

PUBLIC NOTICE

FAIRFIELD CITY COUNCIL

ORDINARY COUNCIL MEETING AGENDA



Tonight's Council Meeting will follow the procedure of the items listed below:

- **ENTRANCE OF MAYOR**

All present to stand.

- **NATIONAL ANTHEM**

- **ACKNOWLEDGEMENT OF COUNTRY**

- **PRAYER**

Remain Standing. The Mayor will invite a Councillor to read either one of the following prayers:

"We thank thee Lord for being elected by our fellow men to this office of honour and trust. Give us grace diligently and honourably, free from private interest and prejudice, to discharge the duties entrusted to us to the common good of mankind. AMEN"

"We give thanks for being elected to this office of honour and trust. Give us grace, diligently and honourably, free from private interest and prejudice, to discharge the duties entrusted to us for the common good of mankind."

AGENDA ITEM 1: APOLOGIES AND LEAVE OF ABSENCE

The Mayor will invite apologies on behalf of Councillors not in attendance.

- **REMOTE MEETING ATTENDANCE**

The Mayor will confirm if any applications have been received to participate remotely via audio-visual link.

AGENDA ITEM 2: CONFIRMATION OF MINUTES

The minutes of the previous Council meeting are confirmed at this stage.

AGENDA ITEM 3: MAYORAL MINUTES

The Mayor will read out Mayoral Minutes, which are matters of interest to the Council, public and media.

AGENDA ITEM 4: NOTICES OF MOTION

Where a written Notice of Motion has been submitted, it is dealt with at this time.

AGENDA ITEM 5: QUESTIONS TO THE MAYOR

The Mayor will invite the Councillors to present any written questions.

AGENDA ITEM 6: REPORTS BY STANDING COMMITTEE CHAIRPERSON

As the following Committees have delegated powers, Council will only consider reports referred to Council by a Councillor or reports which are of such a nature that Council is unable to deal with it under delegation. The Chairperson of each Committee will present the report to Council. This includes supplementary reports relating to items from the various Committees and late items of correspondence.

- Outcomes Committee
- Outcomes Supplementary reports
- Services Committee
- Services Supplementary reports
- Traffic Committee

AGENDA ITEM 7: CLOSE SESSION

The Meeting will be closed to the Public for consideration of confidential items.

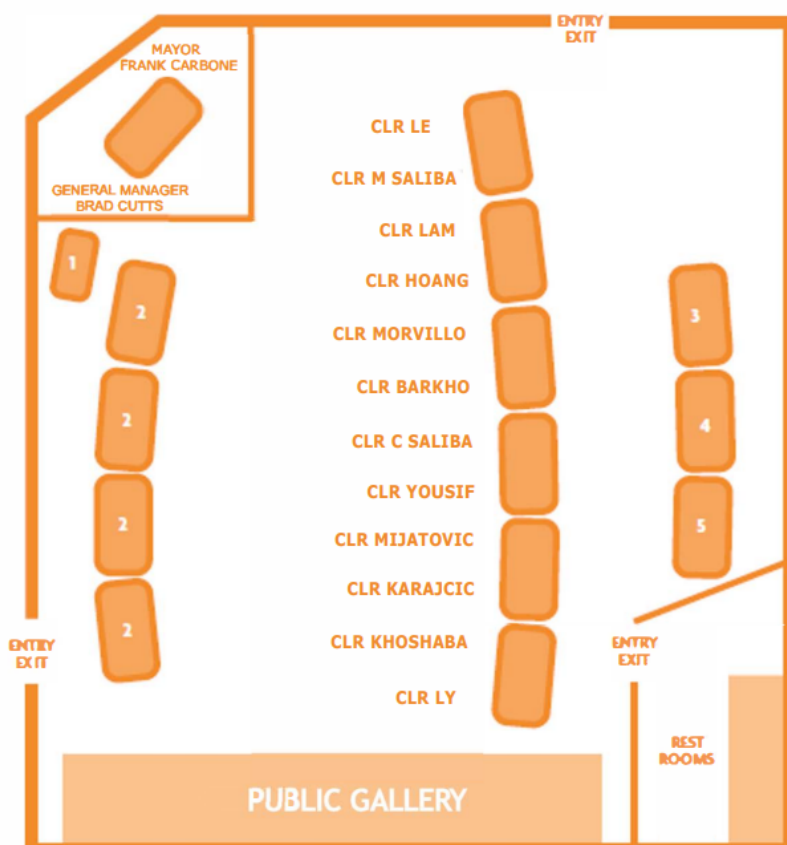
The Agenda will list all items to be considered Confidential and the reasons for the confidentiality.

NEXT COUNCIL MEETING

Ordinary meetings of the Council are held in the Council Chambers at 7.00pm on the 4th Tuesday of each month, subject to possible change due to Public Holidays.

SEATING ARRANGEMENTS FOR THE FAIRFIELD CITY COUNCIL CHAMBERS

1. Governance Officer
2. Executive Leadership Team
3. IT Support
4. Other Staff



It is trusted that you will find the above explanations of assistance in following the procedure at tonight's meeting.

Ordinary Council



DRAFT MINUTES

DATE OF MEETING: 18 November 2025

LOCATION: Council Chambers

TIME: 7.07pm

MEETING 1576

Administration Centre Wakeley

MINUTES OF THE MEETING OF COUNCIL OF THE CITY OF FAIRFIELD HELD IN THE COUNCIL CHAMBERS AT THE ADMINISTRATION CENTRE, AVOCA ROAD WAKELEY ON 18 NOVEMBER 2025 AT 7.07PM.

PRESENT:

His Worship Mayor Carbone (Chairperson).

Councillors Barkho, Hoang, Karajcic, Lam, Le, Ly, Mijatovic, Morvillo, C Saliba, M Saliba and Yousif.

Also in attendance were the General Manager, Deputy General Manager and Chief Financial Officer, Director City Assets, Director City Delivery, Director City Development, Director City Living, Director City Strategy, Director People, Culture and Operations, Manager Governance and Audit, IT Technician – Application Support (M Malik and S Prince), Governance Support Officer and Governance Officer (A Kargin).

National Anthem

All present, stood for the National Anthem.

Webcast Announcement

In opening the meeting, the Chairperson advised that the meeting is being livestreamed on Council's website and all present should refrain from making any defamatory statements.

Acknowledgement of Country

The Chairperson acknowledged the Cabrogal of the Darug nation, the traditional custodians of the land upon which the meeting was held. He acknowledged their elders, past and present, and other Aboriginal people present.

Prayer

The Prayer was read by Councillor M Saliba.

APOLOGIES AND LEAVE OF ABSENCE

An apology was tendered and Leave of Absence requested on behalf of Councillor Khoshaba.

MOTION: (Barkho/Yousif)

That the apology tendered on behalf of Councillor Khoshaba be accepted and leave be granted.

CARRIED UNANIMOUSLY

REMOTE MEETING ATTENDANCE

The Chairperson confirmed that no applications were received to participate remotely via audio-visual link.

CONFIRMATION OF MINUTES

MOTION: (Barkho/Karajcic)

That the Minutes of the Ordinary Council meeting held on 21 October 2025, Outcomes Committee meeting held on 11 November 2025 and Services Committee meeting held on 11 November 2025, be confirmed.

CARRIED UNANIMOUSLY

MAYORAL MINUTES

Surplus Land should be for Housing

When the NSW Government announced it would be selling hundreds of parcels of “surplus” community-owned land, it stated that it would follow “a robust, centralised process to assess Government property suitability for housing and address the housing supply shortage.”

There needs to be confidence among the community that surplus land held by the NSW Government is sold and developed for housing - with the community’s best interests at the centre of decision making – not as a fund-raising exercise.

The NSW Government has said that addressing the housing shortage is a top priority. However, no safeguards have been put in place to ensure that community-owned land is sold for housing. Instead, these sites, once sold, can be used for any purpose already permitted under their zoning, including places of public assembly or other non-housing uses.

In May 2023, the NSW Government paused the sale of Government-owned land and property while undertaking an audit to determine what could potentially be used to address the NSW housing supply shortage.

But the Government is simply selling surplus land and banking the revenue, without any transparent mechanism to ensure these sites help address the housing issue faced so urgently by our community. Not only that, there is no commitment from the Government that the funds raised by the sale of the land will be used to benefit our community – or spent on local housing needs. Instead they are likely to spend it elsewhere.

If the land cannot be guaranteed to be used for housing – then it should be kept in community hands and used for the benefit of the whole community, for example as a park and playground for locals to enjoy.

I will write to the NSW Premier and NSW Planning Minister calling for full transparency and a firm commitment that public land is genuinely prioritised to address the housing crisis — particularly for the most vulnerable who can least afford it.

MOTION: (Mijatovic/M Saliba)

That Council write to the NSW Premier and NSW Planning Minister calling for full transparency and a firm commitment that public land is genuinely prioritised to address the housing crisis, particularly for the most vulnerable who can least afford it.

A division was called by Councillors Mijatovic and Karajcic. The division was taken with the following results:

Aye	Nay
Mayor Carbone	Councillor Ly
Councillor Barkho	
Councillor Hoang	
Councillor Karajcic	
Councillor Lam	
Councillor Le	
Councillor Mijatovic	
Councillor Morvillo	
Councillor C Saliba	
Councillor M Saliba	
Councillor Yousif	
Total=(11)	Total=(1)

CARRIED

Fairfield City Lifetime Business Award

I am pleased to announce Paula Continental Cakes as the recipient of a Fairfield City Council Lifetime Business Award. This award honours businesses in our Local Government Area that have stood the test of time, operating for more than 25 years.

Paula Continental Cakes has been a cherished part of the Fairfield City community since it first opened its doors in 1982. For 43 years, this beloved bakery has been creating traditionally authentic Chilean continental sweets and pastries.

Owners Victor and Aglae Casanova arrived in Australia from Chile in 1980, carrying with them a dream to share the flavours and spirit of their culture with their new community.

With passion, resilience and an unwavering work ethic, they transformed that dream into reality, creating a bakery that has delighted generations of locals with its beautiful cakes and pastries.

From the moment you step inside Paula Continental Cakes, you can feel the heart of the Casanova family reflected in every creation from classic Chilean treats to European-style cakes that have become part of countless family celebrations across Fairfield. Their bakery has stood not only as a business, but as a symbol of love, perseverance and cultural pride.

Victor and Aglae's dedication has earned them the loyalty of the community and the admiration of all who appreciate their craft. For more than four decades, customers both local and from afar have continued to enjoy the delicious treats they have brought with them, helping to keep the rich flavours of their culture alive here in Australia.

Councillors, please join me in congratulating Victor and Aglae Casanova and the entire team at Paula Continental Cakes on this extraordinary milestone. This Lifetime Business Award is a testament to their excellence, their hard work and their lasting contribution to the Fairfield City community.

MOTION: (Morvillo/Barkho)

That the Mayoral Minute be received and noted.

CARRIED UNANIMOUSLY

Mayoral Community Benefit Fund

At the November Services Committee meeting, Council resolved to make a donation of five hundred dollars (\$500.00) from the Mayoral Community Benefit Fund to the Vietnam Foundation towards the Vietnam Foundation 30th Anniversary Celebration being held on 23 November 2025.

The 30th Anniversary Celebration will feature dance, music, traditional cuisine and cultural displays.

Council's contribution will support the Vietnam Foundation with the preparation, coordination and facilitation of the event including venue hire, equipment, decorations and catering.

Councillors, please join me in welcoming Nhan Ly, President and Janice Ly, Marketing Officer of the Vietnam Foundation to receive their donation.

Mayor Carbone invited Councillor Le to come forward and have a photo with the recipients.

MOTION: (Le/Lam)

That the Mayoral Minute be received and noted.

CARRIED UNANIMOUSLY

Fabulous Fairfield

Council's Fabulous Fairfield Program acknowledges the hard work and dedication of our City's keen gardeners. As part of the Fabulous Fairfield Program, Council also awards the best school garden of the year.

Schools are judged based on the general garden surrounds, sustainable initiatives such as vegetable gardens and composting functions, ornamental design including student artwork and signage, the diversity of plant materials used and school community involvement.

This evening, we are proud to announce that Bonnyrigg Public School is the winner of the 2025 Fabulous Fairfield School Garden of the Year Award. Bonnyrigg Public School has demonstrated an outstanding commitment to sustainability through its impressive agricultural program, effective composting practices, a wide variety of vegetable and herb gardens and a vibrant outdoor seating area overlooking the garden.

