Promoting Better Practice Program

REVIEW REPORT

THE COUNCIL OF THE CITY OF BOTANY BAY

May 2013

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EXECUTIVE SUMMARY

A Promoting Better Practice Program review of the Council of the City of Botany Bay (the Council) was undertaken in October 2012 by the Division of Local Government, Department of Premier and Cabinet (the Division). The Promoting Better Practice Program aims to assist in strengthening the local government sector by assessing performance and promoting continuous improvement. The reviews are designed to act as a 'health check' examining a number of areas:

- Governance
- Strategic planning and delivery
- Financial and asset management
- Workforce management
- Community and consultation
- Land-use Planning
- Regulatory functions.

This report identifies where better practice exists, to both acknowledge the strengths of the Council and contribute to improvement in the local government sector. It also discusses key areas of the Council's activity that require improvement or development to meet legislative obligations, as well as to meet community expectations.

About the Council of the City of Botany Bay

The Council of the City of Botany Bay is situated on the northern shores of Botany Bay in the south eastern suburbs of Sydney. The local government area covers approximately 2,675 hectares. It is highly industrialised with more than half of the area given over to industry and commercial activity.

The estimated residential population is just over 40,000 people, and is made up of nine suburbs, including Botany, Mascot, Banksmeadow, Daceyville, Hillsdale, Pagewood, Eastlakes, Eastgardens and parts of Rosebery.

The Council is led by an elected body of six councillors and the Mayor, who is popularly elected.

The Council of the City of Botany Bay - Summary of key findings

The review found that the Council of the City of Botany Bay is improving its performance in a number of areas. There were also a number of better practices identified. The current General Manager (Ms Lara Kirchner) was appointed in June 2011. It is acknowledged that since Ms Kirchner's appointment, the Council has made significant positive changes, particularly in strengthening its internal governance systems and formulating policies.

The review did however identify some areas that need attention, including:

Governance

There is a need to broaden the role of the audit committee/internal auditor to organisational audits.

The public is not able to address meetings other than development committee meetings. It is considered that the approach of denying the public the right to express views at meetings does not reflect the public participation principles of the Local Government Act.

Strategic planning and delivery

The suite of plans prepared by the Council for its implementation of Integrated Planning and Reporting framework was, at the time of the review, incomplete. Further work needs to be done in the areas of Asset Management, Workforce Planning, and Long-Term Financial Planning. The Council did not prepare a Community Engagement Strategy.

Financial and asset management

The Council's ongoing financial sustainability, in particular ongoing budget deficits, is of concern. The Council should continue to monitor this situation.

The Council's Quarterly Budget Review Statement (QBRS) should be revised to include the minimum requirements of the QBRS guidelines.

The Council should also take steps to reduce the amount of debt that is outstanding, and thus help to improve its cash position.

Workforce management

The Council appears to have a positive organisational culture with a motivated workforce. The Council's Workforce Management Plan needs to be critically reviewed to include intended actions to be taken by the Council over the next four years to address identified workforce issues.

Community and consultation

The Council needs to put in place procedures to measure its performance against the standards set in its Customer and Services Standards Policy.

Land-use planning

The Council has demonstrated significantly lengthy development application turnaround times for many years. Current figures suggest that there are still significant delays in processing times for development applications.

Regulatory functions

The Council continues to be one of Sydney's worst performing local government areas for waste recovery. The Council should take steps to increase its recoverability levels.

Next steps

The review team has made 39 recommendations to guide improvement in key areas. These are set out within the draft action plan at the back of this report (see Part V). The action plan is to be completed by the Council. The Council's comments on the draft report and the completed action plan will be reproduced in the final report.

The final report is to be adopted by the Council to guide the implementation and monitoring of the recommendations in this report. Upon issue of the final report, the Division will advise the Council if it intends to monitor the implementation of the

recommendations of the report, or leave this responsibility with the elected body and senior management of the Council.

PART I   BACKGROUND

1   ABOUT THE REVIEW

Reviews of councils are undertaken by the Division of Local Government as part of its Promoting Better Practice Program.

Program objectives

The objectives of the Promoting Better Practice Program include to:

- work with councils toward strengthening the local government sector by assessing performance and promoting a culture of continuous improvement with an emphasis on:
  - Governance
  - Strategic planning and delivery
  - Financial and asset management
  - Workforce management
  - Community and consultation
  - Land-use planning
  - Regulatory functions
- work cooperatively with councils to promote strong relationships within the sector
- identify trends and issues arising from reviews to support policy and legislative changes for the local government sector
- encourage and facilitate innovation by responding creatively to identified trends and issues.
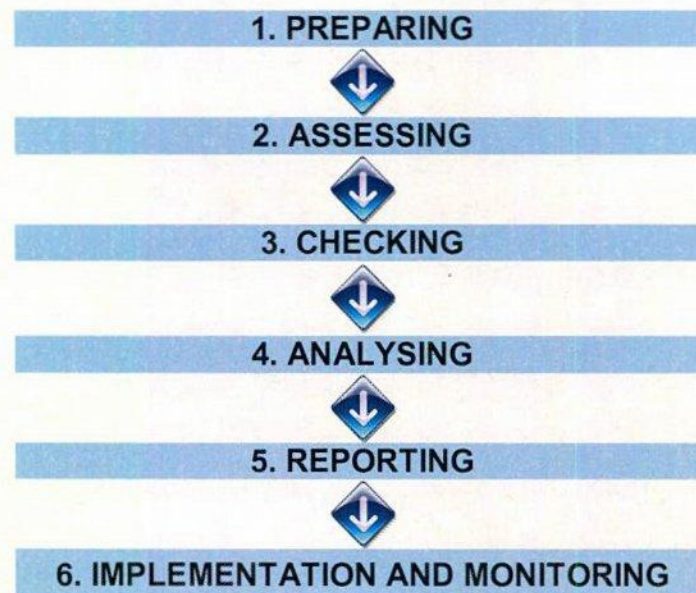
Review process

The reviews are designed to act as a 'health check', giving confidence about what is being done well and helping to focus attention on key priorities. The reviews are conducted by a review team from the Division of Local Government.

A risk-based approach is taken, targeting resources to areas identified as core matters for examination, and those matters considered to be important having regard to the

local circumstances of an individual council. In other words, a review does not examine every aspect of a council's operations.

A review essentially involves six key steps, as follows:

1. PREPARING

2. ASSESSING

3. CHECKING

4. ANALYSING

5. REPORTING

6. IMPLEMENTATION AND MONITORING

1. *Preparing*: This involves the completion of a comprehensive self-assessment checklist by the council and the examination of a range of documents by the review team.

2. *Assessing*: The review team examines the local context/circumstances in order to understand the pressures on the council and how the council has sought to manage that environment.

3. *Checking*: The review team visits the council to 'reality check' what they have found in the material received from the council. Activities usually include meeting with senior officers, talking with individual staff and councillors, observing a council or committee meeting, and viewing systems or processes in action. Determining whether the council has frameworks in place to monitor its own performance is also important.

4. *Analysing*: Post visit, the review team examines a range of information obtained from the council to determine whether this material is in line with applicable legislation, policy, guidelines and available good practice indicators.

5. *Reporting*: The scope of the review report is limited to identifying areas of better practice and areas requiring further development, as defined below:

Better practice	• Beyond or above minimum compliance requirements, published guidelines or in some way better than standard industry practice.
	• Innovative and/or very effective.
	• Contributes to continuous improvement within the local government sector.
Requires further development	• Does not satisfactorily meet minimum compliance and good practice indicators, and may impact negatively on the council's operations.
	• Significant improvement initiatives that are in progress and which need to be continued.

If an area is not rated as either 'better practice' or 'requires further development' it is assessed as being satisfactory.

The review team prepares a draft report that includes recommendations. The council is asked to provide comments on the draft report and complete the action plan. These are reproduced in the final report.

6. *Implementation and monitoring*: The final report is to be adopted by the council to guide the implementation and monitoring of the recommendations in this report. Upon issue of the final report, the Division will advise the council whether it intends to monitor the implementation of the recommendations of the report, or leave this responsibility with the elected body and senior management of the council.

Conduct of the review

The Promoting Better Practice Review is not intended to be a detailed audit of the council's compliance with the *Local Government Act 1993* and other legislation that the council is required to comply with. Rather, as discussed earlier, the reviews are designed to act as a 'health check', giving confidence about what is being done well and helping to focus attention on key priorities.

The review team is required to exercise due diligence in carrying out the review. This means the members of the team have an individual and collective responsibility to:

• be accurate and factual

- be as objective as possible
- act professionally
- make assessments based within the applicable legislative and policy framework
- work cooperatively with representatives of the council
- prepare a report which provides a fair representation of the council
- work within the Code of Conduct issued by the Division of Local Government, Department of Premier and Cabinet.

Similarly, the Division of Local Government encourages the council to exercise due diligence when participating in the review. For example, the review team relies on the council to complete the self-assessment checklist accurately and to provide the team with up-to-date information during the review process. Also, the council is given the opportunity to provide detailed feedback in relation to the draft report. This will help to facilitate the finalisation of a report which presents a balanced assessment of the council's operations and local circumstances.

The Council of the City of Botany Bay Review

The Division of Local Government's review team comprised of:

- o Senior Program Officer - Finance, Mr Ross Bailey
- o Senior Investigator Officer, Mr Angus Broad
- o Senior Program Officer, Ms Janet Pengelly.

The on-site component of the review took place from 15 to 17 October 2012. It involved initial interviews with the General Manager and the Deputy General Manager, and interviews with the Directors and a cross-section of staff. The mayor was unable to meet with the reviewers.

The review team would like to take this opportunity to thank the staff members who participated in the review and provided it with valuable assistance.

2   ABOUT THE COUNCIL AND THE AREA

Location and demographics

The local government area is situated on the northern shores of Botany Bay in the south eastern suburbs of Sydney, and covers 2,675 hectares. The area is highly industrialised with more than a half of the area given over to industry and commercial activity.

The estimated residential population is just over 40,000 people (ABS 2011), and is made up of nine suburbs, including: Botany, Mascot, Banksmeadow, Daceyville, Hillsdale, Pagewood, Eastlakes, Eastgardens and parts of Rosebery.

The history of the area has been shaped by its location, within easy reach of the city of Sydney and near an abundant supply of water.

The Aboriginal people were the earliest inhabitants of the Botany Bay area. The Kameygal people set up camps along the banks of the Cooks River and on the shores of Botany Bay.

