keep global heating well below 2°C, and pursue efforts to limit global heating to 1.5°C. However, Australian National policy and targets are currently aligned with up to 3°C of global heating, which the science makes clear would be a catastrophic outcome for Australia. As the carbon budget for 1.5°C of global heating is close to exhausted, and only 5 years remain in this critical decade, there is an urgent need for national emissions policies to be firmly aligned with credible 1.5°C pathways.

RECOMMENDATION:

(Refer to the full Recommendation at the end of this report)

That Council write to Australia's Climate Change Minister, Environment Minister and Prime minister urging the adoption of science based and credible national emissions targets and policy that are firmly aligned with the objectives of the Paris Agreement.

PURPOSE OF REPORT

To recommend Council write to the Australia's Climate Change Minister, Environment Minister and Prime Minister urging for updated national targets and policy that firmly align with the Paris Agreement's emissions reduction objectives.

BACKGROUND

Australia is a signatory to the 1.5°C (Net Zero) objectives of the Paris Agreement and Ku-ring-gai Council's Climate Change Policy commits Council to these objectives. However, Australia's national emissions trajectory and policy settings are currently aligned with up to 3°C of global heating (Climate Action Tracker 2025).

As the Australian Government is due to submit updated national emissions targets to the UNFCCC secretariat in September, there is the opportunity for Council to call for the updated targets to be aligned with the Paris Agreement objectives and credible emissions pathways for limiting global heating to 1.5°C.

A letter to the Prime minister and relevant ministers should address the urgency of committing to updated targets/policy and the requirements for ensuring those targets/policies are science based and credible.

Urgency

As the carbon budget for 1.5°C of global heating is close to exhausted, and only 5 years remain in this critical decade, there is extreme urgency for national emissions targets and policy to be firmly aligned with credible 1.5°C pathways.

Any delay would be an inexcusable failure by the government to protect Australian's from catastrophic climate change impacts.

Science Based Credible Targets and Policy

As noted in pathways published by the Intergovernmental Panel on Climate Change (IPCC), the International Energy Agency (IEA) and Australia's Climate Change Authority (CCA), only targets and policies that meet the following criteria are considered science based and credible for Australia to fulfill its responsibilities under the Paris Agreement.

- National targets for 2030, 2035 and 2040 that align with a 1.5°C carbon budget.
- Sector targets for gross emissions reductions (ie. real emissions reductions before accounting for offsets) that follow pathways consistent with 1.5°C carbon budget.
- An immediate phase down on the extraction of fossil fuels, with a ban on approvals for new, extended, or expanded fossil fuel extraction projects.

COMMENTS

This report includes references to the following papers and reports.

Climate Action Tracker (2025) **Australia Climate Action Tracker Summary**

<https://climateactiontracker.org/countries/australia/>

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INTEGRATED PLANNING AND REPORTING

Outcome 1: Our unique natural environment is protected and enhanced

Community Strategic Plan Strategy	Delivery Program Term Achievement	Operational Plan Action
E2: Support the community to transition to net zero emissions.	E2.1: Our community is effectively informed and engaged in activities that are reducing Ku-ring-gai’s emissions towards Net Zero.	E2.1.1: Support the community in reaching net zero emissions by 2040 or earlier. E2.1.2: Identify opportunities to support the uptake of low and zero emission vehicles within the community.

GOVERNANCE MATTERS

There are crucial policy levers for climate mitigation and resilience, that Council does not control, and which can only be leveraged through policy, legislation and regulation at National and State levels. As climate change continues to impact current and future generations of Ku-ring-gai residents, there is an imperative for Council to advocate for National and State policy measures that firmly align with the Paris Agreement’s 1.5°C (Net Zero) objective.

RISK IMPLICATION STATEMENT

Regarding the recommendations in this report, there are risk implications around the urgency and escalating consequences, that are outlined in the section on **Social and Environmental Considerations**, below.

