

**AUBURN CITY COUNCIL**

REPORTS TO THE  
**EXTRAORDINARY MEETING OF COUNCIL**  
TO BE HELD IN THE COUNCIL CHAMBERS  
CIVIC PLACE, 1 SUSAN STREET, AUBURN  
ON MONDAY, FEBRUARY 15, 2016  
COMMENCING AT 5.00PM

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## AUBURN CITY COUNCIL

February 15, 2016  
To the Extraordinary Meeting of Council

General Manager's Report

**006/16      Disclosure of Interests**

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C-27-08/03      MB : MW

The provisions of Chapter 14 of the Local Government Act, 1993 regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest and the reasons for declaring such interest must be disclosed as soon as practicable after the start of the meeting.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions or voting on that matter and further require that the member vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

**RECOMMENDATION**

***That where necessary any person now disclose any interest and the reason for declaring such interest in the matters under consideration by Council at this meeting.***

**AUBURN CITY COUNCIL**

February 15, 2016  
To the Extraordinary Meeting of Council

General Manager's Report

**007/16      Joint Regional Planning Panel (JRPP) Membership Report**

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T-10-06/09

**SUMMARY**

This report proposes a change to the Council appointed membership of the Joint Regional Planning Panel.

**RECOMMENDATION**

- 1. *That those members previously appointed to the Joint Regional Planning Panel (JRPP) be terminated due to the suspension of Council;***
- 2. *That those members previously appointed to the Joint Regional Planning Panel (JRPP) for the specific planning proposal for 1A/1B Queen Street, Auburn be terminated as the previous conflict of interest is now resolved;***
- 3. *That new members be appointed to the JRPP as detailed in the report and that the JRPP Secretariat be appropriately notified;***
- 4. *That the JRPP Council Policy be amended to remove the flat rate fee for members;***
- 5. *That Council delegate authority to the General Manager to negotiate an appropriate fee with the nominated panel members.***

**BACKGROUND**

On the 10 February 2016 the Local Government Minister issued an Order under Section 438W of the Local Government Act 1993 that resulted in the Councillors being suspended from office pending the outcome of a Public Enquiry.

In the meantime Mr Viv May has been appointed as the Interim Administrator of Auburn City Council and as such will assume the roles and responsibilities of the elected Council. This includes deciding membership and functions of any committees and/or State Government planning panels.

**REPORT**

Joint Regional Planning Panels were established by the State Government to provide independent, merit-based decision making on regionally significant development. Applications for the JRPP are assessed by council planning staff and then referred to the Panel for determination.

The Joint Regional Planning Panel comprises of three State Government appointed members and two Council appointed members. The current Auburn City Council members are suspended Councillors – Ned Attie and Hicham Zraika and alternate Le Lam.

In light of the suspension of the elected members it is appropriate that the panel membership be reviewed.

February 15, 2016

Executive Manager Planning's  
Report

To the Extraordinary Meeting of Council

Joint Regional Planning Panel (JRPP) Membership Report (cont'd)

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It should be noted that in relation to the specific planning proposal for 1A/1B Queen Street, Auburn, due to a potential conflict of interest by Council's nominated JRPP representatives, Council resolved and appointed two alternate members.

The alternate representatives are Mr Christopher Cassidy Solicitor, resident and former Councillor and Mr Glenn Francis, Executive Manager Planning, Auburn City Council.

The conflict of interest relating to this matter has been addressed due to the suspension of the elected Council and the proposed appointment of new members to the Panel.

The Joint Regional Planning Panels Code of Conduct at Section 12 titled "*Removal from office*" under clause 12.2 notes that "*The relevant Council may remove its nominee/s from office at any time and without notice. If so, the Council must notify the panel Secretariat.*"

Therefore it is recommended that the panel membership be amended by the appointment of persons to be determined from a short listing to be provided prior to the meeting and the JRPP Secretariat be informed of this decision.

Furthermore, Council's JRPP policy is proposed to be amended to remove the flat rate payment of \$600 per meeting to an appropriate fee arrangement with the appointed panel members recognising their skills and experience in town planning, urban design, architecture or engineering.