Key demographics:

- Population: 40,463
- Projected population (2036): 50,069
- Average age: 37 years
- Density: 1,864.7 persons per sq km
- Aboriginal and Torres Straight Islander people: 1.76%
- People from non-English speaking backgrounds: 45.1%
- People aged 60 years and over: 19%
- Young people (aged 15 years and under): 18%

(Source: Australian Bureau of Statistics)
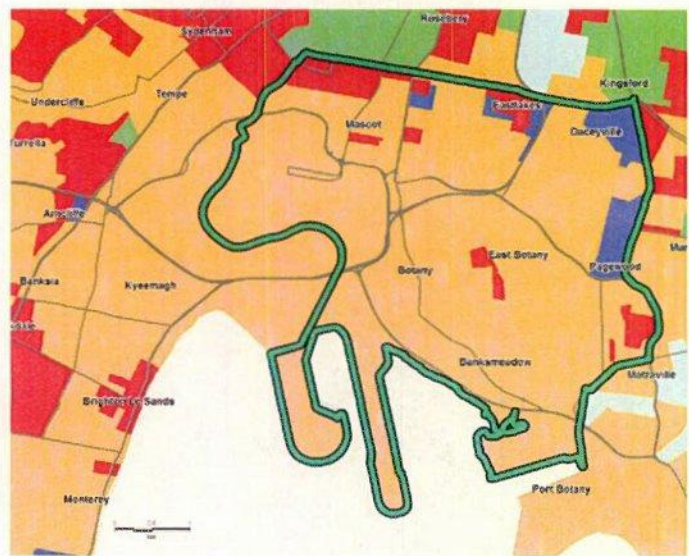
Local issues

The area's population is culturally diverse, with a higher than average proportion of residents born overseas (45%, compared to 32% in Sydney as a whole – ABS 2011). The five most commonly spoken languages (other than English) are Greek (6.5%), Spanish (3.8%), Bengali (3.5%), Cantonese (2.09%) and Arabic (2.3%) (ABS 2011 Census data.) The average taxable income for the Botany Bay local government area was $45,955 per annum (ABS 2011 Census data).

The Council's area has an historic mix of residential, commercial and industrial uses. Over time, the domestic and international airports and Botany container terminal were added to this mix. More recently, the heavy industries have given way to warehousing and to airport service industries. The mix of residential, industrial and specialist uses has lead to traffic and noise conflicts, and to pollution issues.

The Council has a close relationship with the operation of the airport, providing cleaning and maintenance services under a separate business unit.

A range of information about the Council of the City of Botany Bay is available on its website at www.botanybay.nsw.gov.au.

Current Council

The Council of the City of Botany Bay is divided into six wards with the Mayor popularly elected by all voters, and one councillor elected for each ward. The current Mayor, Councillor Ben Kenneally, was elected in September 2012, replacing long-serving Mayor, Councillor Ron Hoenig, who had been Mayor for the previous thirty-one years.

PART II   MAKING AND IMPLEMENTING DECISIONS

3   GOVERNANCE

3.1   SCOPE

"Corporate governance refers to all the means by which entities are directed and controlled" (Standards Australia, HB401-2004:12). Corporate governance is important because it:

- enhances organisational performance
- manages and minimises risks
- increases the confidence of the community and the local government sector in the organisation
- ensures that an organisation is meeting its legal and ethical obligations
- assists in the prevention and detection of dishonest or unethical behaviour.

### 3.2   OVERVIEW

The elected body

The Council comprises seven councillors including the Mayor. The mayor is elected directly by voters. There are six wards, with one councillor being elected from each ward.

The Council has seven committees, with the Development Committee having delegated authority to determine development applications and pass other resolutions, provided the decision is unanimously supported by all members. The Council is a member of the South Sydney Region of Councils.

The administration

As outlined in Diagram 1 below, the Council has three directors, including the Deputy General Manager. The Council's executive management team is made up of the General Manager, Deputy General Manager, the Director Assets and Environment, and the Director Planning and Assessment. The Council employs 325 full-time equivalent staff.

Diagram 1:   The Council's Organisational Structure

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                    ┌─────────────────┐
                    │    General      │
                    │    Manager      │
                    └─────────────────┘
          ┌──────────────────┼──────────────────┐
┌───────────────────┐ ┌───────────────┐ ┌────────────────────┐
│  Director Assets  │ │ Deputy General│ │ Director Planning  │
│  and Environment  │ │    Manager    │ │  and Assessment    │
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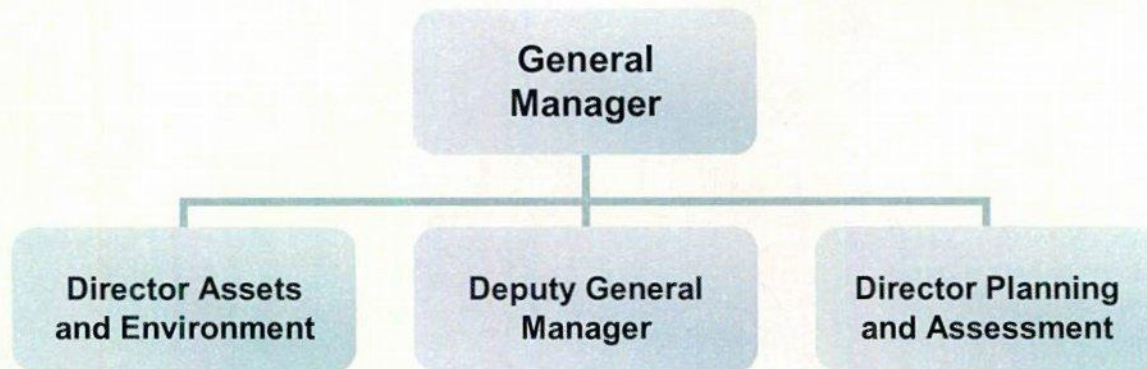
It is clear that there has been a strong focus on governance issues recently. There has been emphasis on the development of policies and guidelines and reflection on governance issues more widely.

This focus has lead to the development of many policies and procedures. In reviewing the Council's policy framework, a decision was made to discard any policy that had not been revised in the last ten years. This work has been driven by the current General Manager and aims to make the Council a contemporary organisation. As would be expected, this work is not yet complete and will be ongoing.

All levels of the Council need to support and encourage the current momentum, and to ensure that it continues. The Council needs to test and review its processes as part of its ongoing work.

Table 1:   Governance Assessment

Area of assessment	Assessment of the Council's performance
Ethics and values	✦
Code of Conduct	✓
Gifts and benefits	⚠
Communications devices	✓
Disclosure of pecuniary interests	⚠

Business ethics	✓
Risk management	⚠
Fraud control	⚠
Business continuity	✓
Internal audit	⚠
Legislative compliance	✦
Legal services	✓
Procurement, disposal and tendering	⚠
Privacy management	✓
Records management	⚠
Access to information by the public	⚠
Policy register	✓
Executive Management meetings and communication	✓
Delegations	✦ ⚠
Council meetings	⚠
Council committees (s355 and others)	✦
Councillor induction and ongoing training	✓
Expenses and facilities policy	⚠
Councillor staff interaction	✦
Access to information by councillors	✓
Campaign donations	✓
Customer service/complaints handling	✓
Protected disclosures and internal reporting	✓
Information technology	⚠

Table key: ✦ Better practice   ⚠ Requires further development   ✓ Satisfactory

3.3 SIGNIFICANT OBSERVATIONS

Better practice

Ethics and values

The Council adopted its Statement of Values on 18 July 2012. The values are communicated widely and appear on key Council documents.

In June 2012, the Council adopted its Statement of Business Ethics. The Council has written to its suppliers informing them of these adopted business ethics.

More recently, the Council wrote to a supplier in response to an offer of personal benefits, emphasising that a failure by the supplier to meet the Council's ethics would mean that it could no longer deal with the supplier.

Legislative Compliance

The Council has identified 438 Acts and Regulations that govern or affect its operations. It has developed a comprehensive matrix that identifies:
- a short statement of the purpose of the legislation
- the review period
- the assessed risk (high, medium or low)
- the Division responsible for complying with the legislation, including those Directors (and individual sub-groups) having responsibility for the legislative compliance.

Changes to legislation and new legislation are reported to the executive committee. The Council is proposing to create a portal for councillors on its website so that they have access to the reports.

Delegations

The Council's Development Committee has limited authority to determine development applications which are not the subject of a councillor request for the application to be considered by the Council, provided its decision is unanimous.

Councillor and staff interaction

The Council has adopted a strict councillor/staff interaction policy that requires that councillors interact with the General Manager through the mayor. Under this policy, there is no direct contact between councillors and staff.

Requires further development

Gifts and benefits

The Council's gifts and benefits policy provides for the disclosure of gifts and benefits with a value of $50 or more. While the policy indicates that gifts and benefits should not be accepted, it provides for declaration of gifts that are inadvertently or otherwise accepted.

While the Council's gifts and benefits procedures apply to councillors, councillors are given greater discretion in relation to the surrender of gifts and to refuse benefits. Additionally, certain gifts (relating to Christmas, cultural or religious events) are excluded from the operation of the policy.

Gifts to councillors and to staff are dealt with separately under the policy, with substantial review by senior staff. Gifts to councillors are reviewable by the Mayor.

The gifts register contained 11 declarations in the current period, with 25 declarations in the previous year. Individual declarations do not assign a value to the gift. A number of the gifts included tickets to and catering at sporting events, most notably to South Sydney Rugby League games.

Discussions with senior staff indicated that there has been greater emphasis given to refusal of gifts.

Following Operation Jarek, the ICAC made 15 corruption prevention recommendations to all councils in NSW, a number of which relate to gifts and benefits including reviewing policies and providing staff training. The Council advised they were in the process of updating its policies regarding gifts and donations.

Disclosure of pecuniary interests

At the time of the onsite component of the review, all continuing councillors and designated staff had lodged their pecuniary interest returns.

All returns had been date stamped on receipt and a schedule prepared containing details of the period of the declaration and the date of receipt of the disclosure.

It was noted that some returns had disclosed debts to financial providers. In this regard, it is emphasised that Regulation 190 does not require that such information be provided.

In reviewing the minutes of meetings and listening to a podcast of the Council meeting held on 24 October 2012, it was noted that some pecuniary interest disclosures failed to record the nature of the interest. Further, on at least one occasion, a councillor had declared an interest in relation to a status report being provided for the information of the councillors. Councillors are advised that in such circumstances, no pecuniary interest arises.

Further guidance should be provided to councillors in relation to their obligations to declare pecuniary and non-pecuniary conflicts of interest.

Meeting minutes should include details of the nature of the interest held and the reasons (if appropriate) why a non-pecuniary interest was less than significant, and the action taken to manage the conflict.

Recommendation 1

Further guidance should be provided to councillors in relation to their obligations to declare pecuniary and non-pecuniary conflicts of interest.

Risk management and fraud control

The Council's risk management plan was last reviewed in August 2011, with the process commenced under the previous general manager. The Council has appointed a member of staff with express responsibility for risk issues. The Council is currently developing a risk matrix.

Risk management training was provided to a relatively small number of staff in October 2011. While discussions with senior staff suggested that they were mindful of issues relating to risk, a wider spectrum of staff should receive risk management training.

The Council's policies and procedures, including those relating to procurement, emphasise the need to consider and to evaluate risk.

In order to emphasise risk management, the Council has established a risk management committee. The committee comprises various managers and other staff drawn from within the Council. The Council's internal auditor has also been appointed to the committee.

The Council has not yet undertaken a systematic fraud risk assessment and should do so.

Recommendation 2

The Council should provide training in risk management to a wider group of staff.