FINANCIAL CONSIDERATIONS

NA

SOCIAL AND ENVIRONMENTAL CONSIDERATIONS

Communities across Ku-ring-gai are experiencing the impacts of Climate change now. With extensive urban bushland throughout the LGA, many households are vulnerable to bushfire and damage from storms. Every fire and storm season the threat to households is escalating and the Climate Council estimates 25% of Ku-ring-gai homes will end up at a high or moderate risk from climate driven hazards, based on existing climate action commitments, globally. The NSW climate modelling project (NARCLIM) anticipates that severe weather fire days would double under its high emissions scenario, while the Sydney metropolitan area would see the number of days in the year above 35°C, increase by 20 days.

This increasing risk of heat stress affects vulnerable community members who may be living in older homes that are poorly insulated and where financial barriers make installing air conditioning difficult.

For households, these impacts compound when taking into account the consequences of a) rising insurance costs, and b) higher energy costs in older, energy inefficient and thermally inefficient housing.

Extreme weather events in the past 10 years have already inflicted huge social, environmental and economic losses for communities around Australia. Including losses from 2019-20 Black Summer Fires and the back-to-back floods in NSW between 2020-2025. Over three decades, extreme weather insurance costs as a portion of GDP have already tripled from 0.25% to 0.75% of GDP (Insurance Council of Australia 2024) – \$2.1B to \$4.5B in absolute terms.

Climate Tipping Points

As national policy to reduce greenhouse gas emissions remains aligned with 3°C of global heating, scientists have become increasingly alarmed at the possibility of climate tipping points being triggered (McKay et al. 2022). When a Climate Tipping Point is triggered, it leads to a sudden, uncontrollable and irreversible increase of global heating. For example, the collapse of some ice sheets are expected to push global heating beyond a level within our control, as the icesheet loss produces a feedback loop that amplifies heating within the climate system. The risk of tipping points being triggered rises with each fraction of degree, and the CSIRO has examined nine (9) climate tipping points where the assessed tipping point range includes global heating levels lower than 2°C for at least four (4) of these (see [Figure 1](#) below).

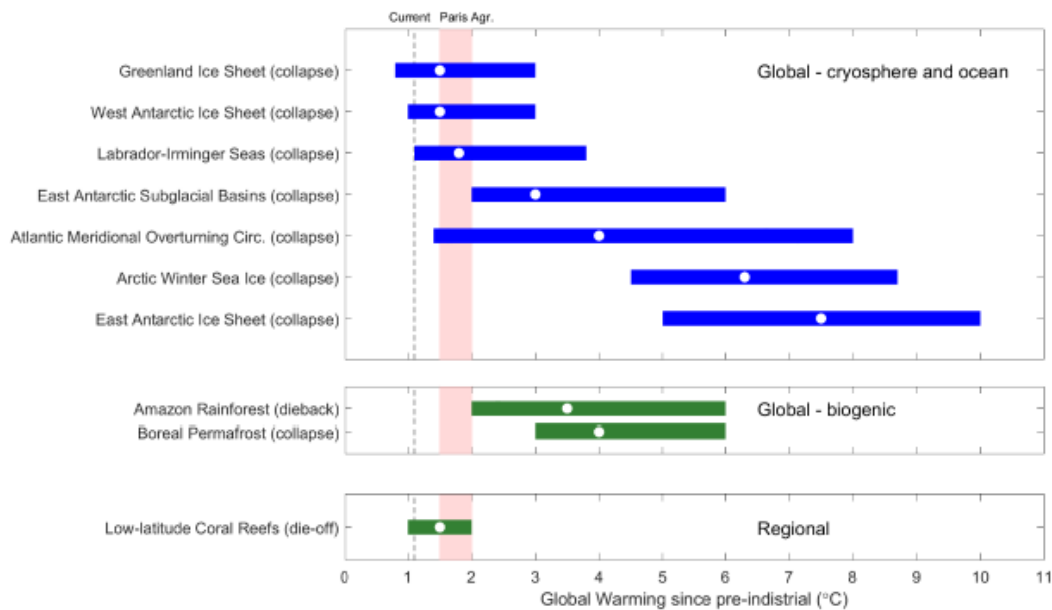


Figure 1. Nine climate tipping points

The risks from triggering a climate tipping point are compounded immensely, when considering that “Reaching a tipping point can trigger cascades of abrupt changes, trigger other tipping points” (CSIRO 2024). Furthermore, a climate tipping point often includes physical impacts beyond additional global heating. For example, the collapse of the Greenland ice sheet could see up to 7m of sea level rise impacting Australia.

