



AGENDA

ENVIRONMENT STRATEGIC REFERENCE GROUP

Notice is hereby given that a meeting of the Environment Strategic Reference Group will be held in the TBC on

THURSDAY 27 APRIL 2023

Beginning at 6:00pm for the purpose of considering matters included in this agenda.

Committee Members

Cr Kristyn Glanville (Chair)	Councillor
Mayor Michael Regan	Councillor
Cr Michael Gencher	Councillor
Cr Stuart Sprott	Councillor

Individual or organisation representatives with specific expertise/experience:

Alan Jones	Individual – Curl Curl Ward
Nigel Howard	Individual – Frenchs Forest Ward
Jamileh Jahangiri	Individual – Manly Ward
Oscar Jones	Individual – Manly Ward
Roberta Conroy	Individual – Pittwater Ward
Joeline Hackman	Northern Beaches War on Waste
Leigh McGaghey	Pittwater Natural Heritage Association, Canopy Keepers

Community members or group representatives with broad range of strategic views

Natalie Warren	Community representative - Curl Curl Ward
Malin Frick	Community representative – ManlyWard
TBC	Community representative – Manly Ward
Billy Bragg	Community representative – Pittwater Ward
Jacqueline Marlow	Friends of Narrabeen Lagoon Catchment representative

Council Officer Contacts

Todd Dickinson	Director Environment and Sustainability
Yianni Mentis	Executive Manager Environment and Climate Change
Lesley Milbourne	Manager Governance

Quorum

A majority of members including the Chair or one of the elected Councillors.

**Agenda for Environment
Strategic Reference Group Meeting
to be held on Thursday 27 April 2023
in the TBC
Commencing at 6:00pm**

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NEXT MEETING Wednesday 7 June 2023

1.0 ACKNOWLEDGEMENT OF COUNTRY

As a sign of respect, Northern Beaches Council acknowledges the traditional custodians of these lands on which we gather and pays respect to Elders past and present.

2.0 APOLOGIES

All members are expected to attend the meetings or otherwise tender their apologies to the Chair and Governance at governance@northernbeaches.nsw.gov.au.

3.0 DISCLOSURES OF INTEREST

Members should disclose any "pecuniary" or "non-pecuniary" interests in matters included in the agenda. The [Northern Beaches Council Code of Conduct](#) (the Code) provides guidance on managing conflicts of interests.

A **pecuniary interest** is defined in Section 4 of the Code as:

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.

A **non-pecuniary conflict of interest** is defined in Section 5 of the Code as:

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.

If you required further information or guidance about disclosing an interest please contact Governance at governance@northernbeaches.nsw.gov.au.

4.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

4.1 MINUTES OF ENVIRONMENT STRATEGIC REFERENCE GROUP MEETING HELD 1 DECEMBER 2022

RECOMMENDATION

That the minutes of the Environment Strategic Reference Group meeting held 1 December 2022, copies of which were previously circulated to all members, be confirmed as a true and correct record of the proceedings of that meeting.

5.0 INTRODUCTION

ITEM 5.1	SRG MEMBER INDUCTION
REPORTING OFFICER	MANAGER, GOVERNANCE
TRIM FILE REF	2023/251543
ATTACHMENTS	1 Environment SRG Terms of Reference and Charter 2 Northern Beaches Council Code of Conduct 3 New Member Agreement 4 Disclosure of Interest Example

ISSUE

Welcome to the Environment Strategic Reference Group (SRG). An induction to the SRG will be provided at your inaugural meeting on 27 April 2023.

BACKGROUND

The Environment SRG was re-established by Council resolution and a process to renew the community and stakeholder members of the Environment Strategic Reference Group (SRG) was undertaken in accordance with the Environment SRG Charter and the Appointment of Committee Members Policy.

The SRG's Charter (contained in the Terms of Reference [here](#)) requires a composition of:

- Mayor and up to 3 Councillors
- Up to 12 members of the following Northern Beaches organisations, individuals and community groups:
 - 7 representatives of organisations or individuals with expertise and experience in one or more of the following areas: bushland and biodiversity management; waterways and catchment management; coastal management; climate change; environmental sustainability; recreational use of the local environment; urban Planning
 - 5 Community members or group representatives interested in representing a broad range of strategic views in this topic across the Northern Beaches including one youth representative (under 24) or delegate from Councils Youth Advisory Group (and ideally one member per ward).

The membership of the SRG is:

The Mayor	Leigh McGaghey	Jacqueline Marlow
Cr Glanville (Chair)	Roberta Conroy	Natalie Warren
Cr Gencher	Oscar Jones	Malin Frick
Cr Sprott	Nigel Howard	Mia Sablatnig
	Joeline Hackman	Billy Bragg
	Jamileh Jahangiri	Vacancy being filled
	Alan Jones	

DISCUSSION

Members of the Environment SRG will receive an induction at their first meeting on 27 April 2023.

Meetings are usually held quarterly; meetings for the remainder of the year will be held on 7 June, 6 September and 6 December (all Wednesdays, 6:00-8:00pm).

The SRG's Charter, which contains its Terms of Reference, is provided at Attachment 1 and is also available [here](#).

Council's Code of Conduct is provided at Attachment 2 and is available [here](#).

A member agreement form is provided at Attachment 3 for you to sign and bring to the meeting.

An important aspect of the Code of Conduct is managing conflicts of interest. Conflicts of Interest are declared and managed at each meeting of the SRG and you can make a disclosure at any time. The online form to make a disclosure is available [here](#). An example of the form is at Attachment 4.

The Governance Team will routinely include a link to this form when the agenda papers are sent out. Governance will show you how to use the form at the induction on 27 April.

RECOMMENDATION OF MANAGER, GOVERNANCE

That SRG Members:

1. Note membership and meeting details.
2. Familiarise themselves with the SRG Charter and Terms of Reference, Council's Code of Conduct and Disclosure of Interest online form.
3. Sign the Member Agreement and bring this to the SRG meeting on 27 April 2023.