We also extend our congratulations to the 2025 runner-up schools, Our Lady of Mt Carmel Primary School and Fairfield West Public School, both recognised for their exceptional efforts. In addition, we acknowledge Bossley Park Public School and William Stimson Public School, both receiving the finalists' awards for their commendable gardens.

Each School Garden Award recipient will receive a potted plant and a financial contribution to support the continued maintenance and growth of their gardens. The winning school will also be presented with a banner and a trophy to commemorate their achievement.

Councillors, please join me in congratulating all recipients of the 2025 Fabulous Fairfield School Garden of the Year Award.

MOTION: (C Saliba/Le)

That the Mayoral Minute be received and noted.

CARRIED UNANIMOUSLY

QUESTIONS TO THE MAYOR

There were no questions to the Mayor for this meeting.

REPORT BY CHAIRPERSON OF THE OUTCOMES COMMITTEE - 11 NOVEMBER 2025

106: Quarterly Report for April to June 2025 Outlining Progress of the 2024-2025 Operational Plan and 2022/23-2025/26 Delivery Program
File Number: 24/14444

MOTION: (M Saliba/Yousif)

That:

1. The April to June 2025 Quarterly Report (Attachment A of the report), be received and noted.
2. The 3 projects identified to be discontinued in the April to June 2025 Quarterly Report be removed from the 2025-2026 Operational Plan as identified in the report.

CARRIED UNANIMOUSLY

REPORT BY CHAIRPERSON OF THE OUTCOMES SUPPLEMENTARY REPORTS - 18 NOVEMBER 2025

- 116:** Public Notice of Presentation of Financial Reports for the Year Ended 30 June 2025
File Number: 18/19419

MOTION: (M Saliba/Le)

That the report be received and noted.

CARRIED UNANIMOUSLY

- 117:** 2024-2025 Annual Report
File Number: 25/16049

MOTION: (M Saliba/Le)

That the report be received and noted.

CARRIED UNANIMOUSLY

- 118:** 2025-2026 Operational Plan - Quarterly Report (July to September 2025)
File Number: 25/15309

MOTION: (M Saliba/Mijatovic)

That:

1. The July to September 2025 Quarterly Report (Attachment A) be adopted.
2. The 20 projects identified to be discontinued in the July to September 2025 Quarterly Report be removed from the 2025-2026 Operational Plan.
3. The 7 projects identified to be postponed in the July to September 2025 Quarterly Report be removed from the 2025-2026 Operational Plan.
4. The 30 new projects and associated budgets in the July to September 2025 Quarterly Report be included in the 2025-2026 Operational Plan.
5. The 37 projects identified with scope changes in the July to September 2025 Quarterly Report be updated in the 2025-2026 Operational Plan.
6. The Budget Review Adjustments identified in Section 4 (Item 7) of the July to September 2025 Quarterly Report for that purpose, be voted.

CARRIED UNANIMOUSLY

- 119: SUBJECT:** Revised Planning Proposal for Smithfield RSL Club Site and Adjoining Lands
Premises: Multiple lots within a precinct bounded by Smithfield Road, Brenan Street, O'Connell Street and Neville Street Smithfield
Applicant: Capital Syndications Pty Ltd
Owner: The Leo McCarthy Memorial Smithfield RSL Club Sub-Branch Limited

**Ordinary Council
DRAFT MINUTES**

Meeting Date: 18 November 2025

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Zoning: R3 – Medium Density Residential
RE2 – Private Recreation

File Number: 20/01787

Councillor	Type of Interest	Nature of Interest	Action Taken/ Explanation Given
Councillor Yousif	Non-Pecuniary – Significant	I am a life member of the Club.	Councillor Yousif left and took no further part in debate or discussion.

Councillor Yousif left (7.37pm) the meeting.

MOTION: (M Saliba/Barkho)

That:

1. Council endorse the draft Planning Proposal (Attachment A of the report) to amend the Fairfield Local Environmental Plan (LEP) 2013 in relation to the Smithfield RSL Club site.
2. Council inform the NSW Department of Planning, Housing and Infrastructure and requests a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.
3. In requesting the Gateway Determination, Council advise the NSW Department of Planning, Housing and Infrastructure that Council seeks to utilise the delegation for LEP Plan Making (delegated by the Minister under Section 2.4 of the Environmental Planning and Assessment Act 1979).
4. A further report on a draft Site-Specific Development Control Plan for the subject site be referred to Council prior to public exhibition of the draft Planning Proposal.

A division was taken with the following results:

Aye

Nay

Mayor Carbone
Councillor Barkho
Councillor Hoang
Councillor Karajcic
Councillor Lam
Councillor Le
Councillor Ly
Councillor Mijatovic
Councillor Morvillo
Councillor C Saliba
Councillor M Saliba

Total=(11)

Total=(0)

CARRIED UNANIMOUSLY

Councillor Yousif returned (7.38pm) to the meeting.

REPORT BY CHAIRPERSON OF THE SERVICES COMMITTEE - 11 NOVEMBER 2025

- 160:** Waive Fee - Request from NSW Department of Education - 2026 Fowler Future Pathways Day at Fairfield Showground
File Number: 11/01943

Councillor	Type of Interest	Nature of Interest	Action Taken/ Explanation Given
Councillor Le	Non-Pecuniary – Significant	I am the Member for Fowler and my office is assisting with this event.	Councillor Le left and took no further part in debate or discussion.

Councillor Le left (7.39pm) the meeting.

MOTION: (C Saliba/Barkho)

That the Fairfield Showground hire fee for the 2026 Fowler Future Pathways Day event, be waived.

CARRIED UNANIMOUSLY

Councillor Le returned (7.39pm) to the meeting.

- 161:** Alcohol and Drug Foundation Grant - Fairfield Local Drug Action Team Community Action Plan 2025/2026
File Number: 25/00738

MOTION: (C Saliba/Morvillo)

That the grant of twelve thousand and ten dollars (\$12,010.00 exc. GST) offered by the Alcohol and Drug Foundation be received into the 2025-2026 Operational Plan for the Fairfield Local Drug Action Team Community Action Plan 2025/2026 and its expenditure for that purpose, be voted.

CARRIED UNANIMOUSLY

- 162:** National Australia Day Council Grant - Australia Day 2026 Community Awards and Community Events
File Number: 25/16267

A Memorandum was circulated by the Manager Communications and Marketing to Councillors prior to the meeting providing further information on this matter.

MOTION: (C Saliba/Mijatovic)

That the grant of ten thousand dollars (\$10,000.00 exc. GST) offered by the National Australia Day Council for the Australia Day 2026 community awards and events be received into the 2025-2026 Operational Plan and its expenditure for that purpose, be voted.

CARRIED UNANIMOUSLY

- 163:** NSW Department of Creative Industries, Tourism, Hospitality and Sport Grant, Create NSW Grant - Fairfield City Museum & Gallery's 2026 Annual Program
File Number: 24/00737

MOTION: (C Saliba/Mijatovic)

That:

1. The grant funding of four hundred and fifty thousand dollars (\$450,000.00 exc. GST) offered by the NSW Department of Creative Industries, Tourism, Hospitality and Sport through Create NSW for the Fairfield City Museum and Gallery Annual Program be accepted, with funds to be allocated for delivery over the next 3 years.
2. The first-year allocation of one hundred and fifty thousand dollars (\$150,000.00 exc. GST) from the grant be received into the 2025–2026 Operational Plan, for the multi-year project, Project IN261203 (Create NSW - Fairfield City Museum & Gallery's Exhibitions Program), and its expenditure for that purpose, be voted.

CARRIED UNANIMOUSLY

- 164 SUBJECT:** Request for Release of a Restriction on Use Registered on Lot 406 & Lot 408 in DP 1179410
:
Premises: 33 Newleaf Parade Bonnyrigg NSW 2177 (Lot 406 DP) & 37 Newleaf Parade Bonnyrigg NSW 2177 (Lot 408 DP)
Applicant: Donovan Wu (Homes NSW)
Owner: Homes NSW (formerly NSW Land and Housing Corporation)
Zoning: R1 – General Residential
File Number: 12/03677

MOTION: (C Saliba/Karajcic)

That:

1. The Release of the 'Restriction on Use', relating to Lot 406 (33 Newleaf Parade) & Lot 408 (37 Newleaf Parade) in DP 1179410, be endorsed.
2. The General Manager be authorised to finalise the release of the 'Restriction on Use' via an 88E Instrument, Deed and any other relevant documents, to certify Council's decision and enable completion of the matter.
3. All costs in relation to this matter to be borne by the Homes NSW.

CARRIED UNANIMOUSLY

- 165:** Voluntary House Raising Property Sales
File Number: 11/02974

CONFIDENTIAL - It is recommended that the Council resolve into Closed Session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2)(c)(d(i)) of the Local Government Act, 1993, on the grounds that:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; and*
 - (d(i)) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*
- and dealing with the matter in Open Session would be, on balance, contrary to the public interest.*

THIS CONFIDENTIAL ITEM WAS DEALT WITH IN CLOSED SESSION OF THE COUNCIL. FOR THE RESOLUTION PASSED BY COUNCIL IN CLOSED SESSION, REFER TO PAGE 14 OF THE MINUTES.

- 166:** EOI 001-26 Fairfield Showground Community and Events Centre
File Number: 25/14995

CONFIDENTIAL - It is recommended that the Council resolve into Closed Session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2)(d(i)) of the Local Government Act, 1993, on the grounds that:

- (d(i)) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*
- and dealing with the matter in Open Session would be, on balance, contrary to the public interest.*

THIS CONFIDENTIAL ITEM WAS DEALT WITH IN CLOSED SESSION OF THE COUNCIL. FOR THE RESOLUTION PASSED BY COUNCIL IN CLOSED SESSION, REFER TO PAGE 14 OF THE MINUTES.

REPORT BY CHAIRPERSON OF THE SERVICES SUPPLEMENTARY REPORTS - 18 NOVEMBER 2025

- 183:** Invitation to Negotiate Renewal of Contract from NSW Department of Communities and Justice
File Number: 20/07171

MOTION: (C Saliba/Yousif)

That:

1. Council delegate the General Manager to negotiate the Contract with the NSW Department of Communities and Justice for funding under the Communities and Families Support Program as outlined in the report.
2. The General Manager or his nominated delegate be authorised to execute the Contract and any associated documents.

CARRIED UNANIMOUSLY

MEETING CLOSED TO THE PUBLIC

PROCEDURAL MOTION: (M Saliba/Mijatovic)

That pursuant to Section 10A of the Local Government Act the meeting be closed to the public to consider the following confidential items of business and the grounds for such closure are stated hereunder:

165: Voluntary House Raising Property Sales

File Number: 11/02974

CONFIDENTIAL REPORT and ATTACHMENT

10A(2)(c)(d(i))

- (1) Pursuant to Section 10A(2)(c), (d(i)) the information in the **Report and Attachment** is confidential.
- (2) The matter to be discussed Voluntary House Raising Property Sales.
- (3) In relation to Section 10A(2) of the Local Government Act 1993, the reason why this part of the meeting should be closed is the matters and information is the following:
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business;
 - (d(i)) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it;and dealing with the matter in Open Session would be, on balance, contrary to the public interest.

166: EOI 001-26 Fairfield Showground Community and Events Centre

File Number: 25/14995

CONFIDENTIAL REPORT and ATTACHMENT

10A(2)(d(i))

- (1) Pursuant to Section 10A(2)(d(i)) the information in the **Report and Attachment** is confidential.
- (2) The matter to be discussed EOI 001-26 Fairfield Showground Community and Events Centre.
- (3) In relation to Section 10A(2) of the Local Government Act 1993, the reason why this part of the meeting should be closed is the matters and information is the following:
 - (d(i)) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it;

and dealing with the matter in Open Session would be, on balance, contrary to the public interest.

CARRIED

WEBCAST ANNOUNCEMENT

In closing the meeting, the Chairperson advised that the livestream will be muted as Council enters into Closed Session and that the livestream will resume once the meeting is reopened to the public.

MEETING OPEN TO THE PUBLIC

PROCEDURAL MOTION: (Le/Yousif)

That the meeting be open to the public.