Recommendation 3

The Council should consider auditing its risk management function and its development assessment function.

Internal audit

The Council has appointed both an internal auditor and an internal audit committee. The internal auditor was appointed in early 2011, on a shared basis with Waverley City Council, and provides services two days per week.

The audit committee comprises the Deputy Mayor, the General Manager, some staff, the internal auditor and two independents.

The Council is in the second year of its audit program and, at the time of the review, the committee had audited the financial operation of the Council's swimming pool and golf course, grants compliance, and the financial and business operations of its businesses.

The Council is encouraged to consider auditing its risk management function, contractor performance and its development assessment function.

Recommendation 4

The Council should broaden the role of the audit committee/internal auditor to include organisational audits.

Procurement

The Council has adopted a procurement policy and guidelines. Staff with responsibility for procurement have received training, including training provided by the Independent Commission Against Corruption.

There are a number of good aspects to the policy and guidelines, including setting out the levels of authority, the methods of procurement, references to the code of conduct, a flowchart, and a warning about contract splitting.

Notwithstanding this, it is considered that some procedures, including reliance on two verbal quotes to support purchases of up to $10,000, does not provide sufficient safeguards against fraud risk. In turn reliance on two written quotes from $10,000 to $50,000 does not ensure that the Council has sufficiently tested the market.

Further, the procedures do not exclude suppliers with a history of poor performance. This point is emphasised, as the Council does not review contractor performance over the life of the contract.

The Council should take a whole-of-contract approach to its procurement processes.

Recommendation 5

The Council should consider amending its procurement policies and procedures to provide greater safeguards for purchases over $2,000 and to ensure greater market testing.

Recommendation 6

The Council should take a whole-of-contract approach to its procurement processes.

<u>Records management</u>

The Council's Records Manager has had considerable experience in records management and this is reflected in the Council's approach to records management.

The Council has emphasised the importance of recording and maintaining records through staff training. The Council has good controls in place in relation to storage and destruction of records.

Recommendation 7

The Council needs to complete the good records management work undertaken so far by developing records management procedures.

Access to information by the public

Councils are required to provide access to a wide range of information under the *Government Information (Public Access) Act 2009* (GIPA). The GIPA legislation emphasises public access to information through open access. Most commonly, this is achieved by providing access on the council's website.

Access to the Council's information is made difficult by the format of its website. For example, the website lacks a clear link to its policies and other public documents.

Those public documents that are made available on the website are difficult to find. Further, there appear to be a number of policies and other documents not available on the website.

Recommendation 8

The Council should consider a re-design of its website to make it more user-friendly, and to provide better services to residents, ratepayers and the wider community.

Recommendation 9

The Council should review its compliance with the Government Information (Public Access) Act and take the steps that may be required to comply with that Act.

Delegations

On 26 September 2012, the Council passed a resolution providing delegations to the Mayor. While the resolution acknowledges that the instrument of delegation should be construed as operating within the powers conferred under the Act, there are aspects that appear to be contrary to the Act.

Of particular concern are the delegations in paragraph 7, which provide that the Mayor is to be consulted in relation to appointment and dismissal of staff, as well as the Mayor's powers to direct staff employed in the Office of the Mayor, which appear to be contrary to the express functions of the General Manager in section 335.

A number of other delegations, including the powers to direct the General Manager, in paragraph 1(a) and paragraphs 4 and 6, appear to contravene the Act or to involve the Mayor in operational issues, which is contrary to the principles described in the Act.

Recommendation 10

The Council should review the extent of Mayoral delegations in light of the constraints imposed by the Act, and in order to better reflect the statutory role of councillors.

Meetings

The Council holds ordinary meeting as well as meetings of its various committees.

The public is not able to address meetings other than development committee meetings. It is considered that the approach of denying the public the right to express views at meetings does not reflect the underlying principles of public participation contained in Chapter 4 of the Act.

Recommendation 11

The Council should facilitate opportunities for greater public participation in its meetings as part of the review of its code of meeting practice.

Expenses and facilities policy

In January 2012, the Council adopted its councillor expenses and facilities policy. The policy allows councillors to elect between recovering the actual cost of travel, or to receive a daily allowance.

The daily allowance is calculated by reference to the *Commonwealth Parliamentary Entitlements Act 1990*. The allowance payable is on a sliding scale, with increases dependent on the individual's status. Its effect is to provide a 40% increase in the allowance to the deputy mayor and a 50% increase to the mayor.

The policy provides for a reduction of 30% where the Council meets the cost of accommodation, and, additionally a further allowance of 10% for each meal.

Significantly, this can lead to a position where councillors receive 40% of the daily rate, after having their other costs paid by the Council.

There are a number of other instances, for example the use of private use of telephone facilities provided by the Council, and in relation to "reward points", where councillors may receive a personal benefit.

Councillor expenses and facilities policies should allow for councillors to receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties as elected representatives of their local communities. Section 252(2) of the Act requires each council to adopt a policy concerning the payment of expenses incurred, or to be incurred, by the mayor and councillors. It is intended to operate as an indemnity. This is emphasised in section 252(2), which provides that fees may be reduced by an amount representing the private benefit to the recipient.

In order to assist councils in drafting their councillor expenses and facilities policies, the Division has published the *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW*, pursuant to section 23A of the Act (the guidelines).

While the Act recognises that councillors should not have to bear the costs of performing their civic functions, the Act does not permit the use of allowances as an additional source of income or to obtain a private benefit. This point is emphasised in Regulation 403, which emphasises that a policy under section 252 of the Act must not include any provision enabling a council to pay any councillor an allowance in the nature of a general expense allowance.

Section 252(5) of the Act requires that councillor expenses and facilities policies comply with the provisions of the Act and the Regulations. It is considered that the current policy is non-compliant.

Recommendation 12

The Council should re-consider its approach to the provision of councillor expenses and facilities, and ensure that it meets the indemnity and other principles of the Act, the Regulations and the guidelines.

The Council's policies and procedures

There has been a focus on governance issues over the last 18 months. This approach is emphasised by the introduction of a significant number of policies that have been developed over the period.

Many of the policies have already been adopted, while others remain in the formative stage, awaiting introduction. Complementing the development of the policies has been the development of a range of internal procedures.

The Council staff indicated that a number of existing policies, many of which had not been reviewed in the last ten years, have been discarded.

The work that has been undertaken suggests that the Council had failed to formalise and review its governance procedures, on an ongoing basis, in the past. The process now being undertaken suggests that there has been a significant and beneficial change in the Council's outlook. In saying this, the Council should be mindful that much work remains.

The Council should continue to review, develop and adopt appropriate policies and procedures to strengthen its governance framework.

Recommendation 13

That the Council should continue to review, develop and adopt appropriate policies and procedures to strengthen its governance framework.

Information technology

The Council has purchased Civica as its principal operating platform. A delay in developing some subsets, including e-business, has meant that the Council is not currently able to operating all of the systems. It is expected that these will be available in the near future and that the Council will be able to substantially improve its operations, including online lodgement and tracking of development applications, complaints tracking and procurement processes.

As indicated elsewhere in this report, the Council's website is not particularly user-friendly and lacks some key information. The Council should upgrade its website to provide a better service to residents, ratepayers and the wider community.

The Council's response

With regard to the Disclosure of Pecuniary Interests and recommendation one (1), it is noted that the report advises that "...some of the returns provided the title reference, but had not disclosed the address of each parcel of real property in which the councillor had an interest, as required by the Regulation 183." Council Officials are considered to be acting in accordance with the provisions of Regulation 180 (c) of the Local Government (General Regulation) 2005 which states that:

> *"(c) in relation to any real property, the postal address of the property or particulars of title of the property." (emphasis added).*

As such, Council is of the view that those Council Officials who provide their title reference on a parcel of real property comply with the requirements of the regulation. Further, Council Officials have been provided with various documentation in relation to pecuniary and non-pecuniary conflict of interests and on 6 February 2013 completed Code of Conduct training which addressed pecuniary and non-pecuniary conflict of interests. Ultimately, it is a Council official's decision as to whether to declare an interest, including the nature of that interest. Council has also introduced a written declaration which specifies the nature of the interest and whether the conflict of interest arises from a pecuniary or non-pecuniary nature etc. These disclosures are fully

recorded in the minutes of the relevant meeting. As such, Council is of the view that this recommendation should be deleted.

With regard to Recommendation nine (9), Council is unaware of what specific non-compliance the Division of Local Government found at the audit of City of Botany Bay Council with the Government Information (Public Access) Act 2009, to warrant Recommendation nine (9). Documentation required under Schedule one (1) of the Government Information (Public Access) Act 2009 is available on the website. The report does not provide any foundation for the recommendation of the audit. As such, Council is of the view that this recommendation should be deleted.

The Review Team's comments

The Council's comments in relation to the provision of title particulars (Regulation 180(c)) have been noted and the report has been amended.

Recommendation 9 (GIPA compliance) arose because the Review Team came to the view that there appeared to be a number of policies and other documents not available on the Council's website.

The Recommendation has been amended to suggest a "review" rather than an "audit".

PART III   PLANNING AND DELIVERING A SUSTAINABLE FUTURE

This part of the review focussed on the Council's strategic intent and how it has involved its communities and other stakeholders in developing long-term strategic plans. The review assessed the clarity of the Council's strategic direction, whether its plans reflect a shared and realistic vision, and its overall approach to corporate planning. Monitoring and reporting progress to promote continuous improvement was also an integral consideration in regard to the Council's performance in this area.

4   STRATEGIC PLANNING AND DELIVERY

4.1   SCOPE

The Integrated Planning and Reporting framework for NSW local government was introduced to improve local councils' long-term community planning and asset management, as well as to streamline reporting to the community.

The framework aims to improve the sustainability of local communities by encouraging councils, residents and State agencies to work together on long-term plans and strategies. The Community Strategic Plan is informed by the outcomes of the implementation of a Community Engagement Strategy, and is supported by a four-year Delivery Program, annual Operational Plan and a Resourcing Strategy that includes long-term financial planning, asset management planning and workforce management planning.

In order to ensure priority services and infrastructure can be delivered efficiently and effectively, councils are encouraged to integrate all strategic plans into this framework. For example, strategic land-use and economic development plans also contribute to maximising the capacity of communities, industries and local economies. The framework also requires councils to give due regard to the NSW State Plan and other relevant state and regional planning.

The Integrated Planning and Reporting framework is set out in Diagram 2.