Environment Strategic Reference Group

Terms of Reference

February 2018

1 PURPOSE

Strategic Reference Groups (SRGs) are advisory groups that are aligned to the Community Strategic Plan (CSP) outcome areas. The purpose of each SRG will be to consider and advise on projects aligned to their respective CSP goals and strategies. They contribute advice, feedback and other support to Council in relation to issues, initiatives and requirements outlined in their Charters.

These groups provide an avenue for the local community and key stakeholders to play an active and meaningful role. They help shape Council plans, policies and strategic outcomes, with informed consideration of needs across the whole Northern Beaches area and the community as a whole.

2 CHARTERS

Each Strategic Reference Group (SRG) operates according to these Terms of Reference and to their relevant Charter. Terms of Reference and Charters are adopted by resolution of Council and may also be amended by Council from time to time. The scope of each SRG is detailed in the respective Charters (Attachment 1).

3 MEMBERSHIP

The membership composition is detailed in the detailed in the respective Charters (refer Attachment 1).

3.1 Councillor representation

- a) The Mayor (and delegate) and up to three (3) Councillors can be appointed to a Strategic Reference Group.
- b) Councillor membership will be endorsed by Council along with the election of Chair.
- c) Other Councillors may attend Group meetings as observers only.

3.2 Community and other stakeholders

- a) Memberships by community representatives and other experts or stakeholders will be in accordance with the membership provisions of the individual SRG Charters.

4 ELIGIBILITY

- a) All Councillors are eligible for nomination and membership on one or more SRG.
- b) Community representatives and other members of groups / associations must possess such skills, expertise, experience or special affiliation as detailed in the relevant Charter.
- c) An individual may only serve as a community representative on one (1) SRG unless approval has been granted by the Chief Executive Officer.

5 SELECTION PROCESS

- a) Council will advertise nominations for community representation on SRG.
- b) The selection of members will be undertaken in accordance with Council Policy for Appointment of Community and Stakeholder Representatives on Committees and in line with the criteria detailed in the relevant charter.

6 TERM OF OFFICE

To assist with maintaining effectiveness and the continuity of knowledge within the groups the terms of Councillors and community members have been staggered. The aim is for established members to provide assistance to incoming Councillors after the general election and 12 months later, reciprocally from Councillors to incoming community members:

- a) The term for the SRG is two (2) years for Councillor members or 12 months following election of a new Council. All Councillor memberships will cease at the time of the general election and new Councillors should be appointed to existing Strategic Reference Groups at the earliest opportunity following the council election.
- b) The term for community and other members is four (4) years, commencing within 12 months after an election of Council.
- c) In the event of a resignation, replacement members will be appointed in accordance with the Policy for Appointment of Community and Stakeholder Representatives on Committees.

7 SUPPORT PROVIDED

- a) Council will provide necessary resources to the groups. This will include the venue and administrative support such as facilitating and running the meeting, preparation and distribution of the notice of meeting, agenda and the recording of the minutes.
- b) Council officers may attend meetings to provide information and/or to discuss specific issues and projects with the Group. Council officers may also request that they attend a future meeting in relation to a particular matter of interest.

8 TIMETABLE FOR MEETINGS

- a) The Strategic Reference Groups are to meet quarterly (four (4) times) throughout the year, with the possibility of two (2) extraordinary meetings which may be called by the Chair with a minimum of two (2) weeks' notice.
- b) A meeting will be limited to a maximum of two (2) hours duration unless the Group resolves to extend the meeting to a particular time or until the completion of business.
- c) The schedule of meeting dates and venues will be provided to the members at the beginning of each year.
- d) An agenda will be sent at least 7 days prior to the meeting.

9 ATTENDANCE AT MEETINGS

- a) All members are expected to attend the meetings or otherwise tender their apologies to either the Chair or Governance.
- b) No member should be absent for more than two (2) consecutive meetings without first seeking, and being granted leave by the Chair and Governance. Without being granted such leave in these circumstances, the person's membership will be re-evaluated.
- c) While other Councillors may attend Group meetings as observers, the meetings will not be open to other members of the public.

10 MEETING PRACTICES AND PROCEDURES

- a) The Council will ensure that each meeting is properly recorded with the use of minutes, which will be reported to Council.
- b) The quorum for each meeting will be one half plus one of the elected Councillors or Chair. If a quorum is not present within 30 minutes of the commencement time of the meeting, it will become an informal meeting with no recommendations or decisions made.
- c) The Chair directs the progress of all meetings. Subject to any determination by the Chair, each item is to be dealt with in the order in which it appears on the agenda. The Deputy Chair performs this role in the absence of the Chair.
- d) Meetings will be collaborative discussions of ideas and feedback, with the intention of reaching consensus when endorsing items and recommendations. It will be at the discretion of the Chair when a matter is to be put to the vote, by way of a show of hands. For a vote to be carried the matter must be supported by a majority of members present, with the Chair having a casting vote in the event the vote is tied (or Deputy in the absence of the Chair).

11 CODE OF CONDUCT FOR STRATEGIC REFERENCE GROUPS

- a) All members are required to observe Council's adopted Code of Conduct, and any other policy or requirement relevant to the proper functioning of the Group.
- b) Members shall act in a professional and responsible manner with the information they obtain.
- c) Members must respect each other (often despite differences) and work together to create an open and trusting atmosphere. The Group requires openness and honesty in order to function well, and members should feel free to express their opinions and views without fear of recrimination.
- d) A breach of the Terms of Reference may lead to the member being removed from the Group, and shall be managed by the Chair.
- e) Members do not have the authority to make representations to the media on Council's or the Group's behalf. In line with Council's Media Policy, the Mayor is the only person permitted to speak to the media on behalf of the Council and the Group.
- f) Conflicts of Interest: Council recognises that community representatives join such Groups and Committees because of special interests they may have, and Council welcomes their expertise. Nevertheless, it is important that Council understands the basis of advice it receives from the Groups, so members will be requested to declare any organisation they may represent. Disclosures of Conflicts of Interest, particularly pecuniary interests need to be made by members of the Group and recorded in the minutes in accordance with section 442 and 443 *Local Government Act 1993*.
- g) Confidentiality and Privacy: Members may have contact with confidential or personal information retained by Council. If so, members are required to maintain the security of any confidential or personal information and not access, use or remove any information, unless the member is authorised to do so.