CARRIED UNANIMOUSLY

WEBCAST ANNOUNCEMENT

In opening the meeting, the Chairperson advised that the livestream has been resumed.

PROCEDURAL MOTION: (M Saliba/Le)

That in accordance with Section 11(3) of the Local Government Act 1993, Council resolves that the correspondence or reports relating to Items 165 and 166 of the Services Committee that were considered during the Closed Session of Council be treated as confidential and remain confidential unless otherwise determined by Council.

CARRIED UNANIMOUSLY

THE DECISIONS OF THE COUNCIL IN CLOSED SESSION:

165: Voluntary House Raising Property Sales
File Number: 11/02974

That:

1. Two properties identified in the report as selected by staff (excluding corner blocks with dual street frontage) be sold as described and for no less than the minimum price specified with the minimum price increased as discussed during confidential session of the Services Committee.
2. The sale proceeds be returned into the Voluntary Purchase Scheme and/or Voluntary House Raising Scheme.

3. The Mayor and the General Manager be authorised to Finalise the Contracts/Transfers and affix the Seal of Council on the documents and plans including the Contracts/Transfers and any other relevant documents, to certify its decision for the sale of Voluntary House Raising properties and enable completion of the matter.
4. The Land/Lease Register and financial records be updated.

166: EOI 001-26 Fairfield Showground Community and Events Centre
File Number: 25/14995

That:

1. Council accept the Evaluation Panel's recommendation and invite the following respondents to the Expression of Interest (EOI) to participate in a selective tender for the proposed contract to design and construct the Fairfield Showground Community and Events Centre:
 - 1.1 ADCO Group Pty Ltd
 - 1.2 FDC Construction (NSW) Pty Ltd
 - 1.3 Grindley Construction Pty Ltd
 - 1.4 Hindmarsh Construction Australia Pty Ltd
 - 1.5 Kane Constructions Pty Ltd
 - 1.6 Roberts Co (NSW) Pty Ltd
 - 1.7 Taylor Construction Group Pty Ltd t/as Taylor
2. The outcome of the selective tendering process be presented to Council for consideration.

CLOSURE

There being no further business, the meeting concluded at 7.51pm.

Chairperson

CONFIRMATION

These minutes were confirmed as a correct record of the proceedings at a meeting held on 18 November 2025.

Chairperson

Outcomes Committee



DRAFT MINUTES

DATE OF MEETING: 2 December 2025

LOCATION: Staff Lunch Room

TIME: 6.33pm

**Outcomes Committee
DRAFT Minutes**

Meeting Date: 2 December 2025

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PRESENT:

His Worship Mayor Carbone (Chairperson).

Councillors Barkho, Hoang, Lam, Le, Ly and M Saliba.

Also in attendance were the General Manager, Director City Assets, Director City Living, Manager Governance and Audit, Manager Strategic Land Use Planning, Executive Strategic Planner, Manager Design Services, Landscape Design Co-ordinator, IT Technician – Application Support (M Malik and S Subba) and Governance Officer (A Kargin).

WEBCAST ANNOUNCEMENT

In opening the meeting, the Chairperson advised that the meeting is being livestreamed on Council's website and all present should refrain from making any defamatory statements.

APOLOGIES AND REASONS ACCEPTED

There were no apologies tendered for this meeting.

REMOTE MEETING ATTENDANCE

The Chairperson confirmed that no applications were received to participate remotely via audio-visual link.

CONFIRMATION OF MINUTES

MOTION: (Le/M Saliba)

That the Minutes of the meeting held on 11 November 2025 be noted.

CARRIED UNANIMOUSLY

SECTION A

‘Matters referred to Council for its decision’

120: Sponsorship - Jeepney Transportation Vehicle Initiative
File Number: 24/10021

RECOMMENDATION: (M Saliba/Le)

That:

1. The Sponsorship Proposal from Amazon Commercial Services for thirty thousand dollars (\$30,000.00 exc. GST), be adopted.
2. The funds be received into the 2025/2026 Operational Plan for the operation of a night-time transport Jeepney and its expenditure for that purpose, be voted.

CARRIED UNANIMOUSLY

SECTION B

‘Matters submitted to the Committee for decision subject to the Right of Referral’

- 121:** Sponsorship - Cabramatta Lunar New Year 2026
File Number: 24/19787

MOTION: (Le/Barkho)

That the Principal Sponsorship Proposal for the Cabramatta Lunar New Year Festival detailed in the report, be adopted.

CARRIED UNANIMOUSLY

- 122:** Fairfield City Museum & Gallery Collection Policy
File Number: 12/02787

MOTION: (M Saliba/Le)

That the Fairfield City Museum & Gallery Collection Policy, be adopted.

CARRIED UNANIMOUSLY

- 123:** Major Projects Update - November 2025
File Number: 23/34318, 23/13402

MOTION: (Le/Barkho)

That the report be received and noted.

CARRIED UNANIMOUSLY

- 124:** Arts Advisory Committee - November 2025
File Number: 24/17314

MOTION: (M Saliba/Le)

That the Minutes of the Arts Advisory Committee meeting held on Wednesday 5 November 2025 be received and noted.

CARRIED UNANIMOUSLY

**Outcomes Committee
DRAFT Minutes**

Meeting Date: 2 December 2025

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- 125:** Bonnyrigg Town Centre Committee - November 2025
File Number: 25/12143

MOTION: (Le/M Saliba)

That the Minutes of the Bonnyrigg Town Centre Committee Meeting held on 6 November 2025 be received and noted.

CARRIED UNANIMOUSLY

- 126:** Mayor's Crime Prevention Reference Group - November 2025
File Number: 25/00437

MOTION: (M Saliba/Le)

That the Minutes of the Mayor's Crime Prevention Reference Group meeting held on 17 November 2025 be received and noted.

CARRIED UNANIMOUSLY

- 127:** Multicultural Advisory Committee - November 2025
File Number: 12/05729

MOTION: (Le/M Saliba)

That the minutes of the Multicultural Advisory Committee meeting held on Thursday 13 November 2025 be received and noted.

CARRIED UNANIMOUSLY

- 128:** Sport and Recreation Advisory Committee - October 2025
File Number: 15/06912

MOTION: (Le/M Saliba)

That the Minutes of the Sport and Recreation Advisory Committee meeting held on Monday 27 October 2025 be received and noted.

CARRIED UNANIMOUSLY

- 129:** Youth Advisory Committee - November 2025
File Number: 25/19063

MOTION: (Le/M Saliba)

That the minutes of the Youth Advisory Committee meeting held on Wednesday 5 November 2025 be received and noted.

CARRIED UNANIMOUSLY

**Outcomes Committee
DRAFT Minutes**

Meeting Date: 2 December 2025

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130: Information Report - Monthly Investment Report November 2025
File Number: 25/23527

MOTION: (M Saliba/Le)

That the report be received and noted.

CARRIED UNANIMOUSLY

GENERAL BUSINESS

Councillor Briefing

The Chairperson reminded Councillors that a Councillor Briefing would be held following the meeting.

CLOSURE

There being no further business, the meeting concluded at 6.39pm.

Chairperson

CONFIRMATION

These minutes were confirmed as a correct record of the proceedings at a meeting held on 2 December 2025.

Chairperson

Services Committee



DRAFT MINUTES

DATE OF MEETING: 2 December 2025

LOCATION: Committee Rooms

TIME: 6.31pm

**Services Committee
DRAFT Minutes**

Meeting Date: 2 December 2025

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PRESENT:

Councillors Karajcic, Khoshaba, Mijatovic, Morvillo, C Saliba (Chairperson) and Yousif.

Also in attendance were the Deputy General Manager and Chief Financial Officer, Director City Development, Director City Strategy, Director People, Culture and Operations, Governance Co-ordinator, Technical Support Officer (G Joseph and S Prince) and Governance Officer (J Vo).

WEBCAST ANNOUNCEMENT

In opening the meeting, the Chairperson advised that the meeting is being livestreamed on Council's website and all present should refrain from making any defamatory statements.

APOLOGIES AND REASONS ACCEPTED

There were no apologies tendered for this meeting.

REMOTE MEETING ATTENDANCE

The Chairperson confirmed that no applications were received to participate remotely via audio-visual link.

CONFIRMATION OF MINUTES

MOTION: (Karajcic/Khoshaba)

That the Minutes of the meeting held on 11 November 2025 be noted.

CARRIED

SECTION A

‘Matters referred to Council for its decision’

- 184:** Waive Fees and Charges - Request from South Western Sydney Local Health District (SWSLHD) Public Health Unit
File Number: 12/03512

RECOMMENDATION: (Morvillo/Khoshaba)

That the library venue hire fees and charges totalling one thousand seven hundred and thirty-five dollars (\$1,735.00) for the period from February to December 2026 to support the South Western Sydney Local Health District free immunisation clinics at Whitlam and Wetherill Park Libraries, be waived.

CARRIED

- 185:** NSW Department of Communities and Justice Grant - NSW Community War Memorials Fund
File Number: 23/01993

RECOMMENDATION: (Khoshaba/Morvillo)

That the grant of fifteen thousand dollars (\$15,000.00 exc. GST) offered by the NSW Community War Memorials Fund for Project MPBAR2612 Cabramatta War Memorial Bandstand be received into the 2025/2026 Operational Plan and its expenditure for that purpose, be voted.

CARRIED

- 186:** Delegation of Authority to the Mayor and General Manager during Council Recess Period
File Number: 10/01226

RECOMMENDATION: (Mijatovic/Karajcic)

That:

1. The Mayor, Frank Carbone or, in his absence, the Deputy Mayor, Councillor Kevin Lam and jointly the General Manager, Mr Bradley Cutts, or in his absence, the person appointed by the General Manager to act in the position of Acting General Manager, be delegated authority under Section 377 of the Local Government Act to deal with matters of business where necessary for the period from 9 December 2025 to 24 February 2026.
2. All decisions made under this delegation be reported to Council in February 2026.

CARRIED

**Services Committee
DRAFT Minutes**

Meeting Date: 2 December 2025

Page 4

- 187:** RFT 109-26 - Gym Flooring and Painting Works at Prairiewood, Fairfield and Cabravale Leisure Centres
File Number: 24/12779

CONFIDENTIAL - It is recommended that the Council resolve into Closed Session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2)(d(i)) of the Local Government Act, 1993, on the grounds that:

(d(i)) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

and dealing with the matter in Open Session would be, on balance, contrary to the public interest.

THIS CONFIDENTIAL ITEM WAS DEALT WITH IN CLOSED SESSION OF THE COMMITTEE. FOR DETAILS OF THE RESOLUTION PASSED BY THE COMMITTEE IN CLOSED SESSION REFER TO PAGE 8 OF THE MINUTES.

- 188:** Senior Staff Matter
File Number: Personnel

CONFIDENTIAL - It is recommended that the Council resolve into Closed Session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2)(a) of the Local Government Act, 1993, on the grounds that:

(a) personnel matters concerning particular individuals.

and dealing with the matter in Open Session would be, on balance, contrary to the public interest.

THIS CONFIDENTIAL ITEM WAS DEALT WITH IN CLOSED SESSION OF THE COMMITTEE. FOR DETAILS OF THE RESOLUTION PASSED BY THE COMMITTEE IN CLOSED SESSION REFER TO PAGE 8 OF THE MINUTES.

SECTION B

‘Matters submitted to the Committee for decision subject to the Right of Referral’

- 189:** Purple Flag Accreditation for Canley Heights and Canley Vale
File Number: 24/21340

MOTION: (Mijatovic/Yousif)

That Council's application to obtain Purple Flag accreditation from the Office of the 24-Hour Economy Commissioner for Canley Heights and Canley Vale, be endorsed.

CARRIED

**Services Committee
DRAFT Minutes**

Meeting Date: 2 December 2025

Page 5

- 190:** Request for Donation - Mayoral Community Benefit Fund
File Number: 25/16199

Councillor	Type of Interest	Nature of Interest	Action Taken/Explanation Given
Councillor Khoshaba	Non-Significant Non-Pecuniary	As I am a member of this Church.	This will not influence my decision.

MOTION: (Mijatovic/Yousif)

That Council make a donation of five hundred dollars (\$500.00) from the Mayoral Community Benefit Fund to Holy Apostolic Catholic Assyrian Church of the East towards their Christmas tree display being held in Greenfield Park from Monday 1 December 2025.