Ecosystem Collapse

Increased pressure from extreme weather is already driving ecosystem collapse in Australia and the CSIRO reports that at least 19 ecosystems have been identified with a clear collapse profile (Bergstrom et al. 2021). The scale of the social and economic harm that can occur from mass ecosystem decline is currently being experienced in South Australia where an unprecedented marine heatwave has led to a toxic algal bloom over 4,500 km² of the Great Southern Reef. Marine animals in the tens of thousands have washed up on local beaches and many more have perished below the surface, with divers describing the marine landscape as an underwater Chernobyl. The social, economic and environmental impacts are so great, that the South Australian government has urged for a national disaster be declared. A report by the Australian Biodiversity Council (Biodiversity Council 2025) states that without major action and accelerated decarbonisation efforts, “catastrophic algal blooms will become increasingly common in Australia’s coastal waters, impacting not just marine biodiversity but livelihoods, industries and communities.”

COMMUNITY AND INTERNAL CONSULTATION

Council’s Climate Change Policy was adopted following community and internal consultation and the recommendations in this report stem directly from the key principles and objectives of the

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Policy. The Policy states that the Paris Agreement underpins Council's emissions objectives and requires Council to pursue the following:

Key principles from Council's Climate Change Policy

- Council will adopt an evidence-based approach in responding to climate change, regularly reviewing plans, strategies, and benchmarks to ensure they remain consistent with the most recent knowledge and best available science.
- Council recognises effective mitigation of climate change requires action by all levels of government and by all sectors of the community.
- Council will work with all levels of government to seek local, state and national climate mitigation and climate adaptation solutions that are informed by the current knowledge and best available science.

Key Objectives from Council's Climate Change Policy

- To support the community in the goal of reaching net zero GHG emissions by 2040. Through the delivery of programs and initiatives that further community GHG emission reductions efforts.

SUMMARY

Australia is a signatory to the 1.5°C (Net Zero) objectives of the Paris Agreement and Ku-ring-gai Council's Climate Change Policy commits Council to these objectives. However, Australia's national emissions trajectory and policy settings are currently aligned with up to 3°C of global heating (Climate Action Tracker 2025).

As the Australian Government is due to submit updated national emissions targets to the UNFCCC secretariat in September, there is the opportunity for Council to call for the updated targets to be aligned with the Paris Agreement objectives and credible emissions pathways for limiting global heating to 1.5°C.

A letter to the Prime minister and relevant ministers should address the urgency of committing to updated targets/policy and the requirements for ensuring those targets/policies are science based and credible.

As the carbon budget for 1.5°C of global heating is close to exhausted, and only 5 years remain in this critical decade, there is extreme urgency for national emissions targets and policy to be firmly aligned with credible 1.5°C pathways.

Any delay would be an inexcusable failure by the government to protect Australian's from catastrophic climate change impacts.

RECOMMENDATION:

- A. That Council write to Australia's Climate Change Minister, Environment Minister and Prime minister urging the adoption of science based and credible national emissions targets and policy, as outlined in this report, that are firmly aligned with the 1.5°C objectives of the Paris Agreement.

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- B. That Council issue the letter as soon as possible, noting that it is subject to Council endorsement.

Peter Vun
Program Leader – Energy Management and
Net Zero Strategy

Jacob Sife
Manager Environment and Sustainability

OVERVIEW OF COUNCIL'S ENVIRONMENTAL VOLUNTEERING PROGRAMS

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To provide the Committee with an overview of Council's environmental volunteering programs.

BACKGROUND:

At the June 2025 meeting of the Environment Advisory Committee, the Committee identified community environmental education and engagement as an area of interest. The Committee requested that staff provide an overview of existing environmental volunteering programs.

COMMENTS:

Ku-ring-gai Council offers a diverse array of environmental volunteering programs, including Bushcare, Streetcare, Parkcare, Treecare, Trailcare, Streamwatch, and the Environmental Programs Nursery.