12 COUNCIL'S VALUES:

All members are expected to observe Northern Beaches Council's adopted Values, outlined below:

- **Trust:** Because being open brings out our best.
- **Integrity:** Because we are proud of doing what we say.
- **Teamwork:** Because working together delivers.
- **Service:** Because we care as custodians for the community.
- **Respect:** Because valuing everyone is how we make a difference.
- **Leadership:** Because everyone has a leading role.

ATTACHMENT 1

Environment SRG CHARTER

<p>Established: November 2017</p> <p>Term: Councillors: Appointment for 2 Years or until the election care taker period commences. Community and Stakeholder Representatives: Appointment for 4 years including one year following council election</p>	<p>Function: This Reference Group will consider goals and strategies contained within the Protection of the Environment (1-3) and Environment Sustainability (4-6) pillar of the Community Strategic Plan see below. Items presented to the group during the term may include Biodiversity Planning, Environment Strategies, Environmental Education, Environmental Hazards, Corporate Sustainability, Waste Management etc The Group's clear focus will be on assisting strategic decision-making by Council.</p>
<p>Quorum and Voting</p> <ul style="list-style-type: none"> • The quorum for each meeting will be one half plus Chair or one of the elected Councillors. • If a quorum is not present within 30 minutes within the commencement time of the meeting, the meeting shall become an informal meeting with no recommendations or decisions made. • Strategic Reference Group meetings should have the intention of reaching consensus when endorsing items and recommendations. 	<p>Composition/Membership The Chair is the Mayor or his nominated delegate. The following Council members will be appointed:</p> <ul style="list-style-type: none"> • Mayor and up to 3 Councillors <p>The group will consist of up to twelve (12) members of the following Northern Beaches organisations, individuals and community groups:</p>
<p>Meetings:</p> <ul style="list-style-type: none"> • The Strategic Reference Groups are to meet quarterly (four (4) times) throughout the year with the possibility of two (2) extraordinary meetings which may be called by the Chair with a minimum of two (2) weeks' notice. • The schedule of meeting dates and venues will be provided to the members in an agenda at least 7 days prior to the meeting 	<ul style="list-style-type: none"> • 7 representatives of organisations or individuals with expertise and experience in one or more of the following areas: <ul style="list-style-type: none"> - Bushland and biodiversity management - Waterways and catchment management - Coastal management - Climate change - Environmental sustainability - Recreational use of the local environment - Urban Planning
<p>Reporting Procedures:</p> <ul style="list-style-type: none"> • Minutes of meetings to be reported to Council 	<ul style="list-style-type: none"> • 5 Community members or group representatives interested in representing a broad range of strategic views in this topic across the Northern Beaches including one youth representative (under 24) or delegate from Councils Youth Advisory Group (* Ideally one member per ward).
<p>Ex Officio Advisors: Officers of Government and Statutory Corporations or other advisors as required.</p> <p>Lead Council Officer: Executive Manager Environment and Climate Change.</p> <p>Business Unit: Environment and Climate Change.</p>	<p><u>Notes:</u></p> <ul style="list-style-type: none"> - All other Councillors are invited to attend and observe however the meeting is not open to the public. - The group should include a balance of location, gender and area of expertise.

Community Strategic Plan: Environment Goals and Strategies	
ENVIRONMENT: Protection of the environment	Environmental Sustainability
<p>Goal 1 - Our bushland, coast and waterways are protected for their intrinsic value</p> <p>Strategies:</p> <ol style="list-style-type: none"> Enhance, restore and protect local biodiversity and bushland Improve and protect ecological conditions in catchments, creeks and lagoons Enhance and protect the quality of our coast, harbours and estuaries Manage and reduce the impact of weeds and feral animals on our local environment 	<p>Goal 4 - Our community is supported in the transition towards net zero emissions and a local circular economy</p> <p>Strategies:</p> <ol style="list-style-type: none"> Promote and support opportunities for more sustainable living Provide programs, resources and urban planning tools to enable our community to reuse and recycle more used materials
<p>Goal 2 - Our environment and community are resilient to natural hazards and climate change.</p> <p>Strategies:</p> <ol style="list-style-type: none"> Increase the resilience of the environment to the effect of natural hazards and climate change Minimise the risk to life and property from storm events, floods, erosion, landslides, bushfires and impacts of climate change Maintain productive partnerships with government agencies and the community to effectively manage and respond to natural hazards 	<p>Goal 5 - Our built environment is developed in line with best practice sustainability principles</p> <p>Strategies:</p> <ol style="list-style-type: none"> Ensure integrated land use planning balances the environmental, social and economic needs of present and future generations Create green and resilient urban environments by improving tree cover, native vegetation, landscaping, and water and waste management systems Promote the benefits and savings of ecologically sustainable development Continually improve the environmental standards and compliance in new and existing developments
<p>Goal 3 - Our community is well-supported in protecting and enhancing the environment to ensure safe and sustainable use</p> <p>Strategies:</p> <ol style="list-style-type: none"> Provide incentive and programs to encourage our community to enhance, preserve and protect our natural ecosystems Invite community participation in restoring the natural environment through volunteering programs and education Provide sustainable access to the natural environment, while recognising and protecting its cultural and heritage value 	<p>Goal 6 - Our Council is recognised as a leader in environmental sustainability</p> <p>Strategies:</p> <ol style="list-style-type: none"> Develop and culture of commitment to environmental sustainability and lead by example Enhance financial and strategic capacity to deliver on environmental outcomes Explore and invest in technologies and processes such as renewable energy procurement of quality recycled materials that delivery long-term environmental benefits

Revision History

Revision	Date	Change	TRIM
1	28 Nov 2017	Terms of Reference and Charter adopted by Council	2022/477556
2	5 Aug 2022	Update of goals and strategies to reflect revised CSP, and removed reference to 'Model' Code of Conduct.	2022/477556

Northern Beaches Council Code of Conduct 2022

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Part 1

Introduction



Introduction

The Northern Beaches Code of Conduct (“the Code of Conduct”) is aligned to the Model Code of Conduct for Local Councils in NSW (“the Model Code of Conduct”) which is made under section 440 of the *Local Government Act 1993* (“LGA”) and the *Local Government (General) Regulation 2021* (“the Regulation”).