CARRIED UNANIMOUSLY

- 191:** Divisional Update Report - 2024/2025 Quarter 3 to 2025/2026 Quarter 1 - Waste & Cleansing Operations
File Number: 15/20026

MOTION: (Mijatovic/Morvillo)

That the report be received and noted.

CARRIED

- 192:** Divisional Update Report - Quarter 1 - Design Services
File Number: 17/24808

MOTION: (Mijatovic/Karajcic)

That the report be received and noted.

CARRIED

- 193:** Divisional Update Report - Quarter 1 - Property Strategy and Services
File Number: 20/00262

MOTION: (Mijatovic/Karajcic)

That the report be received and noted.

CARRIED

**Services Committee
DRAFT Minutes**

Meeting Date: 2 December 2025

Page 6

194: Information Report - Post Exhibition - Code of Meeting Practice
File Number: 08/00542

MOTION: (Mijatovic/Yousif)

That the report be received and noted.

CARRIED

MEETING CLOSED TO THE PUBLIC

PROCEDURAL MOTION: (Mijatovic/Karajcic)

That pursuant to Section 10A of the Local Government Act the meeting be closed to the public to consider the following confidential items of business and the grounds for such closure are stated hereunder:

187: RFT 109-26 - Gym Flooring and Painting Works at Prairiewood, Fairfield and Cabravale Leisure Centres
File Number: 24/12779

CONFIDENTIAL REPORT AND ATTACHMENT

10A(2)(d(i))

- (1) Pursuant to Section 10A(2)(d(i)) the information in the **Report and Attachment** is confidential.
- (2) The matter to be discussed is RFT 109-26 - Gym Flooring and Painting Works at Prairiewood, Fairfield and Cabravale Leisure Centres.
- (3) In relation to Section 10A(2) of the Local Government Act 1993, the reason why this part of the meeting should be closed is the matters and information is the following:
 - (d(i)) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it;and dealing with the matter in Open Session would be, on balance, contrary to the public interest.

188: Senior Staff Matter
File Number: Personnel

CONFIDENTIAL REPORT AND ATTACHMENT (FOR COUNCILLORS ONLY)

10A(2)(a))

- (1) Pursuant to Section 10A(2)(a) the information in the **Report and Attachment** is confidential.
- (2) The matter to be discussed is Senior Staff Matter.
- (3) In relation to Section 10A(2) of the Local Government Act 1993, the reason why this part of the meeting should be closed is the matters and information is the following:
 - (a) personnel matters concerning particular individuals (other than councillors); and dealing with the matter in Open Session would be, on balance, contrary to the public interest.

CARRIED

WEBCAST ANNOUNCEMENT

In closing the meeting, the Chairperson advised that the livestream will be muted as the Committee enters into Closed Session and that the livestream will resume once the meeting is reopened to the public.

MEETING OPEN TO THE PUBLIC

PROCEDURAL MOTION: (Karajcic/Morvillo)

That the meeting be open to the public.

CARRIED

WEBCAST ANNOUNCEMENT

In opening the meeting, the Chairperson advised that the livestream has been resumed.

PROCEDURAL MOTION: (Khoshaba/Karajcic)

That in accordance with Section 11(3) of the Local Government Act 1993, Council resolves that the correspondence or reports relating to Items 187 and 188 of the Services Committee that were considered during the Closed Session of Council be treated as confidential and remain confidential unless otherwise determined by Council.

CARRIED

THE DECISIONS OF THE COMMITTEE IN CLOSED SESSION:

- 187:** RFT 109-26 - Gym Flooring and Painting Works at Prairiewood, Fairfield and Cabravale Leisure Centres
File Number: 24/12779

That Council accept the recommendation of the Tender Evaluation Panel in relation to the selective Request for Tender 109-26 - Gym Flooring and Painting Works at Prairiewood, Fairfield and Cabravale Leisure Centres as outlined in the report.

- 188:** Senior Staff Matter
File Number: Personnel

That Council note the information contained in the Confidential Attachment and the Recommendations, be adopted.

GENERAL BUSINESS

City Sign at the Intersection of the Hume Highway and The Horsley Drive

Councillor Mijatovic requested the City Sign at the intersection of Hume Highway and The Horsley Drive Lansdowne be cleaned.

Christmas Lights – Cowpasture Road and Stockdale Crescent

Councillor Mijatovic requested the pink Christmas lights on Cowpasture Road and Stockdale Crescent Abbotsbury, which are not working, be replaced.

Christmas Lights – Meadows Road and Cabramatta Road

Councillor Yousif requested that the Christmas lights on Meadows Road and Cabramatta Road Cabramatta West, which have fallen and are not working, be replaced.

Councillor Briefing

The Deputy General Manager and Chief Financial Officer reminded councillors that a Councillor Briefing will be held after the Meeting.

CLOSURE

There being no further business, the meeting concluded at 6.42pm.

Chairperson

**Services Committee
DRAFT Minutes**

Meeting Date: 02 December 2025

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CONFIRMATION

These minutes were confirmed as a correct record of the proceedings at a meeting held on 2 December 2025.

Chairperson

Outcomes Committee



REPORT BY CHAIRPERSON

DATE OF MEETING: 2 December 2025

LOCATION: Staff Lunch Room

TIME: 6.33pm

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the council term to undertake their civic duties in the best interests of the people of Fairfield City and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

ITEM	SUBJECT	PAGE
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SECTION A

‘Matters referred to Council for its decision’

120:	<u>Sponsorship - Jeepney Transportation Vehicle Initiative</u>	
	File Number: 24/10021	4

RECOMMENDATION:

That:

1. The Sponsorship Proposal from Amazon Commercial Services for thirty thousand dollars (\$30,000.00 exc. GST), be adopted.
2. The funds be received into the 2025/2026 Operational Plan for the operation of a night-time transport Jeepney and its expenditure for that purpose, be voted.

SECTION C

‘Matters submitted to the Committee for decision subject to the right of referral’

There are no reports submitted for this section.

THAT CONCLUDES THE REPORT OF THE OUTCOMES COMMITTEE.

CHAIRPERSON

Outcomes Committee



SECTION A

'Matters referred to Council for its decision'

REPORT BY CHAIRPERSON
OUTCOMES COMMITTEE

Meeting Date 2 December 2025

Item Number. 120

SUBJECT: Sponsorship - Jeepney Transportation Vehicle Initiative

FILE NUMBER: 24/10021

REPORT BY: Holden Frisoli, Manager Economic Development

RECOMMENDATION:

That:

1. The Sponsorship Proposal from Amazon Commercial Services for thirty thousand dollars (\$30,000.00 exc. GST), be adopted.
 2. The funds be received into the 2025/2026 Operational Plan for the operation of a night-time transport Jeepney and its expenditure for that purpose, be voted.
-

SUPPORTING DOCUMENTS:

AT-A ↓	Amazon Commercial Services - ABN Current Details	1 Page
AT-B ↓	Amazon Commercial Services - ASIC Search	1 Page
AT-C ↓	Sponsorship Agreement - Jeepney - Final	9 Pages

CITY PLAN

This report is linked to *Theme 4 Strong and Resilient Economy* in the Fairfield City Plan.

SUMMARY

Council is establishing 2 Special Entertainment Precincts (SEPs) in Canley Heights and Canley Vale. To improve safety, enhance night-time mobility and connect both SEPs, Council is implementing a night-time transport vehicle, a custom built Jeepney, to assist the community in travelling between the 2 centres and accessing Canley Vale Train Station from Canley Heights.

This report discusses a sponsorship agreement to support the initiative. A risk assessment has been undertaken on the sponsorship proposal to ensure compliance with Council Policy.

This report seeks adoption by Council of the sponsorship from Amazon Commercial Services, that will provide a total of \$30,000.00 (excluding GST) for a period of 12-months to cover the operational cost of running the vehicle.

Background

In July 2024, Council adopted the Fairfield Economic Development Strategy, which identified the Visitor Economy as 1 of 4 Economic Development priorities. Several initiatives under this priority, including the SEPs, the Uptown District Program, Purple Flag accreditation and the 'The Canleys' branding, are aimed at improving safety, vibrancy and economic activity in Canley Heights and Canley Vale.

To further strengthen connectivity between the 2 SEPs, a safe and culturally relevant transport vehicle is proposed in the form of a Jeepney, a traditional Southeast Asian (predominantly Philippine) vehicle which will suit the character of 'The Canleys' as an authentic Southeast Asian dining destination.



Figure 1 – Example of a Jeepney

To offset operational costs and ensure sustainability, Council has received a sponsorship proposal for this initiative.

Purpose

Council's Sponsorship Policy – Procedures and Guidelines No.0-034 states a sponsorship agreement for a 3-year period and/or over \$20,000.00 per annum (including in-kind sponsorship) requires Council approval. The main points of the Policy are:

1. Assessing and managing risk and probity.
2. Setting guidelines for entering into sponsorship agreements and what sponsorships Council will and will not undertake.
3. The methods to be used in seeking and negotiating sponsorship.
4. Monitoring procedures to be used to measure sponsorship outcomes for Council, the general public and the sponsor.

**REPORT BY CHAIRPERSON
OUTCOMES COMMITTEE**

Meeting Date 2 December 2025

Item Number. 120

Seeking and Negotiating Sponsorship

On 16 May 2025, the Cabramatta Moon Festival Sponsorship Proposal was circulated to 223 prospective sponsors. Amazon Commercial Services expressed interest in sponsoring the Moon Festival and a willingness to support other community initiatives.

Further discussions on 25 June 2025 confirmed Amazon's interest in sponsoring the Jeepney initiative. The unsolicited proposal for Jeepney sponsorship was assessed against Council's Sponsorship Policy, including suitability, risk, alignment with Council values and potential reputational considerations.

Historically, large-value sponsorships have come from local hospitality or gaming venues. Amazon Commercial Services represents a new category of sponsor as a major employer in Western Sydney with no reliance on gambling revenue.

As per section 5 of Council's Sponsorship policy, a current company extract obtained from the Australian Securities and Investments Commission detailed:

Company	Trading Name	Amount	Ownership
Amazon Commercial Service Pty Ltd	Amazon Australia	\$30,000.00 excluding GST)	Amazon Commercial Services is owned by its parent company Amazon.com, Inc
(For businesses under Amazon Commercial Services, see Attachment A and B)			

Internal due diligence checks have been undertaken as follows:

COMPANY	Finance Debtor check	Reputational Risk	Current Development Application	Legal Action (involving Council)	Food Safety Offences
Amazon Commercial Services Pty Ltd	Satisfies	No issues have been identified	No	No	N/A

Code of Conduct and Risk Assessment

The Code of Conduct requires the identification of possible conflicts of interest which may arise in relationship to sponsorship arrangements. No such issues have been identified.

Sponsorship Benefits

The full sponsorship agreement is Attachment C. The key benefits to Amazon Commercial Services are:

1. Branding on the Jeepney via a rooftop signage box. Council's logo will also be displayed, with final placement subject to approval by both organisations.
2. Inclusion in marketing and social media content on Council's Facebook and Instagram.

3. Amazon logo on Council SEP webpage and Jeepney schedule.
4. Invitation to Jeepney launch.

The above benefits to the sponsor are consistent with other Council sponsorship arrangements.

The sponsorship provides direct financial benefits to Council by offsetting operational and maintenance costs associated with the Jeepney. Additional non-financial benefits include:

1. Enhanced marketing reach through association with a major global brand.
2. Reputational uplift through partnership with a well-recognised, non-gambling-related organisation.
3. Diversification of Council's sponsorship portfolio, which has historically relied heavily on local hospitality and gaming venues.
4. Strong economic strategic alignment, noting Amazon's significant workforce presence in Western Sydney.

In accordance with Council's Sponsorship Policy – Procedures and Guidelines, all requirements have been met:

1. A risk assessment has been completed.
2. A sponsorship proposal was prepared in line with section 2.1 (cash sponsorships).
3. Sponsor attraction and assessment were undertaken in line with section 3, noting this was treated as an unsolicited sponsorship proposal and assessed against the policy principles.
4. Negotiation processes complied with section 5, including consultation with all relevant internal departments (Finance; Communications and Marketing; Strategic Planning; Governance; Building Control and Compliance).
 - As this is not a food-related sponsorship, a NSW Food Authority check was not required.