Diagram 2: The Integrated Planning and Reporting Framework
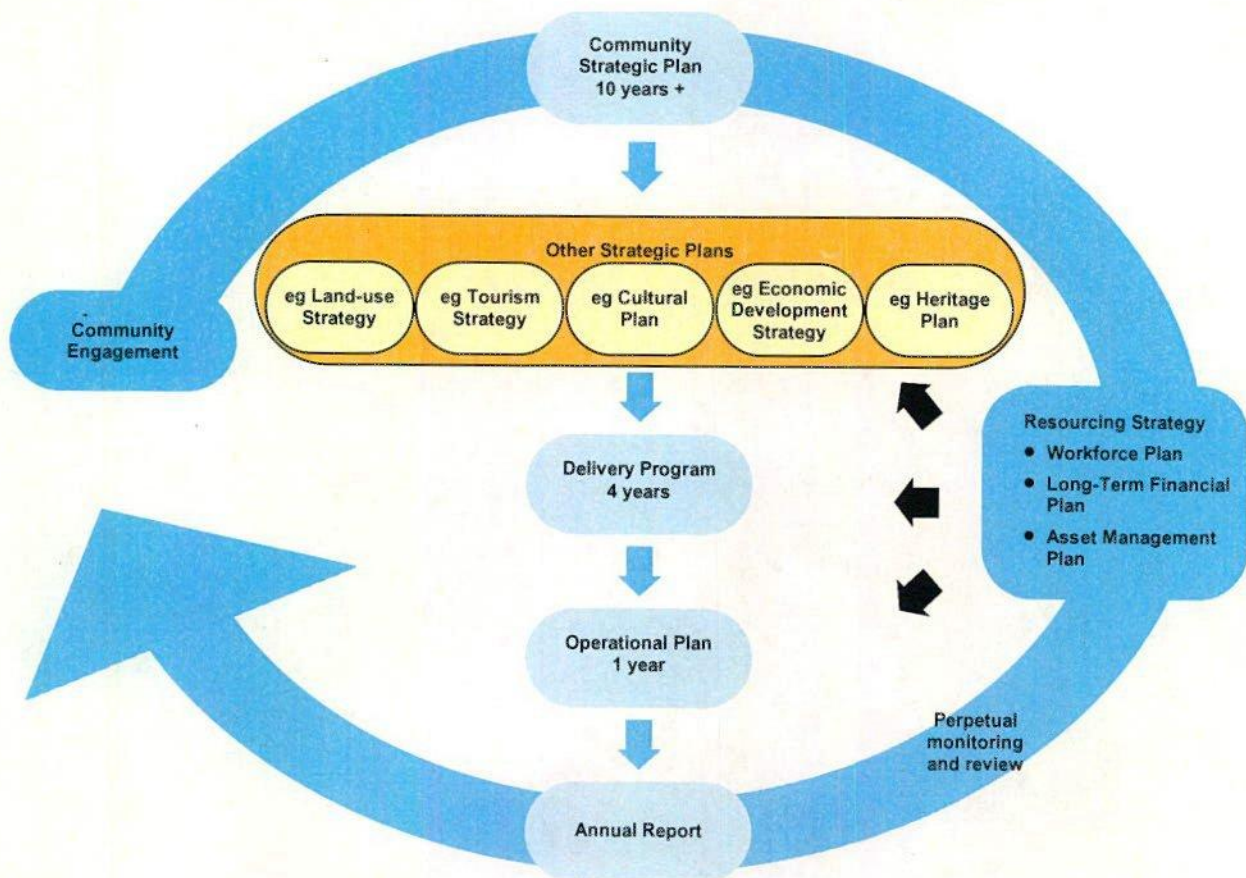
4.2 OVERVIEW

The Council of the City of Botany Bay elected to be a Group 3 council for the purposes of implementing the Integrated Planning and Reporting (IP&R) framework, adopting the suite of plans by June 2012. The Division has undertaken a review of the documents and provided the Council with feedback about how well the plans meet the intent of the Integrated Planning and Reporting framework.

Overall, the Council's Community Strategic Plan, Delivery Program and the Operational Plan integrate well. How these plans link to the Resourcing Strategy is not clear. The Council's Community Strategic Plan reads like it is the Council's plan, rather than the community's plan. This is supported by the fact that the Council did not prepare a Community Engagement Strategy. The Community Strategic Plan did not specifically address social justice principals, the Measuring and Reporting section does not adequately state how outcomes will be measured, and there is no clear relationship to the State Plan.

The key strategic areas of the self-assessment checklist completed by the Council were examined by the review team and are included in Table 2. Better practice examples and areas requiring further development are highlighted. These are discussed in more detail later.

Table 2:   Strategic Planning and Delivery Assessment

Area of assessment	Assessment of the Council's performance
Community engagement	⚠
Community Strategic Plan	✓
Delivery Program	⚠
Operational Plan	⚠
Resourcing Strategy • Workforce Management Plan • Long Term Financial Plan • Asset Management Plan	⚠
Reporting	✓

Table key: ⭐ Better practice   ⚠ Requires further development   ✓ Satisfactory

4.3   SIGNIFICANT OBSERVATIONS

Better practice

The review team did not identify any practices beyond or above minimum compliance requirements or in some way better than standard industry practice.

Requires further development

Community engagement

The Council has prepared a Community Engagement Policy, but not a Community Engagement Strategy. A Community Engagement Strategy must be developed, and should be made publicly available on the Council's website. The Strategy should outline how the community will be engaged for the development and review of the Community Strategic Plan, which social justice groups will be targeted, and which partner

organisations and other stakeholder groups will be engaged. The Strategy should identify tools and methods for community engagement, as well as an indicative timeframe for when community engagement for the development and review of the Community Strategic Plan will occur.

Recommendation 14

The Council should develop and publish on its website a Community Engagement Strategy as required under section 402 of the Local Government Act 1993.

<u>The Delivery Program and Operational Plan</u>

The Delivery Program and Operational Plan link clearly to the Community Strategic Plan objectives. The use of colour coding assists with this. There are no measurable performance indicators and assessment methods apparent.

The asset works identified in the Delivery Program and Operational Plan do not appear to translate into the Asset Management Plans.

Recommendation 15

The Council should develop and include in its Delivery Program and Operational Plan measurable performance indicators and assessment methods.

<u>Resourcing Strategy</u>

The Resourcing Strategy supports the Delivery Program and Operational Plan by providing or making sufficient resources available to deliver the commitments made. The Strategy consists of the Long-Term Financial Plan, Workforce Management Plan and the Asset Management Plan.

1. Long-Term Financial Plan

The Long-Term Financial Plan provides good background information to the scenario modelling. However, the plan does not include projected Balance Sheets, Cash Flow Statements, performance measures or a sensitivity analysis. It is unclear how the Long-Term Financial Plan enables the achievement of the Community Strategic Plan.

Recommendation 16

The Council must develop and include projected Balance Sheets, Cash Flow Statements, performance measures and a sensitivity analysis in its Long-Term Financial Plan.

2. Workforce Management Plan

The Workforce Management Plan (four-year plan) provides a good analysis of the Council's current workforce profile, and opportunities and challenges. The Council's plan is mainly theoretical, in other words details what should be done, rather than what is planned to be done. The links to the Delivery Program and Operational Plan are not clear. The Workforce Plan should specifically demonstrate how it will ensure the workforce requirements of implanting the Delivery Program will be achieved.

Recommendation 17

The Council should strengthen its Workforce Management Plan by including strategies that it intends to implement to achieve its objectives over the next four years.

3. Asset Management Planning

The asset management planning documents are brief and require further detail. The inclusion of a Performance Improvement Plan is good, however the resourcing information could be more specific. The Council is still unsure whether required asset maintenance spending is being fully funded. The Council advised that its asset plans are still being developed.

Recommendation 18

The Council must further develop its Asset Management Plans, and clearly show its required asset maintenance spending and asset replacement requirements.

The Council's response

In accordance with the Division of Local Government requirements, Council adopted its initial Integrated Planning and Reporting documentation in June 2012. A number of the plans associated with that documentation have been completed and further are due for completion in the 2013/2014 financial year. Those plans due for completion are being progressively developed and implemented across all facets of Council activities. With regard to recommendation 18, in accordance with the Division of Local Government's Integrated Planning and Reporting Manual for Local Government in NSW, Council will have developed its basic Asset Management Plan for major asset classes (ie those representing greater than 80% of the total asset portfolio) within 18 months of the IP&R adoption by Council being December 2013. Further plans will progress from that time in accordance with the manual.

5 FINANCIAL AND ASSET MANAGEMENT

5.1 SCOPE

Under its charter, the Council has a responsibility to raise funds for the purposes of carrying out its functions. This can be achieved by the fair imposition of rates, charges and fees, borrowings and grants. The Council is also the custodian and trustee of public assets and must effectively account for and manage these assets.

5.2 OVERVIEW

Councils in NSW are required to provide services, facilities and infrastructure through the effective and efficient use of resources. The Council's net operating result before capital grants for 2011/12 was a deficit of $5.291M ($3.187M in 2010/11). The Council has reported an operating deficit before capital grants in the last five financial years. The cumulative deficits in that period total $11.721M. The Council's airport business enterprise contributed $1.047M ($0.726M in 2010/11) to the deficit.

In addition to the reported deficits, the Council is not replacing its assets as they are being consumed.

The Council's Long-Term Financial Plan is forecasting surpluses before capital grants for the next ten years. The turnaround is mainly due to an anticipated increase in section 94 contributions (income).

Table 3: The Council's financial results for the last four financial years

Consolidated results	2011/12	2010/11	2009/10	2008/09
Income Statement (Financial Performance)	$'000	$'000	$'000	$'000
Rates and annual charges	27,866	26,556	25,643	24,449
User charges and fees	10,721	11,004	9,567	10,835
Interest and investment revenue	1,450	1,561	1,526	712
Other revenues	580	590	590	919
Grants and contributions for operations	6,220	6,512	6,986	4,919
Grants and contributions for capital	5,587	2,970	4,008	3,706
Net gain from the asset disposal	80	102	357	0
Total income from continuing operations	**52,504**	**49,295**	**48,677**	**45,540**
Employee costs and on-costs	25,191	22,871	22,446	20,475
Borrowing costs	0	0	0	0
Materials and contracts	17,197	16,509	14,064	14,291
Depreciations and amortisation	5,435	5,743	5,069	5,063
Other expenses	4,064	4,248	4,122	3,155
Share of interests in joint ventures and assoc	321	141	322	662
Net loss from disposal of assets	0	0	0	26
Total expenses from continuing operations	**52,208**	**49,512**	**46,023**	**43,672**
Operating result from continuing operations	**296**	**(217)**	**2,654**	**1,868**
Net operating result for the year before grants and contributions	**(5,291)**	**(3,187)**	**(1,354)**	**(1,838)**

Financial indicators

The Promoting Better Practice review considers a number of financial indicators when examining a council's financial position and sustainability.

The indicator of Unrestricted Current Ratio (UCR) is a measure of a council's ability to meet its financial obligations such as paying for goods and services supplied. A ratio between 1.5:1 and 2:0 is considered satisfactory and shows that a council has sufficient liquid assets on hand to meet its short-term liabilities. The Council had a UCR (as at 30 June 2012) of 1.38:1 (1.38:1 in 2010/11) which is les than the benchmark of 1.5. The Council's high outstanding rates and annual charges (RACO – see below) is a key factor in its poor cash position.

The Debt Service Ratio (DSR) is an indicator that assesses the degree to which revenue from continuing operations is committed to the repayment of debt. It is generally higher for councils in growth areas where loans have been required to fund

infrastructure such as roads, water and sewerage works. The Division of Local Government's accepted benchmark for the DSR is <10%. The Council of the City of Botany Bay has no borrowings.