The Model 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 (eg volunteers, contractors and members of wholly advisory committees).

Councillors, administrators, members of staff, delegates, (including members of council committees that are delegates of Council) and any other person the Code of Conduct applies to, must comply with the applicable provisions of this Code of Conduct. It is the personal responsibility of council officials to comply with the standards in this Code of Conduct 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 of Conduct 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 a Council’s Code of Conduct may give rise to disciplinary action.



Part 2 Definitions



Definitions

In this Code of Conduct, 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
CEO	the Chief Executive Officer (carries out the role of the general manager of a council in accordance with the Local Government Act 1993) includes the executive officer of a joint organisation.
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 committee	a committee established by Council comprising of councillors, staff or other persons that Council has delegated functions to and 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 Council's Audit, Risk and Improvement Committee
council official	includes councillors, members of staff of a council, administrators, council committee members, 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 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>
joint organisation	a joint organisation established under section 4000 of the LGA
LGA	<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 <i>Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> prescribed under the Regulation
the Regulation	the <i>Local Government (General) Regulation 2021</i>
voting representative	a voting representative of the board of a joint organisation
wholly advisory committee	a council committee that Council has not delegated any functions to

Part 3

General conduct obligations



General conduct obligations

General conduct

- 3.1 You must not conduct yourself 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, policies or values.
 - 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
 - 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:
- is not wanted by the person
 - offends, humiliates or intimidates the person, and
 - creates a hostile environment.

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 person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
 - 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:
- aggressive, threatening or intimidating conduct
 - belittling or humiliating comments
 - 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* (WHS Act). You must comply with your duties under the WHS Act and your responsibilities under any policies or procedures adopted by 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 WHS Act and any policies or procedures adopted by Council to ensure workplace health and safety
 - d) cooperate with any reasonable policy or procedure of Council relating to workplace health or safety that has been notified to council staff
 - e) report accidents, incidents or near misses to the CEO or such other staff member nominated by the CEO, 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 WHS 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 Council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before Council or committee.

3.17 Clause 3.15 does not prohibit councillors from discussing a matter before 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 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 Council unless a motion dissenting from the ruling is passed.

3.20 You must not engage in bullying behaviour (as defined under this Part and Council's Prevention of Discrimination, Bullying and Harassment in the Workplace Policy) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of Council (such as, but not limited to, workshops and briefing sessions).

3.21 You must not engage in conduct that disrupts council or committee meetings or other proceedings of 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 Council or of a committee of Council. Without limiting this clause, you must not:

- leave a meeting of Council or a committee for the purposes of depriving the meeting of a quorum, or
- 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
- deliberately seek to impede the consideration of business at a meeting.



Part 4

Pecuniary interests



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 4.34.
- 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:
- your interest, or
 - the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - 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:
- Your "relative" is any of the following:
 - your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant, adopted or foster child
 - your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant, adopted or foster child
 - the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
 - "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):
- if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
 - 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
 - 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:
- your interest as an elector
 - your interest as a ratepayer or person liable to pay a charge
 - 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
 - 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 Council in the same manner and subject to the same conditions as apply to persons who are not subject to this Code
 - 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 a 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 Council of an agreement between 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 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 Council in respect of similar matters with other residents of the area:
- i) the performance by 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 Council by or under any Act conferring functions on 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 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.

What disclosures must be made by a designated person?

- 4.8 Designated persons include:
- a) the CEO
 - b) other senior staff of Council for the purposes of section 332 of the LGA
 - c) a person (other than a member of the senior staff of Council) who is a member of staff of Council or a delegate of Council and who holds a position identified by 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 Council) who is a member of a committee of Council identified by Council as a committee whose members are designated persons because the functions of the committee involve the exercise of 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 clause 4.21, and
 - b) must disclose pecuniary interests in accordance with clause 4.10.

- 4.10 A designated person must disclose in writing via the NBC Disclosures Application to the CEO (or, if the person is the CEO, to 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.

- 4.11 Clause 4.10 does not require a designated person who is a member of staff of 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 CEO 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 CEO must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of Council and 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 using the NBC Disclosures Application to their manager or the CEO 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.

- 4.15 The staff member's manager or the CEO 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 Council or a council committee, gives advice on any matter at any meeting of 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 4.28 and comply with clause 4.29.
- 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.

**What disclosures must be
made by a councillor?**

- 4.20 A councillor:
- must prepare and submit written returns of interests in accordance with clause 4.21, and
 - must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29 where it is applicable.

Disclosure of interests in written returns

- 4.21 A councillor or designated person must make and lodge with the CEO a return disclosing the councillor's or designated person's interests as specified in schedule 1 to this Code within 3 months after:
- becoming a councillor or designated person, and
 - 30 June of each year, and
 - 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).

The returns of interests referred to in this section should be made using the NBC Disclosures Application. In the event that there is a difficulty in using this Application, the paper form set out in schedule 2 to this Code may be used.

- 4.22 A person need not make and lodge a return under clause 4.21, paragraphs (a) and (b) if:
- they made and lodged a return under that clause in the preceding 3 months, or
 - they have ceased to be a councillor or designated person in the preceding 3 months.
- 4.23 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.
- 4.24 The CEO must keep a register of returns required to be made and lodged with the CEO.
- 4.25 Returns required to be lodged with the CEO under clause 4.21(a) and (b) must be tabled at the first meeting of Council after the last day the return is required to be lodged.

4.26 Returns required to be lodged with the CEO under clause 4.21(c) must be tabled at the next council meeting after the return is lodged.

4.27 Information contained in returns made and lodged under clause 4.21 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

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

4.29 The councillor or council committee member must not be present at, or in sight of, the meeting of Council or committee:

- at any time during which the matter is being considered or discussed by Council or committee, or
- at any time during which Council or committee is voting on any question in relation to the matter.

4.30 In the case of a meeting of a board or joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.

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

4.32 A general notice may be given to the CEO in writing by a councillor or a council committee member to the effect that the councillor or council committee member, or the councillor's or council committee member's spouse, de facto partner or relative, is:

- a member of, or in the employment of, a specified company or other body, or
- 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 Council in which it is given (whichever is the sooner), sufficient disclosure of the councillor's or council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by Council or the council committee after the date of the notice.