RECOMMENDATION:

That the Committee notes the information provided.

(Refer to the full Recommendation at the end of this report)

PURPOSE OF REPORT

To provide the Committee with an overview of Council's environmental volunteering programs.

BACKGROUND

At the June 2025 meeting of the Environment Advisory Committee, the Committee identified community environmental education and engagement as an area of interest. The Committee requested that staff provide an overview of existing environmental volunteering programs.

COMMENTS

Council partners with local residents to preserve, maintain and monitor Natural areas through our Bushcare, Streetcare, Parkcare, Treecare, Trailcare, Streamwatch and Community Nursery programs.

Bushcare

Bushcare is a community volunteer program where residents work with Council to conserve and rehabilitate Council-managed natural bushland. Ku-ring-gai Council's Bushcare program was established in 1989 in response to the activism of the Bushland Management Working Party (BMWP) community group. The BMWP wrote Ku-ring-gai's first bushland plan of management and educated the then Parks staff in science of ecology until staff with appropriate qualifications were employed. Ku-ring-gai has one of the longest running Bushcare programs in NSW. Volunteer numbers ballooned in the early 90's following devastating bushfires in the area. Although numbers have since dropped, there are currently approximately 500 volunteers actively involved on 80 sites (approx. 40 group and 40 individual sites).

Streetcare

Streetcare aims to preserve and protect remnant vegetation on road verges. Established in 2005, Streetcare formalised work that was already being undertaken by residents and supported volunteers with training and resources. A recent audit of Streetcare sites led to the termination of some sites due to safety concerns and/or inactivity. Some sites that can be adequately supported as Verge Gardens were reclassified such. Eleven Streetcare sites remain active, cared for by approximately 55 volunteers.

Parkcare

Parkcare is about enhancing our parks in an environmentally sensitive manner while remaining sensitive to the Parks character, heritage, and amenity. Established in 2005, there are currently 14 volunteers actively involved on 5 sites.

Treecare

In April 2024, Council's Delivery Program/Operational Plan was revised to include a new task: 'Develop and implement a volunteer based Treecare program to assist in the protection, enhancement and monitoring of selected indigenous canopy trees in key locations'. A range of delivery strategies were considered. The following activities were considered not suitable for Treecare:

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- Giving trees to residents – not a volunteer program
- Private land conservation/tree retention – not a volunteer program
- Bush regeneration – Bushcare and professional programs address this need
- Residents planting street trees – complexities around logistics, species selection, and risk
- Broad-scale data collection – a volunteer program less effective & efficient than a (well designed) citizen science program
- Individuals/groups caring for specific established trees over medium/long term – healthy trees don't require care; trees in poor health require interventions that involve specialised equipment and knowledge – not feasible for a volunteer program

Three activities were identified as suitable and are currently being implemented:

- Treecare Parks Program – A short-term group-based program scheduled to suit kids completing Duke of Ed community service. Working in a single park to plant trees and habitat islands, mitigate threats to established trees, and collect tree data. Six students are volunteering in this program this school term.
- Treecare Guardians Program – Individuals local to new street tree plantings are recruited to care for and monitor their tree during its establishment period. Council is currently recruiting Treecare Guardians local to upcoming street tree plantings in North Turramurra.
- Treecare Community Planting Days – One-off tree and vegetation planting events catering to organised groups as well as individuals.

Trailcare

Established 2019 following Council's consultation with Mountain bike riders at Warrimoo Downhill Track. During COVID the numbers of informal Mountain bike tracks ballooned, and a handful of dedicated mountainbiking facilities were established by Council in an effort to redirect track construction activity away from environmentally sensitive and hazardous areas. At its peak there were over 70 active Trailcare volunteers engaged in the maintenance of bike tracks. Today the numbers are much reduced, with a small dedicated group of volunteers caring for Warrimoo Downhill and Jubes MTB Park.

Streamwatch

Streamwatch enables community volunteers to monitor our waterways, providing early warning of contamination and collecting valuable data to support research and inform management of our waterways. In 2021, the Ku-ring-gai Bushcare Association was successful in obtaining a Ku-ring-gai Council Environmental Levy Grant to purchase a streamwatch kit. Council has since established 5 Streamwatch groups across the LGA, supported by 24 volunteers.