The Rates and Annual Charges Coverage Ratio compares a Council's total income to that of its rate revenue. The Council's ratio of 53.07% (53.87% in 2010/11) shows that the Council has a good mix of revenue streams and is not too reliant on its rate revenue.

The Rates and Annual Charges Outstanding Ratio (RACO) reflects the amount of rates unpaid as at the end of a period (usually 30 June each year) compared to the total charged for the year. The benchmark for city/coastal councils is 5% or less. The Council's RACO as at 30 June 2012 was 10.07% (10.74% in 2010/11). The Council's RACO has been above the benchmark for the last three years.

The Infrastructure Renewal Ratio (IRR) assesses the rate at which these assets are being renewed against the rate at which they are depreciated. A ratio of 1:1 indicates that the renewal of assets equals the amount of depreciation, amortisation and impairment. The Council of the City of Botany Bay's IRR as at 30 June 2012 was 41.68% (61.88% for 2010/11), which is below the benchmark of 100%. The Council's IRR average over the last five years is a disappointing 67.43%.

Other financial matters

Approximately 73.49% of the Council's revenue base for 2011/12 was made up of rates and annual charges and user charges and fees. The Council can rely upon these revenue streams on an ongoing basis for financial flexibility.

The Council reported a $36.905 million infrastructure backlog in 2012, with an Infrastructure, Property Plant and Equipment asset value of $287.284 million. Public Roads made up $30.810M (83.5%) of the total backlog. As the required maintenance amounts are not being spent to keep assets in their current condition, it is likely that the backlog will continue to grow. In addition, capital expenditure is currently not being targeted at reducing the backlog (as per the Council's Long-Term Financial Plan and Asset Management Plans).

The Council has a long-standing policy not to take out loans to fund its capital works or operations. Accordingly, the Council does not have any borrowings.

The Council does not have an Asset Rationalisation and Replacement Policy, but plans to address this within the next two years. Asset rationalisation may involve a range of activities, including sales or divestitures of certain assets, closures of some facilities and expansions of others.

Table 4:   Financial and Asset Management Assessment

Area of assessment	Assessment of the Council's performance
Financial management and planning	⚠️
Asset management and planning	⚠️
Land assets	✓
Council businesses	✓
Council involvement in companies, partnerships, corporations, co-operatives, and joint ventures	✓
Insurance	✓

Table key:	⭐ Better practice	⚠️ Requires further development	✓ Satisfactory

5.3   SIGNIFICANT OBSERVATIONS

Better practices

The review team did not identify any financial and asset management practices beyond or above minimum compliance requirements and good practice indicators.

Requires further development

Financial position

Overall, the Council's financial position as at 30 June 2012 is of some concern. The reasons for concern are as follows:

- The Council has recorded operating deficits before capital grants for the last five financial years. The level of the deficit is increasing each year
- The Council's Airport Maintenance Business is recording ever-increasing deficits ($1.047M for 2011/12)
- The Council's Rates and Annual Charges Outstanding ratio of 10.07% is far above the industry benchmark of 5%
- The Council has recorded shortfalls in spending over the last six financial years
- The Council is not replacing its assets as they are being consumed
- The Council's Unrestricted Current Ratio of 1.38:1 is below the industry benchmark of 1:5:1 or greater.

Recommendation 19

The Council should continue to closely monitor its financial position and ensure it returns to recording operating surpluses before capital grants.

Recommendation 20

The Council should review its Airport Maintenance Business Unit's costs to reduce the operating deficits being recorded.

Recommendation 21

The Council should take actives steps to reduce outstanding rates and annual charges.

Recommendation 22

The Council should develop an Asset Rationalisation Plan.

Quarterly Budget Review (QBR)

Clause 203(1) of the Local Government (General) Regulation 2005 requires a council's responsible accounting officer to prepare and submit a quarterly budget review statement to the governing body of the council. The quarterly budget review statement must show, by reference to the estimated income and expenditure that is set out in the Operational Plan adopted by the council for the relevant year, a revised estimate of income and expenditure for that year.

The budget review statement is required to include a report by the responsible accounting officer as to whether or not they consider the statement indicates the council to be in a satisfactory financial position (with regard to the original budget) and if not, to include recommendations for remedial action.

The Quarterly Budget Review (31 March 2012) supplied to the reviewers was not compliant with the guidelines for the following reasons:

- The Council's QBR did not include a report on budget variances/recommended changes
- The consolidated income statement did not include the minimum requirements as per the guidelines
- The QBR report did not include a Cash and Investments Budget Review Statement
- The QBR report did not include a Key Performance Indicator Budget Review Statement
- The Budget Review Contracts and Other Expenses item was not compliant with the Guidelines
- There was no evidence of the report being submitted to the Council
- There was no documentation (resolution) showing the Council's adoption of the report.

The Council advised the reviewers that the Quarterly Budget Review Statements are tabled with the Agenda and are therefore not published with the Meeting Agenda on the Council's website.

Recommendation 23

The Council should ensure that its Quarterly Budget Review Statement is compliant with the Quarterly Budget Review Guidelines.

Recommendation 24

The Council should include its Quarterly Budget Review Statement with the General Meeting Agenda, and publish on its website.

The Council's response

Council has a Debt Recovery and Hardship Policy and is taking steps to reduce outstanding rates and annual charges in line with this policy. The review was also advised that in the previous financial reporting period there was one large business rate which was outstanding at the end of that period. This rate was subsequently paid shortly after the conclusion of that reporting period and a relevant notation was made in Council's financial statements. This non-payment had a significant effect on Council's Rates and Outstanding Charges ratio. Council will continue to monitor this issue and implement actions in accordance with its adopted policies.

Council is currently reviewing its Airport Maintenance Business Unit's costs to reduce the operating deficits that are being recorded. There is an issue associated with the manner in which internal transactions are being recorded. Council is aware of this issue and is seeking to rectify this problem.

With regard to recommendation 23, Council's March 2013 Quarterly Budget Review Statement is compliant with the guidelines and will be reviewed by Council at the April Council meeting. As such, Council requests deletion of this recommendation.

With regard to recommendation 24, Council has now included its Quarterly Budget Review Statement with the General Meeting Agenda and it is published on the Council's website. As such, Council requests deletion of this recommendation.

The Review Team's comments

The good work of Council is acknowledged in addressing the issues of recommendations 23 and 24. Council has now addressed its Quarterly Budget Review Statement (QBRS) matters. However this was not the case at the time of the on-site review, and as such, the recommendations stand..
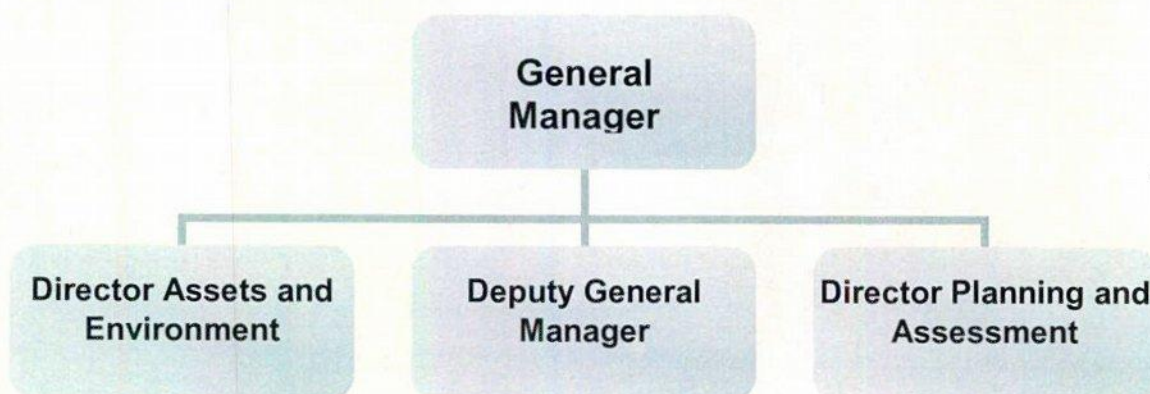
6   WORKFORCE MANAGEMENT

6.1   SCOPE

Councils have a number of legislative responsibilities in relation to their role as an employer. The Council is required to conduct itself as a responsible employer.

6.2   OVERVIEW

Organisation Overview

As outlined in Diagram 3 below, the Council of the City of Botany Bay has two directorates and a Deputy General Manager's office. The functions covered by the Deputy General Manager's office include Corporate Services, Finance and Administration, Governance, Human Resources, Information Technology, Community Services and Libraries, and Museum.

Diagram 3:   The Council's Senior Management Organisational Structure

```
                          ┌──────────────┐
                          │   General    │
                          │   Manager    │
                          └──────────────┘
          ┌──────────────────────┼──────────────────────┐
┌──────────────────┐   ┌──────────────────┐   ┌──────────────────┐
│ Director Assets  │   │  Deputy General  │   │ Director Planning│
│  and Environment │   │     Manager      │   │  and Assessment  │
└──────────────────┘   └──────────────────┘   └──────────────────┘
```

The Council employed 325 full-time equivalent staff at the time of the review. Staffing statistics supplied by the Council show that it has an ageing workforce, with 65% of its workforce aged over 45. The Council has a low staff turnover rate, which may contribute to the above statistic.
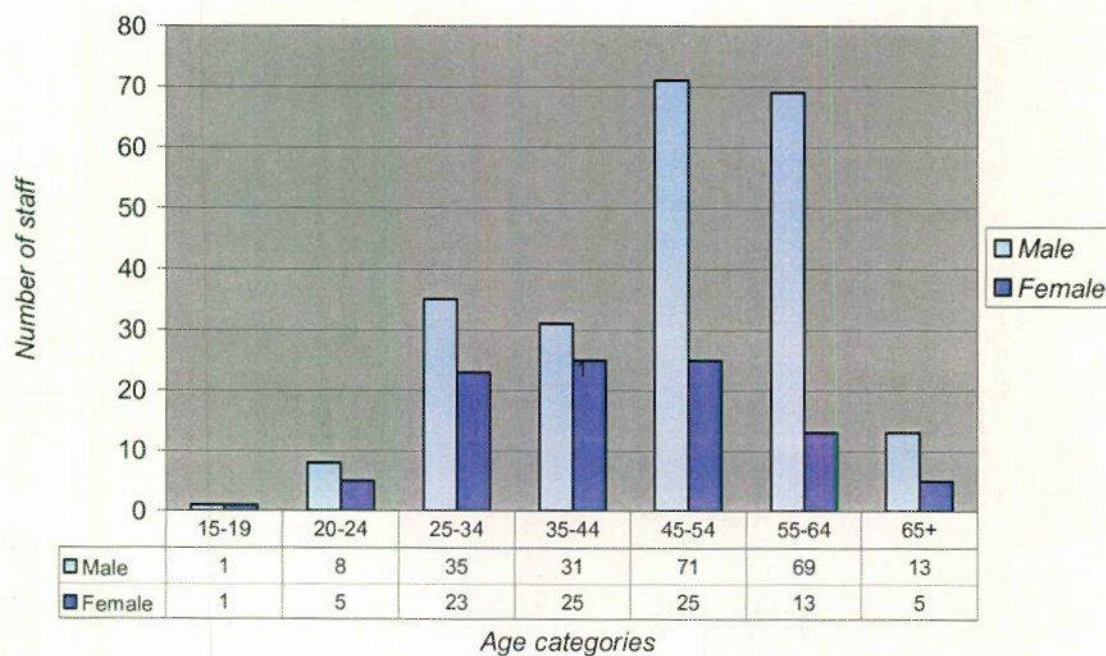
Workforce Relations

Overall, the Council appears to have a positive organisational culture with a motivated workforce.