CONCLUSION

Council's Sponsorship Policy requires that sponsorship agreements in excess of a total value of \$20,000.00 (plus GST), whether a single use or multi-year sponsorship agreement, be put to Council for approval.

This report has detailed the sponsorship agreement and associated risk assessment that will provide a total of \$30,000.00 (excluding GST) in cash sponsorship for the operation of a Jeepney vehicle to improve connectivity between the Canley Heights and Canley Vale Special Entertainment Precincts.

In accordance with Council's policy, it is recommended that Council accept the sponsorship of \$30,000.00 (excluding GST) for the Jeepney vehicle for a period of 12-months from Amazon Commercial Services (ABN: 30 616 935 623), and that the funds be received into the 2025/2026 Operational Plan for the operation of the vehicle and its expenditure for that purpose, be voted.

REPORT BY CHAIRPERSON
OUTCOMES COMMITTEE

Meeting Date 2 December 2025

Item Number. 120

Holden Frisoli
Manager Economic Development

Authorisation:
Director City Strategy

Outcomes Committee - 2 December 2025

File Name: **OUT02122025_12.DOCX**
***** END OF ITEM 120 *****

Australian Government
Australian Business Register

ABN Lookup

Current details for ABN 30 616 935 623

ABN details

Entity name:	AMAZON COMMERCIAL SERVICES PTY LTD
ABN status:	Active from 01 May 2017
Entity type:	Australian Private Company
Goods & Services Tax (GST):	Registered from 01 May 2017
Main business location:	NSW 2000

Business name(s)

A business name is the registered name a business operates under. Businesses need to register their business name on the national Business Names Register if the business operates with a different name to their own. To learn more visit the [ASIC website](#).

Business name	From
METRO - GOLDWYN - MAYER	01 May 2025
MGM	01 May 2025
MGM / UNITED ARTISTS	01 May 2025
MGM TELEVISION	01 May 2025
UNITED ARTISTS	01 May 2025

ASIC registration - ACN or ARBN or ARSN or ARFN

616 935 623 [View record on the ASIC website](#)

Deductible gift recipient status

Not entitled to receive tax deductible gifts

Disclaimer

The Registrar makes every reasonable effort to maintain current and accurate information on this site. The Commissioner of Taxation advises that if you use ABN Lookup for information about another entity for taxation purposes and that information turns out to be incorrect, in certain circumstances you will be protected from liability. For more information see [disclaimer](#)

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ASIC

Australian Securities & Investments Commission

Australian Company

AMAZON COMMERCIAL SERVICES PTY LTD
ACN 616 935 623

Extracted from ASIC's database at AEST 07:21:46 on 07/11/2025

Company Summary

Name: AMAZON COMMERCIAL SERVICES PTY LTD

ACN: 616 935 623

ABN: 30 616 935 623

Registration Date: 20/01/2017

Next Review Date: 20/01/2026

Status: Registered

Type: Australian Proprietary Company, Limited By Shares

Locality of Registered Office: SYDNEY NSW 2000

Regulator: Australian Securities & Investments Commission

Further information relating to this organisation may be purchased from ASIC.

Outcomes Supplementary Reports



REPORT BY CHAIRPERSON

DATE OF MEETING: 9 December 2025

LOCATION: Council Chambers

TIME: 7.00pm

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the council term to undertake their civic duties in the best interests of the people of Fairfield City and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

REPORT BY CHAIRPERSON
Outcomes Supplementary Reports
Meeting Date: 9 December 2025

ITEM	SUBJECT	PAGE
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SECTION A

‘Matters referred to Council for its decision’

- 131:** Monthly Investment Report - November 2025
File Number: 25/23527 4

RECOMMENDATION:

That the report be received and noted.

SECTION C

‘Matters submitted to the Committee for decision subject to the right of referral’

There are no reports submitted for this section.

THAT CONCLUDES THE REPORT OF THE OUTCOMES SUPPLEMENTARY REPORTS.

CHAIRPERSON

Outcomes Supplementary Reports



SECTION A

'Matters referred to Council for its decision'

REPORT BY CHAIRPERSON
OUTCOMES SUPPLEMENTARY REPORTS

Meeting Date 9 December 2025

Item Number. 131

SUBJECT: Monthly Investment Report - November 2025

FILE NUMBER: 25/23527

REPORT BY: Jennifer Lim Hernandez, Manager Finance

RECOMMENDATION:

That the report be received and noted.

SUPPORTING DOCUMENTS:

AT-A [↓](#) Fairfield Investment Report November 2025

16 Pages

CITY PLAN

This report is linked to *Theme 5 Good Governance and Leadership* in the Fairfield City Plan.

SUMMARY

Council's investment portfolio posted a marked-to-market return of 3.98% p.a. for the month of November 2025 versus the bank bill index benchmark return of 3.66% p.a. Over the past 12 months, the portfolio has returned 4.63% on a marked-to-market basis versus the benchmark's 4.04%.

Excluding marked-to-market influences, the portfolio yielded 4.17% for the month of November 2025, equivalent to last month, with interest income of \$668,680.00 for the month. This is based on the actual interest rates being received on existing investments and excludes market value changes of the securities/deposits in the portfolio.

The introduction of the new full coverage monthly Consumer Price Index (CPI) kicked off with a surprise lift in inflation to 3.8% Year On Year (YOY) up from 3.6% YOY last month. The rise was broad based with goods inflation well up from its lows, services inflation remaining elevated and there are now more CPI items with inflation above 3% YOY than items below 2% YOY.

The RBA kept rates on hold at its November meeting. The Board members noted that the central projection was for the economy to remain broadly in balance, and hence consistent with the Board's objectives over coming years. Overall, a mild easing bias was conveyed, but with no clear rush to cut rates.

REPORT BY CHAIRPERSON
OUTCOMES SUPPLEMENTARY REPORTS

Meeting Date 9 December 2025

Item Number. 131

The RBA's comments, combined with the subsequent release of higher than expected inflation data, triggered the market to take out the previously expected mid-2026 rate cut, signalling this may be the bottom of the current interest rate cycle.

In step with the market re-pricing its interest rate outlook, term deposit rates ended the month higher across the curve. Six to 12 month rates increased by an average of 10 basis points to be in the mid-to high 4.30s. Long dated rates, 2-5 years, gained an average of 20 basis points, now ranging from the mid 4.40s to the upper 4.70s, with some banks close to 5% for 5 years.

Purpose

The purpose of this report is to provide a monthly update of the details of Council's current investments and to certify that those investments are in accordance with the Local Government Act 1993 (the Act), the Local Government (General) Regulation 2021 and Council's Investment Policy.

Background

Council's Investment Policy allows Council to maintain a risk management framework to prudently manage its investment portfolio, credit quality and maturity profile while aiming to achieve the best available investment return for ratepayers' money.

While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity and the return of investment.

- Preservation of capital is the principal objective of the investment portfolio. Investments are to be placed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.
- Investments should be allocated to ensure there is sufficient liquidity to meet reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment.
- Investments are expected to achieve a market average rate of return in line with the Council's risk tolerance.

In addition, Clause 212 of the Local Government (General) Regulation 2021 requires the Responsible Accounting Officer of a council to provide a written report setting out details of all money that Council has invested under Section 625 of the Act and for the report to include a certification as to whether or not the investment has been made in accordance with the Act. The report is to be presented to Council each month.

In accordance with Clause 212 of the Local Government (General) Regulation 2021, the following report sets out details of all money that Council had invested under Section 625 of the Act as at 30 November 2025.

Investment Update

REPORT BY CHAIRPERSON
OUTCOMES SUPPLEMENTARY REPORTS

Meeting Date 9 December 2025

Item Number. 131

During the month of November 2025, Council's overall cash and investment portfolio of \$197,918,025.00 (carrying value as at 30 November 2025) returned 3.98% p.a. against the bank bill benchmark of 3.66% p.a.

Account Certification – Responsible Accounting Officer

I hereby certify that the investments summarised in the above report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2021 and Council's Investment Policy.

Lachlan Gunn
Responsible Accounting Officer

CONCLUSION

Council's portfolio returned 3.98% p.a. for the month of November 2025 against the bank bill benchmark of 3.66% p.a. Council's investments comply with the Local Government Act 1993, Local Government (General) Regulation 2021 and Council's Investment Policy.

Jennifer Lim Hernandez
Manager Finance

Authorisation:
Deputy General Manager & CFO

Outcomes Supplementary Reports - 9 December 2025

File Name: **OSR09122025_1.DOCX**

***** END OF ITEM 131 *****



**Investment Summary Report
November 2025**

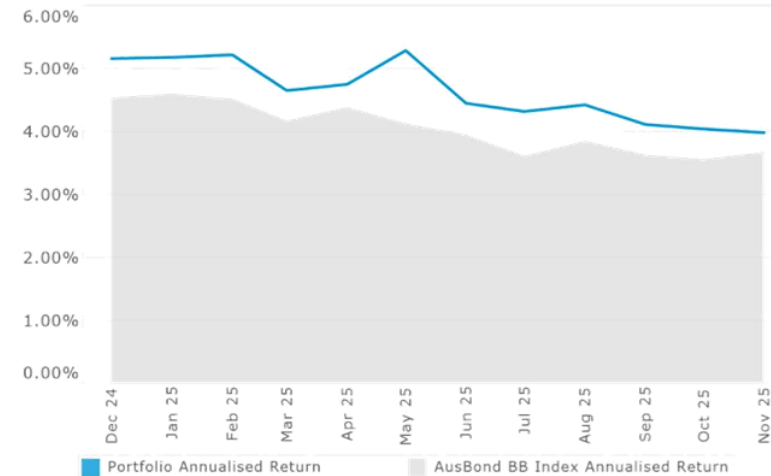
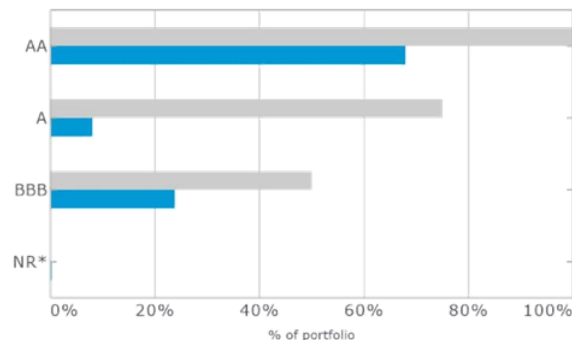
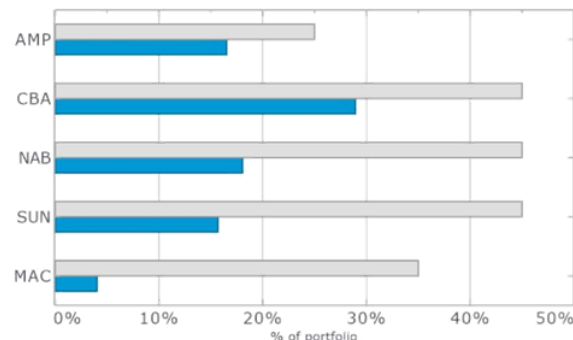


Fairfield City Council

Executive Summary - November 2025

**Investment Holdings**

	Face Value (\$)	Current Value (\$)	Current Yield (%)
Bonds	7,400,000	7,543,359	4.8580
Cash	74,140,529	74,140,529	3.7102
Floating Rate Note	50,950,000	51,405,982	4.4908
Mortgage Backed Security	500,000	227,496	4.4440
Term Deposit	65,200,000	66,280,618	4.3541
	198,190,529	199,597,983	4.1674

Investment Performance**Investment Policy Compliance****Total Credit Exposure****Individual Institutional Exposures****Term to Maturities**

	Face Value (\$)	Policy Max
Between 0 and 1 years	159,340,529	80% 100% a
Between 1 and 5 years	38,350,000	19% 60% a
Greater than 5 years*	500,000	0% 0%
	198,190,529	

* Complying grandfathered investment

Specific Sub Limits

Between 3 and 5 years	6,850,000	3% 30% a
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Portfolio Exposure

Investment Policy Limit

Fairfield City Council

Investment Holdings Report - November 2025

**Cash Accounts**

Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
11,779.21	3.6259%	Macquarie Bank	A+	11,779.21	540388	Accelerator
20,774,597.66	4.2500%	AMP Bank	BBB+	20,774,597.66	545751	31d Notice
53,354,151.77	3.5000%	Commonwealth Bank of Australia	AA-	53,354,151.77	538855	BOS
74,140,528.64	3.7102%			74,140,528.64		