4.33 A councillor or a council committee member 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 councillor or council committee member has an interest in the matter of a kind referred to in clause 4.6.

4.34 A person does not breach clauses 4.28 or 4.29 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.

4.35 Despite clause 4.29, 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.

- 4.36 Clause 4.29 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 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 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 4.37 in relation to the interest before the commencement of the meeting.
- 4.37 A special disclosure of a pecuniary interest made for the purposes of clause 4.35(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 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.
- 4.38 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 Council is concerned to be present at a meeting of 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.
- 4.39 A councillor or a council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of Council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.37, must still disclose the interest they have in the matter in accordance with clause 4.28.

Part 5

Non-pecuniary conflicts of interest



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 in writing via the NBC Disclosures Application 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 via the NBC Disclosures Application 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. In the case of members of council staff other than the CEO, such a disclosure is to be made to the staff member's manager. In the case of the CEO, such a disclosure is to be made to the Mayor. In the event that there is a difficulty in using this Application, the disclosure should be made in writing.
- 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 a 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 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 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 4.28 and 4.29.
- 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 CEO, 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 CEO, 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.

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 committee members 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 or 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:

- made by a major political donor in the previous four years, and
- 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 4.28 and 4.29. A disclosure made under this clause must be recorded in the minutes of the meeting.

5.17 For the purposes of this Part:

- a "reportable political donation" has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
- "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:
 - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of 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 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, employment or volunteering**
- 5.23 The CEO must not engage, for remuneration, in private employment, contract work or other business outside the service of Council without the approval of Council.
- 5.24 A member of staff must not engage, for remuneration, in private employment, contract work, other business or in a volunteering capacity outside the service of Council that relates to the business of Council or that might conflict with the staff member's Council duties unless they have notified the CEO in writing of the employment, work or business and the CEO has given their written approval for the staff member to engage in the employment, work, business or volunteering. Staff must complete Council's Secondary/Private Employment Request form found on Council's intranet.
- 5.25 The CEO may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work, other business or volunteering outside the service of Council that relates to the business of 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, other business or volunteering outside the service of Council if prohibited from doing so.

- 5.27 Members of staff must ensure that any outside employment, work, business or volunteering they engage in will not:
- a) conflict with their official duties
 - b) involve using confidential information or council resources obtained through their work with Council including where private use is permitted
 - c) require them to work while on council duty
 - d) discredit or disadvantage 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 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 Council in a manner that is consistent with the way other members of the community deal with 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



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) a political donation for the purposes of the *Electoral Funding Act 2018*
 - b) a gift provided to 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
 - c) a benefit or facility provided by Council to an employee or councillor
 - d) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
 - e) 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 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.

Zero gift and benefit position

- 6.5 In the course of their duties, council officials may encounter situations in which they are offered gifts or benefits for a variety of reasons. The intent behind a gift can either be considered as a gift of influence, or a gift of gratitude. Regardless of the intent, public perception is a key consideration in determining Council's position regarding gifts and benefits offered to council officials and delegates.
- 6.6 A zero gift and benefit position establishes an unambiguous position and consistency of approach as it applies to council officials, which can be communicated clearly to ratepayers, residents, customers and suppliers.

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

- 6.7 You must not:
- a) seek or accept a bribe or other improper inducement
 - b) seek gifts or benefits of any kind
 - c) accept any offer of gifts or benefits, regardless of value, and you must immediately report the offer to your manager (for staff) or the CEO (for councillors) using the NBC Disclosures Application. If you experience difficulties using the Application, you may use the Gifts and Benefits Disclosure Form.
 - d) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
 - e) participate in competitions for prizes where eligibility is based on Council being in or entering into a customer–supplier relationship with the competition organiser
 - f) personally benefit from reward points programs when purchasing on behalf of Council.
- 6.8 Where you are unable to easily refuse or return a gift or benefit, the gift must be surrendered to Council. Examples of this are:
- a) Anonymous gifts (received through the mail or left without a return address)
 - b) A gift received in a public forum where attempts to refuse or return it would cause embarrassment or offence to the donor. In instances such as this, the manager (for staff) or the CEO (for councillors) will determine how to deal with the gift which may include donation to an appropriate charity
 - c) Where the value of a gift cannot be established.

Exceptions

- 6.9 Exceptions to the provisions relating to gifts and benefits are entirely at the CEO's discretion and will be determined in writing with reasons given for any specific exceptions.

In determining an exception, the CEO will also determine whether the gift in question may be retained by a council official or an alternative for how the gift may be retained.

Examples of the circumstances where exceptions may be approved by the CEO include:

- a) Staff of Council's child-care centres or pre-school locations – for gifts of token value and only when the gifts are offered by children attending the centre or preschool as a Christmas gift or gift of thanks associated with their role.
 - b) Program staff of Council's two aquatic centres (Frenchs Forest and Manly) for gifts of token value and only when the gifts are offered by attendees of swim or other program classes at the aquatic centres as a Christmas gift or gift of thanks associated with their role.
- 6.10 "Token value" in relation to gifts considered under the CEO exception process is set at \$20. Any gifts with an estimated value of more than \$20 are not considered "token" and should be refused and returned.

6.11 All offers of gifts or benefits, including those where exceptions are approved, must be disclosed promptly to your manager or the CEO by using the NBC Disclosures Application. If you experience difficulties using the Application, you may use the Gifts and Benefits Disclosure Form. The recipient, manager, or CEO must ensure that, at a minimum, the following details are recorded in Council's Gift and Benefit 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 offered the gift or benefit, and
- d) the date on which the gift or benefit was offered
- e) whether there is an exemption in place allowing the recipient to keep the gift.

Gifts and benefits of token value

6.12 You must not accept any gifts or benefits regardless of their stated or assumed value other than where the gift or benefit meets the criteria as an exception under clause 6.9.

"Cash-like" gifts

6.13 You must not accept any cash-like gifts. For the purposes of clause 6.7(d), "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

6.14 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.