A council's Workforce Management Strategy forms part of the Resourcing Strategy, helping to meet the community's priorities and aspirations, as expressed in the Community Strategic Plan, by having the right people in the right places with the right skills doing the right jobs at the right time. The development of an effective workforce strategy will enable the Council to plan its future workforce to deliver goals, focus on the medium and long-term, and also provide a framework for dealing with immediate workforce challenges in a consistent way.

The Council's Workforce Management Plan provides a good analysis of its current workforce profile and opportunities and challenges. The plan identifies broad strategies to address the identified challenges, but fails to show how or what will be done to address future needs. There are no timeframes for actions included in the plan. The plan does not include a succession plan, or address the Council's ageing workforce or skills shortage.

Diagram 4: Workforce Profile

	15-19	20-24	25-34	35-44	45-54	55-64	65+
☐ Male	1	8	35	31	71	69	13
■ Female	1	5	23	25	25	13	5

Age categories

Table 5:   Workforce Management Assessment

Area of assessment	Assessment of the Council's performance
Workforce Management Strategy and planning	⚠️
Employee surveys	✓
Employment contracts	✓
Consultative Committee	✓
Recruitment and selection	✓
Job descriptions and evaluation	✓
Employee remuneration	✓
Enterprise bargaining	✓
Equal Employment Opportunity	⚠️
Staff induction	✓
Grievance management	✓
Work Health and Safety	✓
Secondary employment	✓
Exit of staff	✓

Table key:	✶ Better practice	⚠️ Requires further development	✓ Satisfactory

6.3   SIGNIFICANT OBSERVATIONS

Better practice

The review team did not identify any practices beyond or above minimum compliance requirements and good practice indicators.

Requires further development

Workforce management

The Council does not have a succession plan for key positions/personnel.

Recommendation 25

The Council should incorporate succession planning into its Workforce Management Plan as a matter of priority.

Diversity of staff

The Council of the City of Botany Bay's population is culturally diverse with a higher than average proportion of residents born overseas (45% compared to 32% in Sydney as a whole). The Council is unaware if the composition of its workforce reflects the diversity of the community it serves. It also does not have any strategies in place to ensure this diversity is reflected.

Recommendation 26

The Council should prepare a strategy to ensure its workforce reflects the diversity of the community it serves.

Equal Employment opportunity

The Council's current Equal Employment Opportunity Plan is brief and lacks detail. It is more of a summary than a plan. The key performance indicators in the plan are not measurable.

Recommendation 27

The Council should review its Equal Employment Opportunity Management Plan to incorporate more detail and achievable key performance indicators.

Diversity and equity policy

The Council's Diversity and Equity Policy is basically a summary, with no details on how the Council's objectives will be met.

Recommendation 28

The Council should review its Diversity and Equity Policy to include details on how it will meet its objectives.

The Council's response

With regard to recommendation 27, Council's current Equal Opportunity Management Plan is based on the NSW State Government plan. However, Council will review its current plan to incorporate more detail and achievable key performance indicators as recommended by the review.

PART IV   SERVICES TO THE COMMUNITY

7   COMMUNITY AND CONSULTATION

7.1   SCOPE

A council's charter requires that it:

- provides services after due consultation
- facilitates the involvement of councillors, members of the public, users of facilities and services, and council staff in the development, improvement and coordination of local government
- actively promotes the principles of multiculturalism
- plans, promotes and provides for the needs of children
- keeps the local community and State government informed about its activities.

The Community Strategic Plan prepared by each council captures the main priorities and aspirations of its community and includes strategies for achieving those goals. This section of the report examines the services and facilities the council provides for the community, social planning and services provided to cater to the needs of social justice groups within its community are also considered.

7.2   OVERVIEW

The local government area has an increasingly ageing population. The area is also very culturally diverse, with 45% of residents born overseas.

The Council, therefore, experiences a high demand for community services, and provides a wide range of services to its community, including library services, Meals on Wheels, centre-based meals (aged service twice a week), shopping services for aged residents who are unable to do their own shopping, lawn mowing service for aged residents, child day care centres etc.

The Council appears to engage well with the community, particularly on strategic planning matters. It also utilises a variety of effective mechanisms to communicate with the community.

Table 6:   Community and Consultation Assessment

Area of assessment	Assessment of the Council's performance
Social and community planning	✓
Ageing population	✓
Community participation and engagement	⚠
Communication policy	✶
Reporting to the community	✓
Cultural planning	✓
Multiculturalism	✓
Tourism	✓
Economic development	✓

Table key: ✶ Better practice   ⚠ Requires further development   ✓ Satisfactory

7.3   SIGNIFICANT OBSERVATIONS

Better practices

Communicating with the community

The Council communicates effectively with the local community in a variety of ways. A good example is the 2010/11 Annual Report summary, which the Council distributed to every household in the area. The report summary was presented in a clear and concise format, and provided key information about the Council's operations, key achievements and broad strategic priorities. The Council's Mayor also publishes a weekly column in local newspapers, providing information for residents on the Council's activities.

The Council's website contains a wide variety of information about the Council's activities, the local area, and current news. The website also provides details about a number of key Council services and programs translated into the top five languages for the Council area.

The Council's increasing use of social media, including Facebook and Twitter is also noted. These can be effective tools for councils to provide information to particular social groups who may not otherwise be engaged, including young people.

The Council is commended for its publications in multiple languages aimed at all sectors of the community.

Requires further development

Community Participation and Engagement

The Council has recently developed a Customer and Services Standards Policy, but has not put in place any procedures to collect and review information on its performance against the standards set in the Policy.

Recommendation 29

The Council should put in place procedures to collect and review information on its services performance and compare to its policy.

The Council's response

Procedures are being developed in order to monitor and review performance against standards adopted. This will be introduced in 2013/2014.

8   LAND-USE PLANNING

8.1   SCOPE

Councils must undertaken strategic planning functions specifically relating to land use as required by the *Environmental Planning and Assessment Act 1979*. Through zoning and development controls, land-use planning outlines how the land in a Local Government Area can be used and developed. This is important to protect environment and heritage areas, control growth and help support the objectives of the Community Strategic Plan.

8.2   OVERVIEW

The Council's area has a historic mix of residential, commercial and industrial uses. Later, the airport and Botany container terminal were added to the mix. More recently, the heavy industries have given way to warehousing and to airport service industries. The mix of residential, industrial and specialist uses has led to traffic and noise conflicts. Additionally, some former industrial uses, particularly the Orica plant, have emphasised long-standing pollution issues.

The Council has been carrying out the task of preparing its new local environment plan. While the process is not yet complete, the Council is well down the path of having the new plan in force in the near future.

While the Council has been able to meet the State Government's population targets, its proximity to the city and the availability of large former industrial areas for residential occupation will continue to exert pressure on the Council's planning and development functions. The Council must deal with these issues in its strategic land use planning and in its approvals processes.

Table 7:   Land-use Planning Assessment

Area of assessment	Assessment of the Council's performance
Strategic land use instruments	⭐
Development applications process	⭐ ⚠
Contribution plans and planning agreements	⭐
BASIX	⭐

Table key: ⭐ Better practice   ⚠ Requires further development   ✓ Satisfactory

8.3   SIGNIFICANT OBSERVATIONS

Better practice

Development applications process

There are few complying developments within the Council area due to groundwater and aircraft noise issues. This places additional responsibility on the Council to consider and determine applications for development consent.

Development applications are classified as routine, affected by noise or contamination issues, or contentious.

Developments are variously dealt with by staff under delegation (about 70%), by the Development Committee, or by the Council at its ordinary meetings. Uniquely, the Development Committee has delegated authority to consent to various planning issues, including development applications, if its decision is unanimous.

The Council's development application determination processes operate to limit the involvement of the full Council to only contentious applications.

There is strong involvement by the development and assessment team to work with applicants and the community to resolve issues. If the community objects to a proposal,

the Council establishes a consulting committee that brings together the community and the applicant. The Council appoints one representative, and community meetings are held to clarify and to resolve issues. The committee continues until the development is completed and, if there are ongoing issues, until they are resolved. In this sense, the Council takes a very 'hands on' approach to contentious developments.

The Council also provides a pre-lodgement service through its Design Review Panel, which was established in 1990. The panel has three members: an academic, a practising architect and a town planner. All new commercial, industrial, multi-unit housing and residential flat buildings are required to be presented to the Design Review Panel.

Contribution plans and planning agreements

The Council has entered into a number of planning agreements. The Council has used the agreements to grant concessions to developers, such as increased floor space ratios to allow greater internal amenity to respond to noise issues. In doing so, it has not foregone the usual developer contributions. The form of the agreement adopted by the Council appears to be comprehensive and to provide suitable protections.

Requires further development

Strategic land use instruments

The Council is mindful of the strategic challenges it faces. It has adopted strategies to mitigate noise and traffic conflicts by isolating industrial traffic. In order to deal with noise issues, the Council has permitted an increase in the size of new residential unit developments above SEPP 65 to facilitate greater amenity within the units.

Contamination concerns are an ongoing issue and will require ongoing work, particularly as contamination has affected groundwater. Further work is required because not all of the former heavy industry sites have been audited. The Council needs to continue to work with other tiers of government to obtain a full understanding of pollution issues affecting the Council area.

The Council's current Local Environment Plan dates back to 1995. The Council has recently prepared and exhibited a draft Local Environment Plan that reflects the model planning provisions. It expects that the draft will go to the Council for adoption in the near future, and the Council aims to have the new Local Environment Plan in place in early 2013.

The draft Local Environment Plan provides for a residential component of about 30% of the local government area, similar to the existing Local Environment Plan. The residential component is largely untouched as the Council has been able to meet its population targets within its existing residential land stock.

The Council's planning focuses on residential growth adjacent to its transport hubs, most notably Mascot station. A new commercial/residential area is also proposed on the former British American Tobacco (BAT) site. This is a large area of land that has become available due to the contraction of BAT's operations to warehousing rather than manufacturing.

The Council is currently undertaking the process of bringing its development control plans into a single Development Control Plan under the model planning provisions.

The Council needs to complete these planning processes.

Recommendation 30

The Council needs to complete the processes to adopt its new Local Environment Plan and a single Development Control Plan.

Development application process

The Council's 'hands on' approach to developments appears to be reflected in lengthy turnaround times.

