
Report of the General Manager - 23 May 2017

ITEM 6.6 Council Policies

AUTHOR Corporate

ISSUE

To consider a number of aligned Policies for Canterbury-Bankstown Council.

RECOMMENDATION That -

1. Council endorse the Policies as outlined in the report.
2. Council carry out the relevant public exhibition process and reporting process, as outlined in the report.

BACKGROUND

As part of the ongoing process of aligning policies of the former Bankstown and Canterbury Councils, a number of policies have been revised and prepared for Council's consideration in order to provide a consistent approach to these issues across the Local Government Area.

An aligned Cash Investments Policy, Community Directional Signage Policy, Community Grants Policy, Local Orders Policy and Temporary Access Over Council Land are the subject of this report.

REPORT

Cash Investments Policy

The Cash Investment Policy establishes a framework within which investment principles are to apply to optimise investment of Canterbury-Bankstown Council funds. Primary objectives of the policy are:

- To outline the principles and guidelines for the secure investment of funds which are surplus to Councils current operational requirements.
- To ensure the portfolio generates income from the investment that exceeds the performance benchmarks whilst considering risk and liquidity.
- To ensure the preservation of the amount invested.
- To ensure that Council obtain prudent and independent investment advice.
- To ensure compliance with legislation, regulations, Ministerial Orders, the prudent person tests of the Trustee Act, best practice guidelines, and Accounting Standards.
- To ensure that an appropriate delegation process exists to manage Council's funds.

Community Directional Signage Policy

Council is committed to assisting access to organisations or facilities that have community, recreational or tourism benefits for the LGA. A key element of this is to ensure the provision of clear and effective community directional signage. The draft Community Directional Signage Policy will assist Council in assessing the applications in fair and equitable manner by providing a consistent approach.

This Policy proposes Council apply a user-pays approach to the provision of community directional signage, on the basis of defined benefit to the recipient facility/organisation and having regard to community service obligations recognised by Council. While both former Councils had the applicable costs outlined in their Schedule of Fees and Charges, these figures were significantly different and will now be aligned under the 2017/2018 Schedule of Fees and charges for Canterbury-Bankstown Council.

Community Grants and Events Sponsorship Policy

The Community Grants and Events Sponsorship Policy has been developed to provide a single policy position and improved framework for the provision of financial assistance by Canterbury-Bankstown Council.

Following the resolution of the September 2016 Ordinary Meeting to undertake a review of Council's Section 356 Financial Assistance Fund and in preparing an aligned policy position, it was determined that in order for the allocation of public funds to be made in an equitable and transparent matter, future funding arrangements should be centred on the following key principles:

- Community benefit
- Fair and equitable
- Transparent
- Management of conflicts of interest
- Hardship assistance
- Targeted needs based assessment criteria.

Subsequently, the Policy establishes the annual Community Grants and Events Sponsorship Program as Council's primary means of providing financial assistance to eligible community groups and organisations that contribute to community wellbeing in the Canterbury-Bankstown Local Government Area (LGA). As such, the Policy applies to all financial assistance requests received by Council including financial and in-kind support, donations, grants, subsidies, fee waivers and other requests for assistance that come before Council. It should be noted though that the provisions of the Policy will not allocate funding for individuals and schools.

Previously, both former Councils contained a good system of financial assistance, supported by relevant grants and donations policies. This aligned Community Grants and Event Sponsorship Policy enhances these previous policies and practices, in line with Council's key principles related to equity and transparency when making and administering grants.

Importantly, Council will only provide funding under this Policy if it is satisfied that the funding will be used for a purpose that is in the best interests of the community of Canterbury-Bankstown. The Policy will be supported by detailed Community Grants and Events Sponsorship Program Guidelines, with applicants required to address criteria and priority outcomes in their application.

To ensure the appropriate governance arrangements are in place to assess applications under this Policy, Council will establish a comprehensive assessment process involving:

- Council officers with a strong understanding of local community needs;
- An independent probity adviser, appointed by Council, to advise on the deliberation and assessment process; and
- Councillors.