Environmental Programs Nursery

The Environmental Programs Nursery shares the old nursery facilities at 430 Mona Vale Road with other departments. The Environmental Programs Nursery produces provenance indigenous plants for use in the Care programs and community events. The nursery also maintains ex situ collections of two threatened species, supporting translocation projects to improve the genetic diversity of wild populations. A total of 20 volunteers work on a roster system to assist with propagation and care of nursery stock.

SUMMARY

Over 500 volunteers are engaged in Ku-ring-gai Council's environmental volunteering programs, including Bushcare, Streetcare, Parkcare, Treecare, Trailcare, Streamwatch, and the Environmental Programs Nursery.

RECOMMENDATION:

That the Committee notes the information provided.

Sybylla Brown
Natural Areas Program Leader

Lindy Williams
Environmental Volunteering Programs
Coordinator

Jacob Sife
Manager Environment and Sustainability

DETERMINATION OF PRIORITY ITEMS FOR THE
CURRENT TERM OF THE COMMITTEE

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To provide the Committee with the opportunity to discuss and determine priority items to be progressed or dealt with during the current term of the Committee.

BACKGROUND:

The Committee’s Terms of Reference provides the Committee’s scope.

COMMENTS:

Committee members may discuss Council plans, policies, and initiatives etc. to determine which they would like the Committee to focus its efforts on during the current term.

Staff have summarised some areas of interest identified during the June 2025 Committee meeting and suggested opportunities for the Committee to have influence in these areas (see Attachment A1).

RECOMMENDATION:

That the Committee notes the information provided.

(Refer to the full Recommendation at the end of this report)

PURPOSE OF REPORT

To provide the Committee with the opportunity to discuss and determine priority items to be progressed or dealt with during the current term of the Committee.

BACKGROUND

The Committee's Terms of Reference provides the Committee's scope.

COMMENTS

Committee members may discuss Council plans, policies, and initiatives etc. to determine which they would like the Committee to focus its efforts on during the current term.

Staff have summarised some areas of interest identified during the June 2025 Committee meeting and suggested opportunities for the Committee to have influence in these areas (see Attachment A1).

SUMMARY

Committee members may discuss Council plans, policies, and initiatives etc. to determine which they would like the Committee to focus its efforts on during the current term.

RECOMMENDATION:

A. That the Committee notes the information provided.

Sybylla Brown
Natural Areas Program Leader

Attachments: A1 Rationalised options for priority focus areas for first term of
Environment Advisory Committee

2025/243508

PRIORITY FOCUS AREAS FOR FIRST TERM OF ENVIRONMENT ADVISORY COMMITTEE

Topics of interest



Opportunities for influence

Trees:

- Retention of Council's urban trees
- Planting more trees, and more native trees
- Protecting trees on private land
- Supporting landholders to establish new trees
- Enabling community participation in greening efforts



Trees:

- Review of Urban Forest Strategy / Implementation Plan
- Initiation of a Stag Policy
- Input into Green Grid Implementation Plan
- Review of resources available to landholders
- Review of Treecare program
- Initiation of a significant tree register

Catchment management:

- Protecting lower-catchment ecological assets such as National Parks
- Swimmable waterways



Catchment management:

- Review of Water Sensitive Cities Policy & Strategy
- Investigate potential for Urban Plunge sites

Urban biodiversity:

- Creating quality habitat stepping stones & corridors
- Encouraging responsible gardening practices



Urban biodiversity:

- Input into Green Grid Implementation Plan
- Review of Council's nest box practices
- Review of resources available to landholders

Recreation in natural areas:

- Supporting a regional network of mountain bike tracks
- Swimmable waterways



Recreation in natural areas:

- Input into Green Grid Implementation Plan
- Input into Recreation in Natural Areas Strategy
- Investigate potential for Urban Plunge sites

Community education and engagement:

- Citizen science
- Interpretive signage
- Education programs
- Volunteering programs



Community education and engagement:

- Review of citizen science, education, and volunteering programs
- Initiation of interpretive signage guidelines to improve the quality and impact of new signage