The Council has demonstrated significantly lengthy development application turnaround times for many years. In 2010–11, the Council had the 5th highest turnaround times in the State; in 2009–10, the Council had the 2nd highest turnaround times in the State; in 2008–09, the Council had the 4th highest turnaround time of the Sydney Councils; and in 2007–08, the Council had the 9th highest turnaround times in the State. This issue is

highlighted by the Council's continued lengthy turnaround times for residential alterations and additions over the same period.

The Council's May 2012 report on development applications received indicates a significant backlog of development applications. While the following month's report indicated fewer outstanding reports, there are ongoing concerns that there are significant delays in processing times.

Further, a review of the reports indicates that there are a number of development applications that remain undetermined after in excess of one year since lodgement. This would suggest the Council is not finalising development applications that are not being actively pursued.

As is suggested elsewhere in this report, the Council should audit its development applications determination processes with a view to improving its performance. The Council should also deal with inactive applications by determination or by seeking withdrawal of such applications.

Recommendation 31

The Council should take immediate steps to deal with inactive development applications by determination or by seeking withdrawal of such applications.

The Council's response

Council is currently awaiting Gazettal of the Local Environmental Plan (LEP) which is currently with the Department of Planning. Council has met the scheduled timeframes set by the Department of Planning. Council's Development Control Plan (DCP) is due for completion in June 2013. Council is conducting a review of all inactive development applications and this review is due for completion in December 2013. The 2013/2014 Internal Audit Plan has a scheduled internal audit of the Development Assessment function. This report will be provided to the Internal Audit Committee when completed in accordance with the Audit Charter.

9 REGULATORY FUNCTIONS

9.1 SCOPE

The Council exercises regulatory functions in relation to a range of activities within its area. The efficiency and probity of the Council's regulatory functions is important for effectively managing the Council's responsibilities and for preserving public trust in the Council and its staff. Regulation is important to achieve a wide range of social, economic, civic leadership and environmental goals.

9.2 OVERVIEW

Although the Council's geographic area is relatively small, the relative significance of the three major land uses (residential, industrial and airport) has the potential to create conflicts. This is particularly so as both airport and industrial uses may adversely affect the amenity of residents.

Similarly, industrial uses, particularly historical uses, may raise significant pollution and other regulatory issues.

Council is active in undertaking its regulatory responsibilities. This is evidenced by the issue of 433 orders in the two-year period prior to the review, which is, in part, a reflection of the issues which arise in a community where residential and industrial uses coexist.

Table 8:   Regulatory Functions Assessment

Area of assessment	Assessment of the Council's performance
Graffiti	✔
Enforcement	☀ ⚠
Environmental management	⚠
Companion animals	☀ ⚠
Water safety (swimming pools)	☀

Table key: ☀ Better practice   ⚠ Requires further development   ✔ Satisfactory

9.3   SIGNIFICANT OBSERVATIONS

Better practice

Enforcement

The Council maintains a comprehensive record of its statutory inspections, colour coded by reference to the standards demonstrated on inspection. This allows the Council to quickly see what premises may require greater scrutiny.

Companion Animals Community Education

During the onsite visit, the Council advised that enforcement officers inform dog owners and other park users of responsible pet ownership practices while regularly patrolling parks, public places and designated off-leash areas. The review team was also informed that the Council supplies enforcement officers with temporary leashes to provide to dog owners found not to have their dogs under effective control in these parks and public places. This is a positive initiative that helps to ensure the immediate compliance with the legislation and reduce the risk of the dog becoming involved in an incident.

It is also noted that the Council periodically publishes information promoting responsible ownership of cats and dogs in community publications such as *Your City* and *Southern Courier*.

Water safety (swimming pools)

The Council operates one pool that has a large picnic area which is very popular. The pool has been audited by the Royal Life Saving Association. There are few domestic pools in the area.

While the Council does not currently have a program to check pool compliance on-site, it has developed a unique program to re-enforce pool safety issues to local pool owners through the use of a sticker attached to all residents' waste bins. The sticker incorporates safety messages for owners of pools. The Council has utilised staff on light duties to carry out the task of placing the stickers on the bins.

Requires further development

Enforcement

While the Council has a number of good enforcement strategies in place, the number of orders issued by the Council suggests a need for continued vigilance in its enforcement activities.

The Council indicates that it has had some significant issues with private certifiers. Where the Council becomes aware of issues outside the terms of its consent it will take direct action including, as necessary, court proceedings. Additionally, the Council has brought direct claims against certifiers in relation to certification of work.

The Council is currently preparing an enforcement and prosecutions policy, and is encouraged to complete this task as soon as possible.

Recommendation 32

The Council should complete the task of preparing its enforcement and prosecutions policy.

Environmental management

The Council is currently undertaking a flood study which will provide the foundation for the development of a stormwater management plan. Local flood areas have been identified and the Council has been undertaking a process of upgrading drainage facilities in these areas. The Council needs to complete the work of developing a stormwater management plan.

Somewhat surprisingly, discussions with Council staff indicated that not many chemical incidents arise. This was particularly interesting given the former heavy industrial base, the known pollution of the Orica site, and ongoing industrial activity in the area.

Orica's website indicates that the groundwater beneath Botany Industrial Park and nearby areas has been contaminated as a result of previous manufacturing activities. The website indicates that Orica has taken steps to contain the contaminated groundwater to prevent it from entering Botany Bay and to treat it to usable standard.

Significantly, Orica indicates that the groundwater is flowing in a south-westerly direction towards Botany Bay, at about 110-150 metres per year. Further, it notes that the groundwater plumes are of different contaminants in varying concentrations and depths. The Council is encouraged to continue working with other tiers of government regarding pollution issues affecting the Council area.

The Council is one of a relatively few number of councils to provide its own waste management services. It has recently been reported that the Council was Sydney's worst performing local government area for waste management, recovering just 24% of waste. This reflects earlier waste and resource recovery data reports, which in the previous year had indicated that the Council was the only Sydney local government area below the NSW baseline of 26%.

The Council is currently reviewing its waste management strategy and should take steps to ensure that it adopts strategies to increase its recoverability levels.

Recommendation 33

The Council should complete its flood study and develop a stormwater management plan.

Recommendation 34

Removed.

Recommendation 35

The Council should develop and adopt a waste management strategy that will increase its waste recoverability levels.

Companion Animals

1. Plans, policies and procedures:

The Council advised that its Strategic Companion Animals Management Plan was developed in 2001, and it intends to develop and adopt a new plan. The Council should do so in conjunction with a Companion Animals Community Education Program.

The Council has commenced developing a new Enforcement Officer Training Program and a Companion Animal Enforcement Guideline. This is a positive step as the training program will ensure that Council officers have the required skills and knowledge to perform their enforcement role. The guideline will also provide clarity for the Council's officers and the local community on how officers exercise their regulatory functions in relation to cats and dogs in the local area. These documents should complement any Enforcement and Prosecution Policy developed by the Council relevant to the Companion Animals legislative process.

2. Community education

The Council utilises opportunities to engage face-to-face with the community when enforcement officers patrol parks and public places. However, the Council could build on this initiative and develop a Companion Animals Community Education Program. This program should provide guidance on how the Council will promote responsible pet ownership practices, including, but not limited to, microchipping, registration and de-sexing of cats and dogs residing in the local area.

The Council does not currently provide discounted microchipping. The Council may consider this as part of an education promotional strategy, if resources permit.

The Council contracts its pound services to Sydney Dogs and Cats Home, which also provides pound services to a number of other councils located in the Sydney metropolitan area. There is currently no information on the Councils website or any reference to the pound services provided to the Council by Sydney Dogs and Cats Home to assist the people who have lost or found companion animals.

The Council does provide information on designated off-leash dog exercise areas on its website. However, the Council should consider also publishing information on responsible pet ownership practices and the services the Council provides the community for managing companion animals in its area on the Councils website.

3. Identification and registration

The number of cats (2,120) and dogs (4,830) residing in the Council area is relatively low compared to neighbouring councils such as City of Sydney, Rockdale, Marrickville and Randwick City Councils.

The Council's rate of companion animal registration (cats 43%, dogs 65%) is reflective of the state average for both cats (43%) and dogs (61%). Currently, 98% of cats that are registered in NSW are also de-sexed. This suggests that the more cats that are registered, the more likely they will be de-sexed.

The Council should consider developing strategies and implement procedures to actively increase compliance with the identification and registration of both cats and dogs residing in its area.

Recommendation 36

The Council should develop a Strategic Companion Animals Management Plan in conjunction with the guidelines issued by the Division of Local Government and make the plan publically available on the Council's website.

Recommendation 37

The Council should finalise its Companion Animal Enforcement Guidelines and ensure it complies with the 'NSW Ombudsman's Enforcement Guidelines for Councils', and make it publicly available on the Council's website.

Recommendation 38

The Council is encouraged to develop a Companion Animals Community Education Program to promote responsible pet ownership practices such as microchipping, registration and de-sexing, and make the program plan publicly available on the Council's website.

Recommendation 39

The Council should consider publishing further information on responsible pet ownership practices and the services the Council provides the community for managing companion animals in its area, on its website.

The Council's response

With regard to recommendation 33, Council has already completed two flood studies with further work progressing. When all the current work is completed, over eighty-five (85%) per cent of the Council area will have been reviewed. A stormwater management plan will then be developed following completion of the flood studies.

With regard to recommendation 34, Council currently works with other stakeholders in government and across industry and is fully aware of pollution issues with the Council area. This is also exemplified in Mayoral Minute No 01, 30 January 2013. Council is unaware of any matter that would warrant recommendation 34 and requests deletion of this recommendation.

The Review Team's comments

The Council's comments in relation to pollution issues are acknowledged and recommendation 34 has been removed. Continuing its work with various stakeholders as well as the community to address ongoing pollution issues is clearly part of the Council's forward agenda.

PART V   RECOMMENDATIONS AND ACTIONS

10   RISK RATINGS

The recommendations made in this report are listed in the Action Plan in the following section. The review team have given each recommendation a notional priority ranking using the risk matrix below. The Council is encouraged to use the matrix to confirm or change the risk ranking provided in the action plan.

	CONSEQUENCE		
	Significant	**Moderate**	**Minor**
	Significant risk to the operations of the Council and if not addressed could cause public outrage, non-compliance with the Council's statutory responsibilities, severe disruption to the Council's operations and the Council's ability to meet its goals.	*Moderate risk to the operations of the Council and if not addressed could cause adverse publicity, some disruption to the Council's operations and the Council's ability to meet its goals.*	*Minimal risk to the operations of the Council, little disruption to the Council's operations and will not limit the Council's ability to meet its goals.*
Almost certain	High	High	Medium
Possible	Medium	Medium	Low
Rare	Medium	Low	Low

(LIKELIHOOD labels the leftmost column for Almost certain, Possible, Rare)

Priorities for recommendations: *(based on application of risk analysis)*	Risk categories could include:
• **High** • **Medium** • **Low**	• Reputation • Compliance with statutory requirements • Fraud/corruption • Financial • Legal liability • Work health and safety.