6.15 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



Relationships between council officials

Obligations of councillors

- 7.1 Council is a body politic. Councillors or administrators are the governing body of Council. Under section 223 of the LGA, the role of the governing body of Council includes the development and endorsement of the strategic plans, programs, strategies and policies of Council, including those relating to workforce policy, and to keep the performance of Council under review.
- 7.2 Councillors or administrators must not:
- direct council staff other than by giving appropriate direction to the CEO by way of Council or committee resolution, or by the Mayor or administrator exercising their functions under section 226 of the LGA
 - in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of Council or a delegate of Council in the exercise of the functions of the staff member or delegate
 - contact a member of the staff of 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 Council and the CEO
 - contact or issue instructions to any of Council's contractors, including 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 Council's external auditor or the chair of 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 and others subject to this Code of Conduct

- 7.4 Under section 335 of the LGA, the role of the CEO includes conducting the day-to-day management of Council in accordance with the strategic plans, programs, strategies and policies of Council, implementing without undue delay lawful decisions of 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:
- give their attention to the business of Council while on duty
 - ensure that their work is carried out ethically, efficiently, economically and effectively
 - carry out reasonable and lawful directions given by any person having authority to give such directions
 - give effect to the lawful decisions, policies and procedures of Council, whether or not the staff member agrees with or approves of them
 - ensure that any participation in political activities outside the service of Council does not interfere with the performance of their official duties.

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 Council, discussing the matter with council staff in staff-only areas of 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 or administrator 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 Council associated with current or proposed legal proceedings unless permitted to do so by Council 's CEO 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



Access to information and council resources

Councillor and administrator access to information

- 8.1 The CEO is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The CEO 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 CEO 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 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 CEO 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 CEO or public officer must state the reasons for the decision if access is refused.

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 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) Council 's Privacy Management Plan
 - e) the Privacy Code of Practice for Local Government

Use of council resources

- 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 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 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 Council's reputation.

Council record keeping

- 8.21 You must comply with the requirements of the State Records Act 1998 and Council's records management policies and practices .
- 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 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 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 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 CEO.
- 8.26 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the CEO (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



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:
- to bully, intimidate or harass another council official
 - to damage another council official's reputation
 - to obtain a political advantage
 - to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
 - to influence Council in the exercise of its functions or to prevent or disrupt the exercise of those functions
 - to avoid disciplinary action under the Procedures
 - to take reprisal action against a person for making a complaint alleging a breach of this Code
 - to take reprisal action against a person for exercising a function prescribed under the Procedures
 - 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:
- injury, damage or loss
 - intimidation or harassment
 - discrimination, disadvantage or adverse treatment in relation to employment
 - dismissal from, or prejudice in, employment
 - 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 any other 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* or Public Interest Disclosure (PID) Policy.

Complaints alleging a breach of this Part

- 9.14 Complaints alleging a breach of this Part by a councillor or the CEO 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 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 CEO in accordance with the Procedures.

Revision history

Revision	Date	Change	HPE Ref
1	14 January 2019	Draft created	2019/021397
2	27 February 2019	HR consultation and amends (3.6, 3.7, 3.10, 3.11, 4.4, 7.6b)	2019/021397
3	19 March 2019	Gifts and benefits and social media amends	2019/021397
4	21 March 2019	Gifts and benefits edits/amends	2019/021397
5	25 March 2019	Final OICR draft	2019/021397
6	1 April 2019	CEO draft	2019/021397
7	2 April 2019	Draft for Special Briefing to Councillors	2019/021397
8	26 July 2022	Revision in accordance with amendments to the Model Code	2022/274871



Schedule 1 Disclosures of interests and other matters in written returns submitted under Clause 4.21



Part 1: Preliminary

Definitions

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.

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 4.21(a), the date on which a person became a councillor or designated person
- b) in the case of a return made under clause 4.21(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21(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, adopted or foster child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant, adopted or foster 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.

Part 2: Pecuniary interests to be disclosed in returns**Real property**

5. A person making a return under clause 4.21 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 4.21 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 4.21 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
 - 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:
- 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
 - was made by a relative of the traveller, or
 - 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
 - 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
 - was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - 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
 - 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 4.21 of this Code must disclose:
- 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
 - 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
 - the nature of the interest, or the position held, in each of the corporations, and
 - 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:
- 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
 - required to apply its profits or other income in promoting its objects, and
 - 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.

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

19. A person making a return under clause 4.21 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 4.21 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 4.21 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 4.21 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 4.21 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.

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 4.21 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 4.21 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:
 - (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 4.21



'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 Northern Beaches Council Code of Conduct.
2. If this is the first return you have been required to lodge with the CEO 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 CEO 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 CEO, 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 CEO 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. Returns of interests submitted under clause 4.21 should be lodged using the NBC Disclosures Application (App). In the event that there is a difficulty in using this App, the paper form set out in schedule 2 below may be used:
 - a. This form must be completed using block letters or typed.
 - b. 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.
 - c. 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 4.21 of the Model 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 4.23). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by 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 CEO in a register of returns. The CEO is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 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.

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.

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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 return date/at any time since 30 June	Nature of interest
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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 and address of employer or description of office held (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
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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

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

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?	Yes	No

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

Schedule 3 Form of special disclosure of pecuniary interest submitted under Clause 4.36



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 4.35(c) of the Northern Beaches 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 Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model 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 Model 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, adopted or foster 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 Councillor
(Tick or cross one box)

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 interest¹

Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land)²
(Tick or cross one box)

The identified land.

Land that adjoins or is adjacent to or is in proximity to the identified land.

Current zone/planning control
(Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land)

Proposed change of zone/planning control
(Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land)

Effect of proposed change of zone/planning control on councillor or associated person
(Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss")

(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 Council's CEO and included in full in the minutes of the meeting)

¹ Clause 4.1 of the Model 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 Model 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 Model Code of Conduct has a proprietary interest.



Environment SRG Member Agreement

I, _____ confirm and agree to the following:

1. My contact and representation details listed in the below table are correct.
2. I agree that my contact details listed in the below table may be shared with my fellow Strategic Reference Group members.
3. I have read and will adhere to the Code of Conduct at all times while acting as a Strategic Reference Group member.