Term Deposits

Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
19-Jan-26	8,250,000.00	4.3000%	AMP Bank	BBB+	8,250,000.00	20-Aug-25	8,350,107.53	546351	100,107.53	At Maturity	
29-Jan-26	1,750,000.00	4.9500%	AMP Bank	BBB+	1,750,000.00	30-Jan-25	1,822,385.27	545758	72,385.27	At Maturity	
18-Mar-26	1,200,000.00	4.2000%	National Australia Bank	AA-	1,200,000.00	16-Sep-25	1,210,494.25	546583	10,494.25	At Maturity	
18-Mar-26	6,000,000.00	4.2000%	National Australia Bank	AA-	6,000,000.00	15-Sep-25	6,053,161.64	546575	53,161.64	At Maturity	
1-Apr-26	18,000,000.00	4.7200%	Suncorp Bank	AA-	18,000,000.00	2-Apr-25	18,565,624.11	545970	565,624.11	At Maturity	
9-Jun-26	5,000,000.00	4.1700%	National Australia Bank	AA-	5,000,000.00	9-Sep-25	5,047,412.33	546451	47,412.33	At Maturity	
18-Jun-26	10,000,000.00	4.1300%	National Australia Bank	AA-	10,000,000.00	18-Aug-25	10,118,808.22	546348	118,808.22	At Maturity	
23-Jun-26	5,000,000.00	4.2800%	Suncorp Bank	AA-	5,000,000.00	19-Nov-25	5,007,035.62	546857	7,035.62	At Maturity	
29-Jun-26	10,000,000.00	4.1000%	National Australia Bank	AA-	10,000,000.00	29-Aug-25	10,105,589.04	546391	105,589.04	At Maturity	
	65,200,000.00	4.3541%			65,200,000.00		66,280,618.01		1,080,618.01		

Floating Rate Notes

Maturity Date	Face Value (\$)	Current Rate (%)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date	Reference
9-Dec-25	5,000,000.00	4.0616%	MAC Snr FRN (Dec25) BBSW+0.48%	A+	5,000,000.00	9-Dec-20	5,046,302.24	540675	46,179.84	9-Dec-25	
6-May-26	3,300,000.00	4.2743%	BoQ Snr FRN (May26) BBSW+0.63%	A-	3,275,415.00	25-Jan-22	3,312,598.09	542265	9,661.09	6-Feb-26	
15-May-26	1,500,000.00	4.9025%	BEN Snr FRN (May26) BBSW+1.25%	A-	1,500,000.00	15-May-23	1,508,535.62	544083	2,820.62	16-Feb-26	



Fairfield City Council

Investment Holdings Report - November 2025



Maturity Date	Face Value (\$)	Current Rate (%)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date	Reference
14-Sep-26	1,600,000.00	4.4302%	MAC Snr FRN (Sep26) BBSW+0.85%	A+	1,600,000.00	14-Sep-23	1,620,297.44	544498	14,953.44	15-Dec-25	
15-Sep-26	1,500,000.00	4.0602%	SUN Snr FRN (Sep26) BBSW+0.48%	AA-	1,500,000.00	15-Sep-21	1,513,583.03	541882	12,848.03	15-Dec-25	
23-Oct-26	1,200,000.00	5.0994%	GSB Snr FRN (Oct26) BBSW+1.60%	BBB+	1,200,000.00	23-Jan-24	1,216,676.01	544800	6,538.41	23-Jan-26	
25-Jan-27	3,900,000.00	4.2025%	WBC Snr FRN (Jan27) BBSW+0.70%	AA-	3,900,000.00	25-Jan-22	3,926,948.20	542256	15,716.20	26-Jan-26	
25-Jan-27	5,000,000.00	4.2825%	SUN Snr FRN (Jan27) BBSW+0.78%	AA-	5,009,450.00	14-Feb-22	5,036,582.53	542332	20,532.53	26-Jan-26	
27-Jan-27	1,600,000.00	4.8525%	BEN Snr FRN (Jan27) BBSW+1.35%	A-	1,600,000.00	27-Jan-23	1,621,700.93	543706	7,444.93	27-Jan-26	
13-Sep-27	1,000,000.00	4.9102%	AusW Snr FRN (Sep27) BBSW+1.33%	Baa2	1,000,000.00	13-Sep-24	1,010,358.50	545464	10,358.50	15-Dec-25	
13-Sep-27	2,000,000.00	4.8502%	AMP Snr FRN (Sep27) BBSW+1.27%	BBB+	2,000,000.00	13-Sep-24	2,033,003.86	545480	20,463.86	15-Dec-25	
14-Dec-27	1,600,000.00	4.8302%	SUN Snr FRN (Dec27) BBSW+1.25%	AA-	1,600,000.00	14-Dec-22	1,637,039.58	543633	16,303.58	15-Dec-25	
31-Mar-28	500,000.00	4.6364%	ANZ Snr FRN (Mar28) BBSW+1.06%	AA-	500,000.00	31-Mar-23	509,412.76	543964	3,937.76	31-Dec-25	
12-May-28	2,000,000.00	4.6335%	NAB Snr FRN (May28) BBSW+1.00%	AA-	2,000,000.00	12-May-23	2,024,563.92	544072	4,823.92	12-Feb-26	
17-Aug-28	2,500,000.00	4.6025%	CBA Snr FRN (Jan28) BBSW+ 0.95%	AA-	2,500,000.00	17-Aug-23	2,527,888.36	544382	4,413.36	17-Feb-26	
19-Sep-28	1,500,000.00	4.4783%	WBC Snr FRN (Sep28) BBSW+0.93%	AA-	1,500,000.00	19-Sep-23	1,525,917.90	544505	13,434.90	19-Dec-25	
3-Oct-28	2,500,000.00	4.5350%	TMB Snr FRN (Oct28) BBSW+0.95%	BBB+	2,500,000.00	1-Oct-25	2,518,751.37	546596	18,326.37	5-Jan-26	
3-Nov-28	3,400,000.00	4.5650%	GSB Snr FRN (Nov28) BBSW+0.93%	BBB+	3,400,000.00	3-Nov-25	3,407,016.57	546742	11,906.52	3-Feb-26	
27-Nov-28	2,500,000.00	4.6978%	BOz 'SRI' Snr FRN (Nov28) BBSW+1.03%	BBB+	2,500,000.00	19-Nov-25	2,501,309.57	546854	1,287.07	27-Feb-26	
5-Nov-29	3,750,000.00	4.6949%	HPC Snr FRN (Nov29) BBSW+1.05%	BBB+	3,750,000.00	1-Oct-25	3,763,666.17	546769	12,541.17	5-Feb-26	
18-Mar-30	1,600,000.00	4.3889%	NAB Snr FRN (Mar30) BBSW+0.83%	AA-	1,600,000.00	18-Mar-25	1,620,988.87	545900	14,236.87	18-Dec-25	
13-Jun-30	1,500,000.00	4.5302%	ING Snr FRN (Jun30) BBSW+0.95%	A	1,500,000.00	13-Jun-25	1,522,840.29	546127	14,335.29	15-Dec-25	
50,950,000.00		4.4908%			50,934,865.00		51,405,981.81		283,064.26		

Fixed Rate Bonds

Maturity Date	Face Value (\$)	Current Rate (%)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Purchase Yield	Reference
10-Aug-26	3,000,000.00	4.8000%	WBC Snr Bond (Aug26) 4.80%	AA-	2,998,020.00	10-Aug-23	3,058,559.50	544369	44,065.57	4.82400%	
17-Aug-26	1,500,000.00	4.7500%	CBA Snr Bond (Aug26) 4.75%	AA-	1,497,105.00	17-Aug-23	1,527,159.28	544384	20,440.57	4.82000%	
14-Sep-26	1,400,000.00	4.9460%	MAC Snr Bond (Sep26) 4.946%	A+	1,400,000.00	14-Sep-23	1,422,895.87	544496	14,647.77	4.94600%	



Fairfield City Council

Investment Holdings Report - November 2025



Maturity Date	Face Value (\$)	Current Rate (%)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Purchase Yield	Reference
19-Sep-28	1,500,000.00	5.0000%	WBC Snr Bond (Sep28) 5.00%	AA-	1,498,890.00	19-Sep-23	1,534,744.31	544510	15,124.31	5.01700%	
7,400,000.00		4.8580%			7,394,015.00		7,543,358.96		94,278.22	4.8854%	

Mortgage Backed Securities

Maturity Date	Face Value (\$)	Current Rate (%)	Security Name	Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Reference
23-Jul-57	500,000.00	4.4440%	Emerald Reverse Mortgage (2007C)	NR*	500,000.00	6-Jul-07	227,495.95	310293	2,495.95	
500,000.00		4.4440%			500,000.00		227,495.95		2,495.95	

Fairfield City Council

Accrued Interest Report - November 2025



Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
Bonds									
WBC Snr Bond (Aug26) 4.80%	544369		3,000,000.00	10-Aug-23	10-Aug-26	0.00	30	11,803.27	4.79%
CBA Snr Bond (Aug26) 4.75%	544384		1,500,000.00	17-Aug-23	17-Aug-26	0.00	30	5,840.16	4.74%
MAC Snr Bond (Sep26) 4.946%	544496		1,400,000.00	14-Sep-23	14-Sep-26	0.00	30	5,706.92	4.96%
WBC Snr Bond (Sep28) 5.00%	544510		1,500,000.00	19-Sep-23	19-Sep-28	0.00	30	6,215.47	5.04%
						0.00		29,565.82	4.86%
Cash									
Commonwealth Bank of Australia	538855					157,966.83	0	153,044.28	3.50%
Macquarie Bank	540388					35.00	0	35.00	3.63%
AMP Bank	545751					74,284.01	0	72,146.62	4.25%
						232,285.84		225,225.90	3.71%
Floating Rate Note									
MAC Snr FRN (Dec25) BBSW+0.48%	540675		5,000,000.00	9-Dec-20	9-Dec-25	0.00	30	16,691.51	4.06%
BoQ Snr FRN (May26) BBSW+0.63%	542265		3,300,000.00	25-Jan-22	6-May-26	35,734.14	30	11,603.17	4.28%
BEN Snr FRN (May26) BBSW+1.25%	544083		1,500,000.00	15-May-23	15-May-26	18,799.36	30	6,020.51	4.88%
MAC Snr FRN (Sep26) BBSW+0.85%	544498		1,600,000.00	14-Sep-23	14-Sep-26	0.00	30	5,826.01	4.43%
SUN Snr FRN (Sep26) BBSW+0.48%	541882		1,500,000.00	15-Sep-21	15-Sep-26	0.00	30	5,005.73	4.06%
GSB Snr FRN (Oct26) BBSW+1.60%	544800		1,200,000.00	23-Jan-24	23-Oct-26	0.00	30	5,029.55	5.10%
WBC Snr FRN (Jan27) BBSW+0.70%	542256		3,900,000.00	25-Jan-22	25-Jan-27	0.00	30	13,471.03	4.20%
SUN Snr FRN (Jan27) BBSW+0.78%	542332		5,000,000.00	14-Feb-22	25-Jan-27	0.00	30	17,599.31	4.28%
BEN Snr FRN (Jan27) BBSW+1.35%	543706		1,600,000.00	27-Jan-23	27-Jan-27	0.00	30	6,381.37	4.85%
AusW Snr FRN (Sep27) BBSW+1.33%	545464		1,000,000.00	13-Sep-24	13-Sep-27	0.00	30	4,035.78	4.91%
AMP Snr FRN (Sep27) BBSW+1.27%	545480		2,000,000.00	13-Sep-24	13-Sep-27	0.00	30	7,972.93	4.85%
SUN Snr FRN (Dec27) BBSW+1.25%	543633		1,600,000.00	14-Dec-22	14-Dec-27	0.00	30	6,352.04	4.83%
ANZ Snr FRN (Mar28) BBSW+1.06%	543964		500,000.00	31-Mar-23	31-Mar-28	0.00	30	1,905.37	4.64%
NAB Snr FRN (May28) BBSW+1.00%	544072		2,000,000.00	12-May-23	12-May-28	23,361.45	30	7,617.14	4.63%
CBA Snr FRN (Jan28) BBSW+ 0.95%	544382		2,500,000.00	17-Aug-23	17-Aug-28	28,297.26	30	9,388.70	4.57%