11 ACTION PLAN

The Action Plan is to be completed and adopted by the Council to guide the implementation and monitoring of the recommendations in this report. The reviewers have allocated notional priority rankings using the risk rating analysis in the previous section. The Council is encouraged to review and revise these, if necessary.

RECOMMENDATION	PRIORITY	ACTION PROPOSED	TIMEFRAME	RESPONSIBILITY	PROGRESS REPORT
1 The Council should provide further guidance to councillors in relation to their obligations to declare pecuniary and non-pecuniary conflicts of interest.	*High* **Completed**	Since the DLG visit, Council has provided training to Councillors on 6 February 2013 in the Code of Conduct including pecuniary and non-pecuniary conflict of interests. Council also now requires a written declaration on the conflict and these are fully recorded in minutes. Council will continue to provide information to Councillors as required.	Completed	General Manager	

#	Recommendation		Response	Timeframe	Responsibility
2	The Council should provide training in risk management to a wider group of staff.	Medium	Council will provide risk management training as part of its "Botany Way" training program to a wider group of staff including manager and coordinator level.	Scheduled for 2013/2014 year training budget.	Deputy General Manager
3	The Council should consider auditing its risk management function and its development assessment function.	High	The Development Assessment function is already included in the 2013/2014 internal audit plan. The auditing of the risk management function will be referred to the Audit Committee for their review and consideration and inclusion into the Audit Plan if required.	June 2013	Deputy General Manager

4	The Council should broaden the role of the audit committee/internal auditor to include organisational audits.	High	The inclusion of organisational audits will be referred to the Audit Committee for their review and consideration including inclusion into the Audit Plan if required.	June 2013	Deputy General Manager
5	The Council should consider amending its procurement polices and procedures to provide greater safeguards in purchases over $2,000 and to ensure greater market testing.	Medium	All procurement policies and procedures are scheduled to be reviewed by the end of 2013 and will include greater safeguards and market testing in purchases over $2,000.	December 2013	Deputy General Manager

6	The Council should take a whole-of-contract approach to its procurement processes.	*Medium*	All procurement policies and procedures are scheduled to be reviewed by end 2013 to include a whole-of-contract approach to its procurement processes.	December 2013	Deputy General Manager
7	The Council needs to complete the good records management work undertaken so far by developing records management procedures.	*Medium*	Records management procedures will be developed in accordance with State Records and best practice guidelines.	June 2013	Deputy General Manager
8	The Council should consider a re-design of its website to make it more user-friendly, and to provide better services to residents, ratepayers and the wider community.	*Low*	A re-design of the Council's website is currently in progress.	This re-design is due for completion in December 2014.	Deputy General Manager

9	The Council should review its compliance with the Government Information (Pubic Access) Act and take the steps that may be required to comply with the Act.	Low	As noted earlier there is a lack of foundation in the report for this recommendation. Therefore council requests deletion of this recommendation.	Deletion	Deputy General Manager
10	The Council should review the extent of Mayoral delegations in light of the constraints imposed by the Act, and in order to better reflect the statutory role of councillors.	High	Council will seek external advice on the specific wording of the Mayoral delegations and update the delegation document accordingly.	October 2013	Deputy General Manager

11 The Council should facilitate opportunities for greater public participation in its meetings as part of the review of its code of meeting practice.	High	Currently members of the public may address any Council Committee Meeting under the Code of Meeting Practice. Council will review its Public Address Policy in conjunction with its review of the Code of Meeting Practice.	June 2013	Deputy General Manager
12 The Council should re-consider its approach to the provision of councillor expenses and facilities, and ensure that it meets the indemnity and other principles of the Act, the Regulations and the guidelines.	High	Council will review its provision of Councillor expenses and facilities policy to ensure compliance with Act, the Regulations and the guidelines.	July 2013	Deputy General Manager

13	The Council should continue to review, develop and adopt appropriate policies and procedures to strengthen its governance framework.	*Medium*	Council has a plan to continually review and adopt current and additional policies and procedures to continue strengthening its governance framework.	Ongoing	Deputy General Manager
14	The Council should develop and publish on its website a Community Engagement Strategy as required under section 402 of the Local Government Act 1993.	*High*	Council will develop a Community Engagement Strategy in conjunction with its Community Strategic Plan for 2013-2023.	December 2013	General Manager
15	The Council should develop and include in its Delivery Program and Operational Plan measurable performance indicators and assessment methods.	*Medium*	Council will develop and include in its 2013-2017 Delivery Program and Operational Plan measurable performance indicators and assessment methods.	December 2013	General Manager

| 16 | The Council must develop and include projected Balance Sheets, Cash Flow Statements, performance measures and a sensitivity analysis in its Long-Term Financial Plan. | Medium | Council will develop and include projected Balance Sheets, Cash Flow Statements, performance measures and a sensitivity analysis in its 2013-2023 Long-Term Financial Plan. | December 2013 | General Manager | |
| 17 | The Council should strengthen its Workforce Management Plan by including strategies that it intends to implement to achieve its objectives over the next four years. | Medium | Council will strengthen its 2013-2017 Workforce Management Plan by including strategies that it intends to implement to achieve its objectives. | December 2013 | General Manager | |

18	The Council must further develop its Asset Management Plans, and clearly show its required asset maintenance spending and asset replacement requirements.	*Medium*	Council will further develop its Asset Management Plans, and clearly show its required asset maintenance spending and asset replacement requirements.	Various Plans culminating between 2013/2014 and 2014/2015	General Manager
19	The Council should continue to closely monitor its financial position and ensure it returns to operating surpluses before capital grants.	*High*	The 2013/2014 financial year results are currently on track to record an operating surplus (refer quarterly statements presented to Council, available on Council's website). The long term financial year plan provides for operating surpluses before capital grants.	Ongoing	Deputy General Manager

20	The Council should review its Airport Maintenance Business Unit's costs to reduce the operating deficits that are being recorded.	High	Council is currently reviewing its Airport Maintenance Business Unit's costs to reduce the operating deficits that are being recorded. This concerns the way in which internal transactions are being recorded. Council is seeking to rectify this matter.	December 2013	Deputy General Manager

21 The Council should take active steps to reduce outstanding rates and annual charges.	*High*	Council is taking steps to reduce outstanding rates and annual charges through its Debt Recovery Policy and Hardship Policy. As advised, in the previous period there was one large business rate outstanding which has now been paid and was accordingly notated in Council statements. Council will continue to monitor this issue and implement its policies.	Ongoing	Deputy General Manager
22 The Council should develop an Asset Rationalisation Plan.	*Medium*	Council will develop an Asset Rationalisation Plan.	December 2014	Director Assets & Environment

23 The Council should ensure that its Quarterly Budget Review Statement is compliant with the guidelines.	High **Completed**	Council's March 2013 Quarterly Budget Review Statement is compliant with the guidelines and will be reviewed by Council at the April Council meeting.	Completed	Deputy General Manager
24 The Council should include its Quarterly Budget Review Statement with the General Meeting Agenda and be published on the Council's website.	High **Completed**	Council has now included its Quarterly Budget Review Statement with the General Meeting Agenda and it is published on the Council's website.	Completed	Deputy General Manager

25 The Council should incorporate succession planning into its Workforce Management Plan as a matter of priority.	High	Council will incorporate succession planning into its 2013- 2017 Workforce Management Plan in conjunction with Recommendation 17. Key positions subject to succession planning have been identified and steps are being taken to address succession planning for these key positions.	December 2013	Deputy General Manager
26 The Council should prepare a strategy to ensure its workforce reflects the diversity of the community it serves.	Low	Council will prepare a strategy to ensure its workforce reflects the diversity of the community it serves.	December 2014	Deputy General Manager

27	The Council should review its current Equal Opportunity Management Plan to incorporate more detail and achievable key performance indicators.	*Low*	Council has based its current Equal Opportunity Management Plan on the NSW State Government plan; however, Council will review its current plan to incorporate more detail and achievable key performance indicators.	December 2014	Deputy General Manager
28	The Council should review its Diversity and Equity Policy to include the details on how it will meet its objectives.	*Low*	Council will review its Diversity and Equity Policy to include the details on how it will meet its objectives.	December 2014	Deputy General Manager

| 29 | The Council should put in place procedures to collect and review information on its service performance, and compare this to its policy. | Low | Council will put in place procedures to collect and review information on its service performance, and compare this to its policy. | December 2014 | Deputy General Manager |
| 30 | The Council needs to complete the processes to adopt its new Local Environment Plan and a single Development Control Plan. | Low | Council is currently on track and has complied with the Department of Planning timeframes to complete the processes to adopt its new Local Environment Plan and a single Development Control Plan. Council is currently awaiting Gazettal of the LEP. The DCP is due June 2013. | LEP – Council work completed

DCP – June 2013 | Director Planning & Assessment |

31	The Council should take immediate steps to deal with inactive development applications by determination or by seeking withdrawal of such applications.	High	Council is currently reviewing its inactive development applications. The Development Assessment function is already on the 2013/2014 audit plan.	December 2013	Director Planning & Assessment Deputy General Manager
32	The Council should complete the task of preparing its enforcement and prosecutions policy.	Medium	Council will ensure that the enforcement and prosecutions policy is finalised and implemented.	June 2014	Director Assets & Environment
33	The Council should complete its flood study and develop a stormwater management plan.	Medium	Council has completed two flood studies to date. When all current work is completed 85% of the LGA will be covered. A stormwater management plan will be developed following completion of the flood studies.	December 2014	Director Assets & Environment

34	Removed.		
35	The Council should develop and adopt a waste management strategy that will increase its waste recoverability levels.	*High*	Council is currently reviewing its waste management strategy to increase its waste recoverability levels.	June 2014	Director Assets & Environment
36	The Council should develop a Strategic Companion Animals Management Plan in conjunction with guidelines issued by the Division of Local Government, and make the plan publically available on the Council's website.	*Medium*	Council will develop a Strategic Companion Animals Management Plan in conjunction with guidelines issued by the Division of Local Government, and make the plan publically available on the Council's website.	June 2014	Director Assets & Environment

| 37 | The Council should finalise its Companion Animal Enforcement Guidelines and ensure it complies with the 'NSW Ombudsman's Enforcement Guidelines for Councils', and make it publicly available on the Council's website. | Medium | Council will finalise its Companion Animal Enforcement Guidelines and ensure it complies with the 'NSW Ombudsman's Enforcement Guidelines for Councils', and make it publicly available on the Council's website. | December 2013 | Director Assets & Environment |
| 38 | The Council is encouraged to develop a Companion Animals Community Education Program to promote responsible pet ownership practices such as micro chipping, registration and de-sexing, and make the program plan publicly available on the Council's website. | Medium | Council will seek to develop a Companion Animals Community Education Program to promote responsible pet ownership practices such as micro chipping, registration and de-sexing, and make the program plan publicly available on the Council's website. | June 2014 | Director Assets & Environment |

39 The Council should consider publishing further information on responsible pet ownership practices and the services the Council provides the community for managing companion animals in its area, on its website.	Medium	Council will consider publishing further information on responsible pet ownership practices and the services Council provides the community for managing companion animals in its area, on its website.	June 2014	Director Assets & Environment