Funding from Council's former donation programs will be consolidated into the Community Grants and Events Sponsorship Program in order to maximise community benefit and ensure a suitable allocation of funds that can be equitably distributed based on assessment criteria.

Furthermore, the draft Policy provides Council with the ability to make donations to appeals for emergency relief and subject to approval, waive the payment of fees and charges to applications by local RSL Clubs conducting Remembrance Services in the Canterbury-Bankstown LGA.

Given the nature of this Policy, it is recommended that it be placed on public exhibition in accordance with requirements of the *Local Government Act 1993* to allow for public comment.

Local Orders Policy

The Local Orders Policy assists Canterbury-Bankstown Council (Council) in managing its responsibilities in regard to animal management, public health and environmental protection by providing the criteria that Council will take into consideration when determining whether to issue an Order pursuant to Section 124 of the *Local Government Act 1993*. Section 124 of the Act lists the actions and circumstances which enable Council to issue Orders for rectification and abatement works.

In regard to Order 18 - The Keeping of Animals, the policies of both former Councils were noticeably similar, with the former Bankstown policy outlining additional criteria. This additional criteria does not impact on the objectives, principles or public expectations, but rather adds criteria which is no more onerous than former policy positions or the provisions of the Act. The remainder of the Orders will be rolled out across the Canterbury-Bankstown Local Government Area.

It should be noted there are other Notices, Orders and Directions that are issued under other Acts as part of Council's Compliance Programs, for example Environmental Planning and Assessment Act 1979; Protection of the Environment Operations Act 1997; and the Swimming Pools Act 1992. These Acts however are not subject to the provisions of a Local Orders Policy.

In accordance with legislative requirements, the draft Local Orders Policy is required to be exhibited for a minimum of 28 days, with a 42 day period for submissions, prior to its adoption by Council.

Temporary Access Over Council Land to Private Land Policy

This policy provides a framework for consideration of requests from residents for temporary access across Council land to their land for private purposes such as building works and associated activities. Such requests must meet the requirements of the Local Government Act 1993 and Local Government (General) Regulation 2005.

The draft policy provides

- a scope that includes all land owned by Council and land under Council's care control and management
- the criteria for assessment of applications
- circumstances where access across Council land will be allowed
- circumstances where access across Council land will not be permitted

The Policy is supported by:

- Application form
- Terms and Conditions of Access
- Information Sheet

Public Exhibition

A number of policies that are the subject of this report require public exhibition. In accordance with the Community Engagement Policy, Council commits to undertaking consultation as part of the public exhibition process commensurate with the requirements of each Policy, thereby ensuring the community are provided the opportunity to participate in Council's decision making and policy development process.

As a summary, the following policies will be exhibited for 28 days:

- Community Grants and Event Sponsorship Policy
- Local Orders Policy and Schedule
- Temporary Access Over Council Land to Private Land

Should no submissions be received for either the Community Grants and Event Sponsorship Policy or Temporary Access Over Council Land to Private Land, then it is proposed that these policies be adopted at the conclusion of the exhibition process. Given statutory requirements, the Local Orders Policy and Schedule will be reported to Council following its exhibition.

Given their operational nature, the following policies will, subject to consideration by Council, be adopted for immediate effect following the exhibition process:

- Cash Investments Policy
- Community Directional Signage Policy

POLICY IMPACT

The adoption of the Policies included of this report will provide an aligned policy position for Canterbury-Bankstown Council and ensures compliance with Council's legislative requirements.

When adopted, these Policies will supersede all previous related policies adopted by the former Bankstown and Canterbury Councils.

FINANCIAL IMPACT OF RECOMMENDATIONS

Funding required to administer these Policies will be made available from Council's adopted budget.

RECOMMENDATION That -

1. Council endorse the Policies as outlined in the report.
2. Council carry out the relevant public exhibition process and reporting process, as outlined in the report.

ATTACHMENTS

- A. Cash Investments Policy
- B. Community Directional Signage Policy
- C. Community Grants and Events Sponsorship Policy
- D. Local Orders Policy
- E. Local Orders Schedule
- F. Temporary Access Over Council Land to Private Land Policy