Fairfield City Council

Accrued Interest Report - November 2025



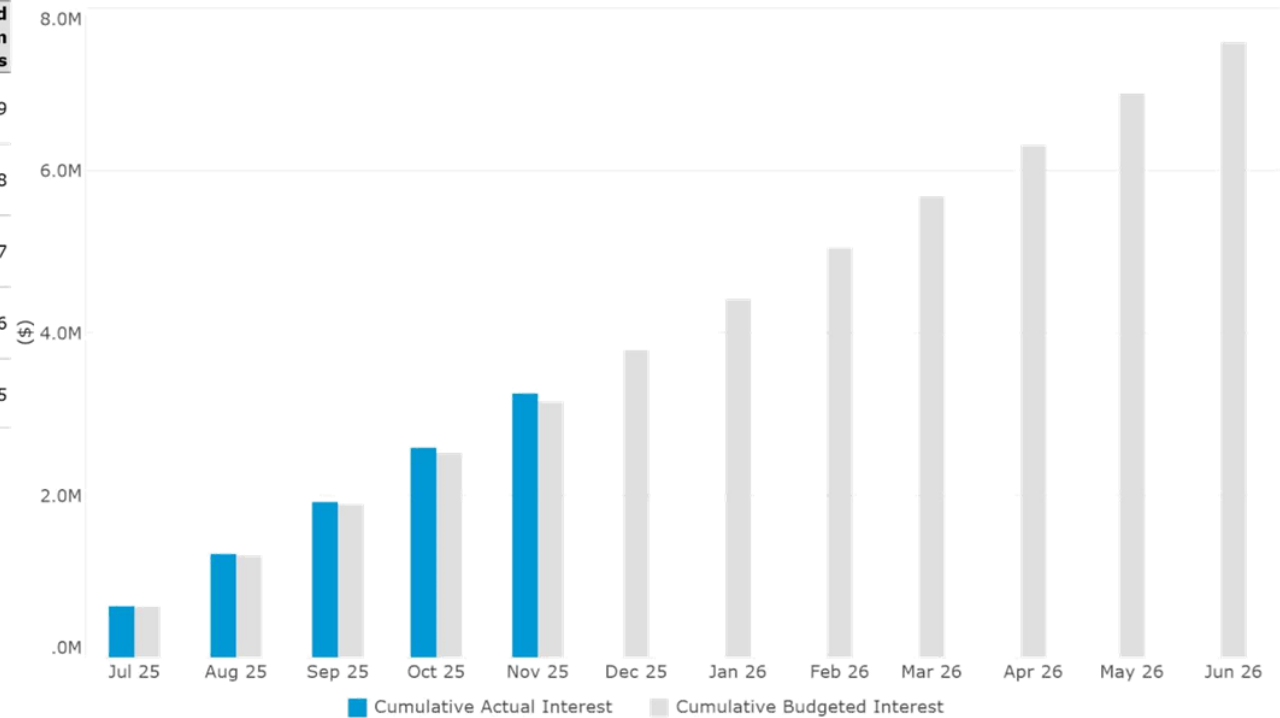
Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
WBC Snr FRN (Sep28) BBSW+0.93%	544505		1,500,000.00	19-Sep-23	19-Sep-28	0.00	30	5,521.19	4.48%
TMB Snr FRN (Oct28) BBSW+0.95%	546596		2,500,000.00	3-Oct-25	3-Oct-28	0.00	30	9,318.49	4.53%
GSB Snr FRN (Nov28) BBSW+0.93%	546742		3,400,000.00	3-Nov-25	3-Nov-28	0.00	28	11,906.52	4.56%
BOz 'SRI' Snr FRN (Nov28) BBSW+1.03%	546854		2,500,000.00	27-Nov-25	27-Nov-28	0.00	4	1,287.07	4.70%
HPC Snr FRN (Nov29) BBSW+1.05%	546769		3,750,000.00	5-Nov-25	5-Nov-29	0.00	26	12,541.17	4.69%
NAB Snr FRN (Mar30) BBSW+0.83%	545900		1,600,000.00	18-Mar-25	18-Mar-30	0.00	30	5,771.70	4.39%
ING Snr FRN (Jun30) BBSW+0.95%	546127		1,500,000.00	13-Jun-25	13-Jun-30	0.00	30	5,585.18	4.53%
						106,192.21		176,831.47	4.48%
Mortgage Backed Securities									
Emerald Reverse Mortgage Series 2007-1 Class C (BBSW+0.95%)	310293		500,000.00	6-Jul-07	23-Jul-57	0.00	30	1,826.31	4.44%
						0.00		1,826.31	4.44%
Term Deposits									
Suncorp Bank	545744		5,000,000.00	21-Jan-25	19-Nov-25	208,917.81	18	12,452.06	5.05%
AMP Bank	546351		8,250,000.00	20-Aug-25	19-Jan-26	0.00	30	29,157.53	4.30%
AMP Bank	545758		1,750,000.00	30-Jan-25	29-Jan-26	0.00	30	7,119.86	4.95%
National Australia Bank	546575		6,000,000.00	15-Sep-25	18-Mar-26	0.00	30	20,712.32	4.20%
National Australia Bank	546583		1,200,000.00	16-Sep-25	18-Mar-26	0.00	30	4,142.47	4.20%
Suncorp Bank	545970		18,000,000.00	2-Apr-25	1-Apr-26	0.00	30	69,830.14	4.72%
National Australia Bank	546451		5,000,000.00	9-Sep-25	9-Jun-26	0.00	30	17,136.99	4.17%
National Australia Bank	546348		10,000,000.00	18-Aug-25	18-Jun-26	0.00	30	33,945.21	4.13%
Suncorp Bank	546857		5,000,000.00	19-Nov-25	23-Jun-26	0.00	12	7,035.62	4.28%
National Australia Bank	546391		10,000,000.00	29-Aug-25	29-Jun-26	0.00	30	33,698.63	4.10%
						208,917.81		235,230.83	4.39%
Grand Totals						547,395.86		668,680.33	4.17%

Fairfield City Council

Investment Budget Report - November 2025

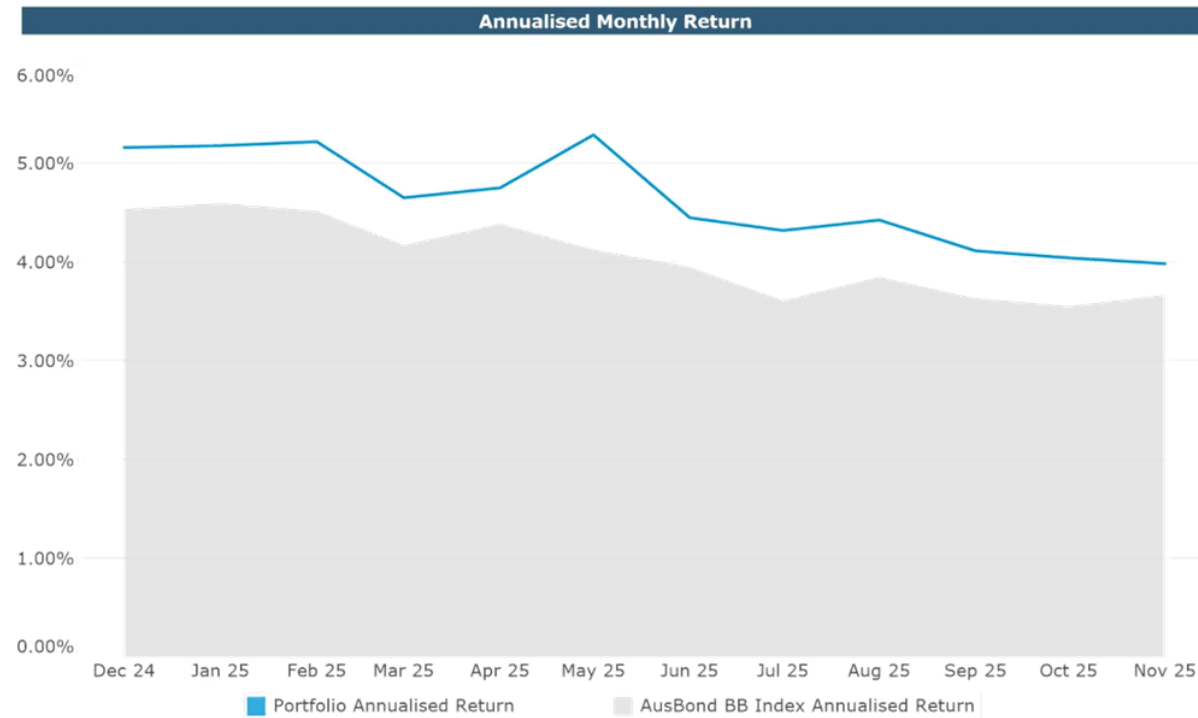
**Budgeted vs Actual Returns**

	YTD Income from Investments	Budgeted Income from Investments
July 2025	638,080	631,339
August 2025	1,281,044	1,262,678
September 2025	1,920,230	1,894,017
October 2025	2,586,611	2,525,356
November 2025	3,255,291	3,156,695



Fairfield City Council

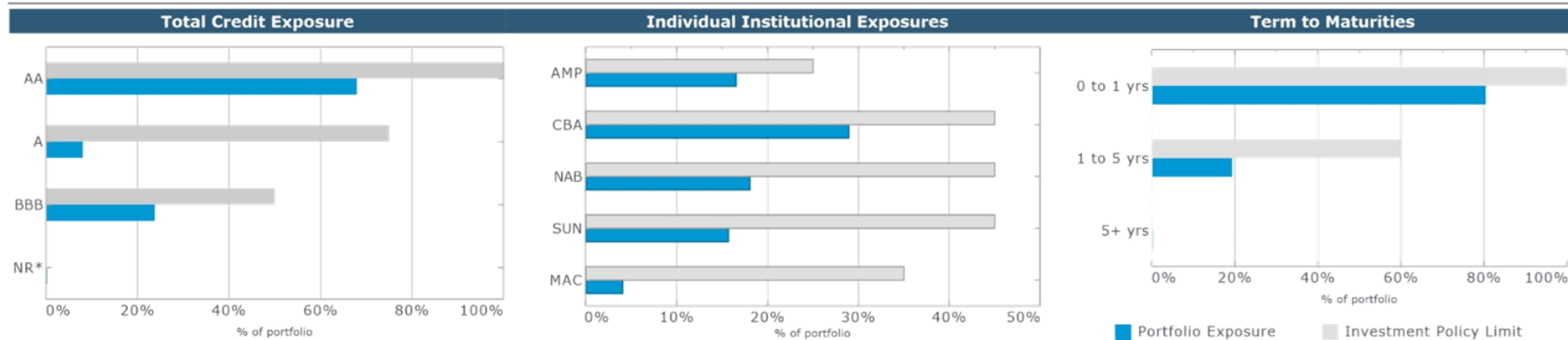
Investment Performance Report - November 2025



Historical Performance Summary (%pa)			
	Portfolio	Annualised BB Index	Outperformance
Nov 2025	3.98%	3.66%	0.32%
Last 3 months	4.04%	3.61%	0.43%
Last 6 months	4.22%	3.70%	0.52%
Financial Year to Date	4.18%	3.65%	0.53%
Last 12 months	4.63%	4.04%	0.59%

Fairfield City Council

Investment Policy Compliance Report - November 2025



Credit Rating Group	Face Value (\$)	Policy Max
AA	134,654,152	68% 100% a
A	15,911,779	8% 75% a
BBB	47,124,598	24% 50% a
NR*	500,000	
	198,190,529	

* Complying grandfathered investment

Institution	% of portfolio	Investment Policy Limit	
AMP Bank (BBB+)	17%	25%	a
Commonwealth Bank of Australia (AA-)	29%	45%	a
National Australia Bank (AA-)	18%	45%	a
Suncorp Bank (AA-)	16%	45%	a
Macquarie Bank (A+)	4%	35%	a
Westpac Group (AA-)	5%	45%	a
Great Southern Bank (BBB+)	2%	25%	a
Heritage and People's Choice (BBB+)	2%	25%	a
Bank Australia (BBB+)	1%	25%	a
Teachers Mutual Bank (BBB+)	1%	25%	a
Bank of Queensland (A-)	2%	35%	a
Bendigo and Adelaide Bank (A-)	2%	35%	a
ING Bank Australia (A)	1%	35%	a