Name	
Organisation <i>(if applicable)</i>	
Phone number	
Email address	
Other Requirements <i>(eg. dietary, accessibility)</i>	

Signature

Date

4/20/23, 2:31 PM

General disclosure



General disclosure of interest



Personal details

Name:

Tess Tester

Position:

Member of Environment SRG

Manager's name:

Manager's position:

General disclosure details

Date of disclosure:

20/04/2023



This can be the date of the meeting or event you are attending, the commencement of a project or the date you became aware of your interest.

Circumstance prompting disclosure:

Strategic Reference Groups (this on external form only)



Please select an option that best categorises the circumstances behind your disclosure.

Circumstance detail prompting disclosure:

I know a member of one of the organisations presenting to the meeting on the Waste Plan

Please provide details of related task, project, committee or meeting.

Agenda item:

3.4 Waste Plan

Where relevant. NIL if not applicable.

General disclosure declaration

As required by the [Code of Conduct](#) (the Code) I have considered whether I have any actual, potential or perceived conflicts of interest.



I declare that in my opinion I have:

4/20/23, 2:31 PM

General disclosure

- No known conflicts of interest.
- A not significant non-pecuniary interest which does not require further action, within the definition of Part 5 of the Code.
- A significant non-pecuniary interest within the definition of Part 5 of the Code.
- A pecuniary interest within the definition of Part 4 of the Code.

Description of not significant non-pecuniary interest, pursuant to Clause 5.6 of the Code:

I know one of the presenters from the organisations submitting proposals to Council. He is a parent at my child's school.

In accordance with Clause 5.11, I consider this interest is not significant and does not require further action because:

I know this person as an acquaintance only. My impartiality is not compromised.

I have discussed and agreed this decision with my manager (or with the Mayor if I am the CEO).

Relevant TRIM documents:

Where relevant. NIL if not applicable.



I declare that all information provided in this form is true and correct and that I have not intentionally omitted any information, and that I have completed the form in line with the requirements of Council's Code of Conduct. I agree to manage any conflicts of interest I may have declared in line with Council's Code of Conduct.

6.0 WASTE & CIRCULAR ECONOMY

ITEM 6.1	WASTE AND CIRCULAR ECONOMY STRATEGY
REPORTING OFFICER	EXECUTIVE MANAGER WASTE MANAGEMENT & CLEANSING
TRIM FILE REF	2023/244045
ATTACHMENTS	NIL

PURPOSE

To report to the Environment SRG on the status of Council's draft Waste and Circular Economy Strategy and seek feedback on the proposed strategic direction and actions in the strategy.

SUMMARY

Council is seeking the ESRG's feedback on Council's draft Waste and Circular Economy Strategy (Strategy). Council staff intend to submit the draft Strategy to Council's 27 June 2023 meeting for approval to consult with the Northern Beaches community.

The draft Strategy currently includes four key directions:

- Let's eliminate waste
- User friendly waste service
- Planning for priority wastes
- Clean environment.

The Strategy will also include clear Council commitments to show leadership by example in reducing and recycling waste.

To ensure that the Strategy is designed with the community in mind, we have already extensively engaged through the following activities:

- Random telephone survey of 600 residents in December 2022
- 4 Focused community workshops in March 2023
- Presentation to Manly Business Chamber in March 2023, with further sessions planned with other business and community groups in the coming months.

The strategy will include actions and targets relating to the above directions. Proposed actions include developing a local circular economy hub, increased organic waste collection and trials of separate collection models for recyclable waste types currently disposed in the red bin or bulky goods pick ups.

The Waste and Cleansing Unit will seek feedback at the meeting on the draft Strategy to inform the report to the June Council meeting and invites submissions and comments from SRG members to Andrew.ward-harvey@northernbeaches.nsw.gov.au by the 5th May 2023.

RECOMMENDATION OF EXECUTIVE MANAGER WASTE MANAGEMENT & CLEANSING

That members of the Environment Strategy Reference Group review and provide feedback on the Draft Waste and Circular Economy Strategy via email by 5 May 2023.

7.0 ENVIRONMENTAL RESTORATION & BIODIVERSITY

ITEM 7.1	ENVIRONMENTAL RESTORATION & BIODIVERSITY UPDATE
REPORTING OFFICER	EXECUTIVE MANAGER ENVIRONMENT & CLIMATE CHANGE
TRIM FILE REF	2023/249981
ATTACHMENTS	NIL

UPDATE

The Environment and Climate Change Unit is responsible for managing and improving biodiversity outcomes, and for planning and implementing environmental restoration and rehabilitation projects, across the Local Government Area.

Recent biodiversity highlights include:

- Implementation of the Northern Beaches Flying-fox Camp Management Plan, which will guide management of three flying-fox camps on Council land over five years
- *Grevillea Caleyi* funding and projects: This is a joint funded project to the value of \$86,000 to protect the habitat of the endangered plant species *Grevillea Caleyi*. Funding has been provided by Local Land Services, Department of Planning & Environment (DPE), and Northern Beaches Council
- Working with NPWS and Penguin Warden volunteers to protect the endangered Manly penguin population
- Working with NPWS on a camera monitoring program to identify threatened southern brown bandicoots around Duffys Forest
- Biodiversity information to support the development of the Conservation Zones for the new LEP.

Environmental restoration/rehabilitation projects planned or underway include:

- Bush regeneration at approximately 220 sites (\$2,376,256) are planned be undertaken in 2023/24
- Riparian, lagoon and dune restoration at 18 sites worth over \$500,000 for FY 22/23 with a similar budget proposed for FY 23/24.
- Valley View Wetland – Prosperity Park Warriewood (constructed wetland project currently underway)
- Creek rehabilitation projects planned at Condoover Reserve Creek in 2023 at \$100,000, South Creek in 2024 at \$150,000, with concept plans developed for Dee Why Creek
- Stormwater treatment device renewals to the value of \$96,000 in 2023, including three units at Sandy Bay, and a bioretention basin at Lemon Tree Close, Frenchs Forest, and two basins at Perentie Road, Belrose. Planned renewal of Dee Why devices across 2023/24 to estimated value of approximately \$1.15M (construction costs subject to design).

The Executive Manager Environment and Climate Change will provide a short update on the above and other current projects at the meeting.

RECOMMENDATION OF EXECUTIVE MANAGER ENVIRONMENT & CLIMATE CHANGE

That the ESRG notes the information outlined in this report.

8.0 CLIMATE CHANGE & SUSTAINABILITY

ITEM 8.1	CLIMATE CHANGE & SUSTAINABILITY UPDATE
REPORTING OFFICER	MANAGER, ENVIRONMENT RESILIENCE & CLIMATE CHANGE
TRIM FILE REF	2023/250026
ATTACHMENTS	NIL

UPDATE

The Environment Resilience and Climate Change Team is charged with managing corporate sustainability and climate change adaptation for Council and in the community. Council has completed or is implementing a range of projects including:

- a number of sustainability and climate change initiatives such as
 - implementing 25 energy efficiency projects over the last 10 years in council buildings saving over \$1.1 M and upgrades to residential streetlighting to save more than 3,000 tonnes of emissions annually
 - the installation of over 900 KW of solar on Council premises
 - the establishment and ongoing benefit of a renewable electricity Power Purchase Agreement with Iberdrola from January 2021, which is delivering substantial reductions in our corporate carbon emissions
 - supporting Ausgrid establishing a Community Battery at Beacon Hill (in 2021) and in Warriewood during this calendar year
 - supporting the delivery of EV charging stations throughout the LGA and transitioning Council's fleet to lower emissions vehicles
 - providing grant funding for community groups to install 71 KW of solar PV on their premises.
- Climate Change Policy – we're in the process of producing a consolidated and updated Climate Change Policy. Feedback will be sought from the ESRG later in the year.
- Palm Beach Headland Urban Night Sky Place
 - Lighting upgrades have been completed
 - Application documentation to designate the area is being finalised.
- The Environment and Climate Change Dashboard is available at:
<https://www.northernbeaches.nsw.gov.au/environment/environment-and-climate-change-strategy/tracking-our-progress>.

The dashboard will be updated with data and new metrics as this information becomes available. Next item to be included will be information on Bushland and Biodiversity.

The Executive Manager Environment and Climate Change will provide a short update on the above and other current projects at the meeting.

RECOMMENDATION OF MANAGER, ENVIRONMENT RESILIENCE & CLIMATE CHANGE

That the ESRG notes the information outlined in this report.

9.0 RESILIENCE AND NATURAL HAZARDS

ITEM 9.1	RESILIENCE AND NATURAL HAZARDS UPDATE
REPORTING OFFICER	EXECUTIVE MANAGER ENVIRONMENT & CLIMATE CHANGE
TRIM FILE REF	2023/249953
ATTACHMENTS	NIL

UPDATE

The Environment and Sustainability Division has responsibility for managing and responding to natural hazards that affect our environment and community, including bush fires, floods, coastal erosion and inundation, and geotechnical risks. The Division is also responsible for supporting resilient outcomes for Council and the community.

Current work within the Division in the natural hazard space include:

- Flood Risk - implementing FLASH Stage 1 for the entire Local Government Area (LGA). This tool provides more accurate rainfall forecasts using radar and numerical weather prediction models which will result in improved lead times to respond to prevailing conditions during flooding. Flood Studies (FS) and Floodplain Risk Management Studies and Plans (FRMS&Ps) currently being undertaken include Middle Harbour, McCarr's Creek, Mona Vale and Bayview FRMS, and Manly to Seaforth FRMS. The Greendale Creek FS is almost complete, with public exhibition of the draft report currently underway until 7 May 2023.
- Geotechnical Review – Geotechnical Planning Controls report has been prepared and was circulated for public exhibition simultaneously with C Zones review. Minor amendments are being made with intent to send to Council for adoption and incorporation into a harmonised Local Environment Plan (LEP) and Development Control Plan (DCP).
- Coastal Erosion – continued work to deliver coastal protection works along the Narrabeen/Collaroy beach front including planning for council road ends and providing advice and support to owners.
- Bush Fire Management – continued work to deliver Council's bush fire management program across natural areas including commencement of fourth quarter of Asset Protection Zone works, maintenance of several fire trails and continued preparation of hazard reduction burn sites, in conjunction with our agency partners.

In the resilience space, Council:

- adopted a Resilience Strategy – Withstand-Adapt-Thrive in June 2022
- has recently received funding from the NSW Disaster Management Fund including funds for a resilience officer to support the delivery of our program.
- is reviewing sea level rise projections to incorporate into future planning documents.

The Executive Manager Environment and Climate Change will provide a short update on the above and other current projects at the meeting.

RECOMMENDATION OF EXECUTIVE MANAGER ENVIRONMENT & CLIMATE CHANGE

That the ESRG notes the information outlined in this report.

10.0 SUPPORTING A SUSTAINABLE COMMUNITY

ITEM 10.1	SUPPORTING A SUSTAINABLE COMMUNITY UPDATE
REPORTING OFFICER	MANAGER, GREENER COMMUNITIES
TRIM FILE REF	2023/250008
ATTACHMENTS	NIL

ISSUE

The Environment and Climate Change Unit is responsible for supporting programs that encourage and support the community to live and act sustainably. Programs range from working with the commercial sector, working with and supporting community groups, providing education and volunteering opportunities, and offering resources and programs to individuals in the community, to increase awareness of sustainable options and deliver climate friendly outcomes. These programs will help deliver our commitments and aspirational targets outlined in the Environment and Climate Change Strategy 2040.

Examples of recent achievements and programs or projects currently underway or planned include:

- Sustainable Business Network and Business Power Purchasing Agreement (PPA)
- Solar and Energy Roadshow where we provide tips on installing solar and saving energy in the home free to residents
- Waste reduction webinars and workshops
- School events at the Coastal Environment Centre Narrabeen (2614 students and 100 teachers so far this FY)
- Community Volunteering program (400 registered volunteers, 65 sites) and Corporate Environmental Support program (150 attendees), both of which are expanding
- Two Community Nurseries where we collect seed and propagate 30,000 native seedlings annually which are planted back into our reserves.

The Executive Manager Environment and Climate Change will provide a short update on the above and other current projects at the meeting.

RECOMMENDATION OF MANAGER, GREENER COMMUNITIES

That the ESG notes the information outlined in this report.