	Face Value (\$)		Policy Max	
Between 0 and 1 years	159,340,529	80%	100%	a
Between 1 and 5 years	38,350,000	19%	60%	a
Greater than 5 years*	500,000			
	198,190,529			

* Complying grandfathered investment

Specific Sub Limits			
Between 3 and 5 years	6,850,000	3%	30% a

a = compliant
r = non-compliant

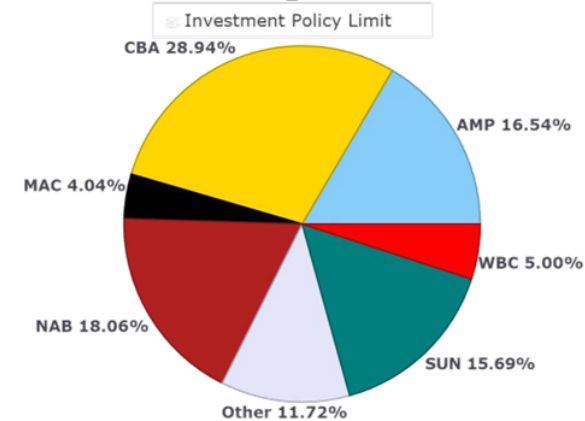
Fairfield City Council

Individual Institutional Exposures Report - November 2025



Individual Institutional Exposures						Individual Institutional Exposure Charts	
	Current Exposures		Policy Limit		Capacity		
AMP Bank (BBB+)	32,774,598	17%	49,547,632	25%	16,773,034		
ANZ Group (AA-)	500,000	0%	89,185,738	45%	88,685,738		
Auswide Bank (Baa2)	1,000,000	1%	49,547,632	25%	48,547,632		
Bank Australia (BBB+)	2,500,000	1%	49,547,632	25%	47,047,632		
Bank of Queensland (A-)	3,300,000	2%	69,366,685	35%	66,066,685		
Bendigo and Adelaide Bank (A-)	3,100,000	2%	69,366,685	35%	66,266,685		
Commonwealth Bank of Australia (AA-)	57,354,152	29%	89,185,738	45%	31,831,586		
Emerald Reverse Mortgage (NR*)	500,000	0%	0	0%	-500,000		
Great Southern Bank (BBB+)	4,600,000	2%	49,547,632	25%	44,947,632		
Heritage and People's Choice (BBB+)	3,750,000	2%	49,547,632	25%	45,797,632		
ING Bank Australia (A)	1,500,000	1%	69,366,685	35%	67,866,685		
Macquarie Bank (A+)	8,011,779	4%	69,366,685	35%	61,354,906		
National Australia Bank (AA-)	35,800,000	18%	89,185,738	45%	53,385,738		
Suncorp Bank (AA-)	31,100,000	16%	89,185,738	45%	58,085,738		
Teachers Mutual Bank (BBB+)	2,500,000	1%	49,547,632	25%	47,047,632		
Westpac Group (AA-)	9,900,000	5%	89,185,738	45%	79,285,738		
	198,190,529						

* Complying grandfathered investment



Fairfield City Council

Cashflows Report - November 2025

**Actual Cashflows for November 2025**

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
3-Nov-25	546742	GSB Snr FRN (Nov28) BBSW+0.93%	Floating Rate Note	Settlement: Accrued Coupon at Purchase	0.00
		GSB Snr FRN (Nov28) BBSW+0.93%	Floating Rate Note	Settlement: Face Value	-3,400,000.00
		GSB Snr FRN (Nov28) BBSW+0.93%	Floating Rate Note	Settlement: Premium / Discount on Purchase	0.00
			Deal Total	-3,400,000.00	
Day Total					-3,400,000.00
5-Nov-25	546769	HPC Snr FRN (Nov29) BBSW+1.05%	Floating Rate Note	Settlement: Accrued Coupon at Purchase	0.00
		HPC Snr FRN (Nov29) BBSW+1.05%	Floating Rate Note	Settlement: Face Value	-3,750,000.00
		HPC Snr FRN (Nov29) BBSW+1.05%	Floating Rate Note	Settlement: Premium / Discount on Purchase	0.00
			Deal Total	-3,750,000.00	
Day Total					-3,750,000.00
6-Nov-25	542265	BoQ Snr FRN (May26) BBSW+0.63%	Floating Rate Note	Coupon Date	35,734.14
				Deal Total	35,734.14
Day Total					35,734.14
12-Nov-25	544072	NAB Snr FRN (May28) BBSW+1.00%	Floating Rate Note	Coupon Date	23,361.45
				Deal Total	23,361.45
Day Total					23,361.45
17-Nov-25	544083	BEN Snr FRN (May26) BBSW+1.25%	Floating Rate Note	Coupon Date	18,799.36
				Deal Total	18,799.36
17-Nov-25	544382	CBA Snr FRN (Jan28) BBSW+ 0.95%	Floating Rate Note	Coupon Date	28,297.26
				Deal Total	28,297.26
Day Total					47,096.62
19-Nov-25	545744	Suncorp Bank	Term Deposit	Maturity: Face Value	5,000,000.00
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	208,917.81
				Deal Total	5,208,917.81
19-Nov-25	546857	Suncorp Bank	Term Deposit	Settlement: Face Value	-5,000,000.00
				Deal Total	-5,000,000.00

Fairfield City Council

Cashflows Report - November 2025



Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
Day Total					208,917.81
27-Nov-25	546854	BOz 'SRI' Snr FRN (Nov28) BBSW+1.03%	Floating Rate Note	Settlement: Accrued Coupon at Purchase	0.00
		BOz 'SRI' Snr FRN (Nov28) BBSW+1.03%	Floating Rate Note	Settlement: Face Value	-2,500,000.00
		BOz 'SRI' Snr FRN (Nov28) BBSW+1.03%	Floating Rate Note	Settlement: Premium / Discount on Purchase	0.00
Deal Total					-2,500,000.00
Day Total					-2,500,000.00
Total for Month					-9,334,889.99

Forecast Cashflows for December 2025

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
9-Dec-25	540675	MAC Snr FRN (Dec25) BBSW+0.48%	Floating Rate Note	Coupon Date	50,630.90
		MAC Snr FRN (Dec25) BBSW+0.48%	Floating Rate Note	Maturity	5,000,000.00
		<u>Deal Total</u>			<u>5,050,630.90</u>
				Day Total	5,050,630.90
15-Dec-25	541882	SUN Snr FRN (Sep26) BBSW+0.48%	Floating Rate Note	Coupon Date	15,184.04
				<u>Deal Total</u>	<u>15,184.04</u>
15-Dec-25	543633	SUN Snr FRN (Dec27) BBSW+1.25%	Floating Rate Note	Coupon Date	19,267.87
				<u>Deal Total</u>	<u>19,267.87</u>
15-Dec-25	544498	MAC Snr FRN (Sep26) BBSW+0.85%	Floating Rate Note	Coupon Date	17,672.25
				<u>Deal Total</u>	<u>17,672.25</u>
15-Dec-25	545464	AusW Snr FRN (Sep27) BBSW+1.33%	Floating Rate Note	Coupon Date	12,241.87
				<u>Deal Total</u>	<u>12,241.87</u>
15-Dec-25	545480	AMP Snr FRN (Sep27) BBSW+1.27%	Floating Rate Note	Coupon Date	24,184.56
				<u>Deal Total</u>	<u>24,184.56</u>
15-Dec-25	546127	ING Snr FRN (Jun30) BBSW+0.95%	Floating Rate Note	Coupon Date	16,941.71
				<u>Deal Total</u>	<u>16,941.71</u>
				Day Total	105,492.29

Fairfield City Council

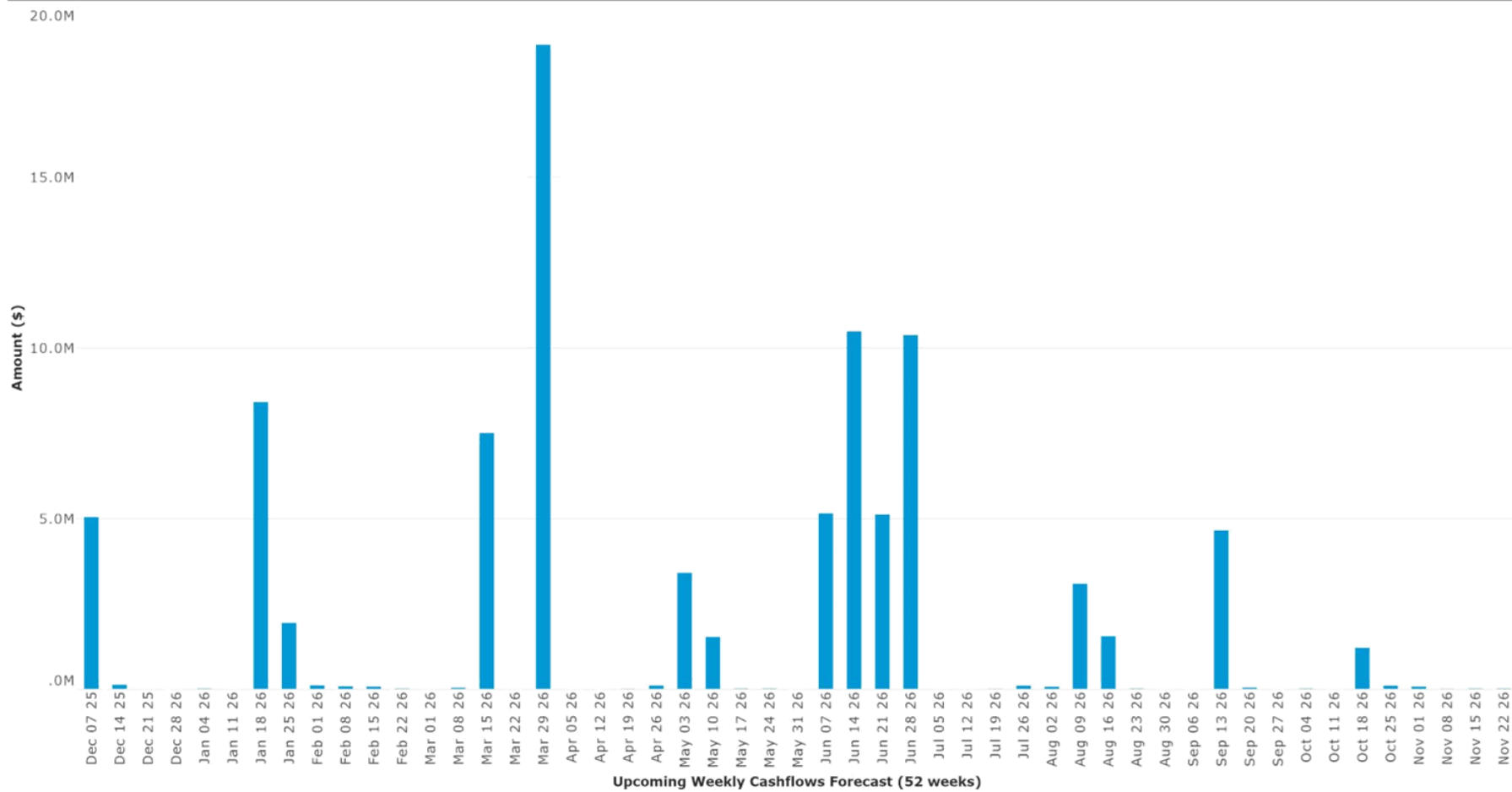
Cashflows Report - November 2025



Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
18-Dec-25	545900	NAB Snr FRN (Mar30) BBSW+0.83%	Floating Rate Note	Coupon Date	17,507.50
				<u>Deal Total</u>	<u>17,507.50</u>
				Day Total	17,507.50
19-Dec-25	544505	WBC Snr FRN (Sep28) BBSW+0.93%	Floating Rate Note	Coupon Date	16,747.62
				<u>Deal Total</u>	<u>16,747.62</u>
				Day Total	16,747.62
31-Dec-25	543964	ANZ Snr FRN (Mar28) BBSW+1.06%	Floating Rate Note	Coupon Date	5,843.13
				<u>Deal Total</u>	<u>5,843.13</u>
				Day Total	5,843.13
				Total for Month	5,196,221.44

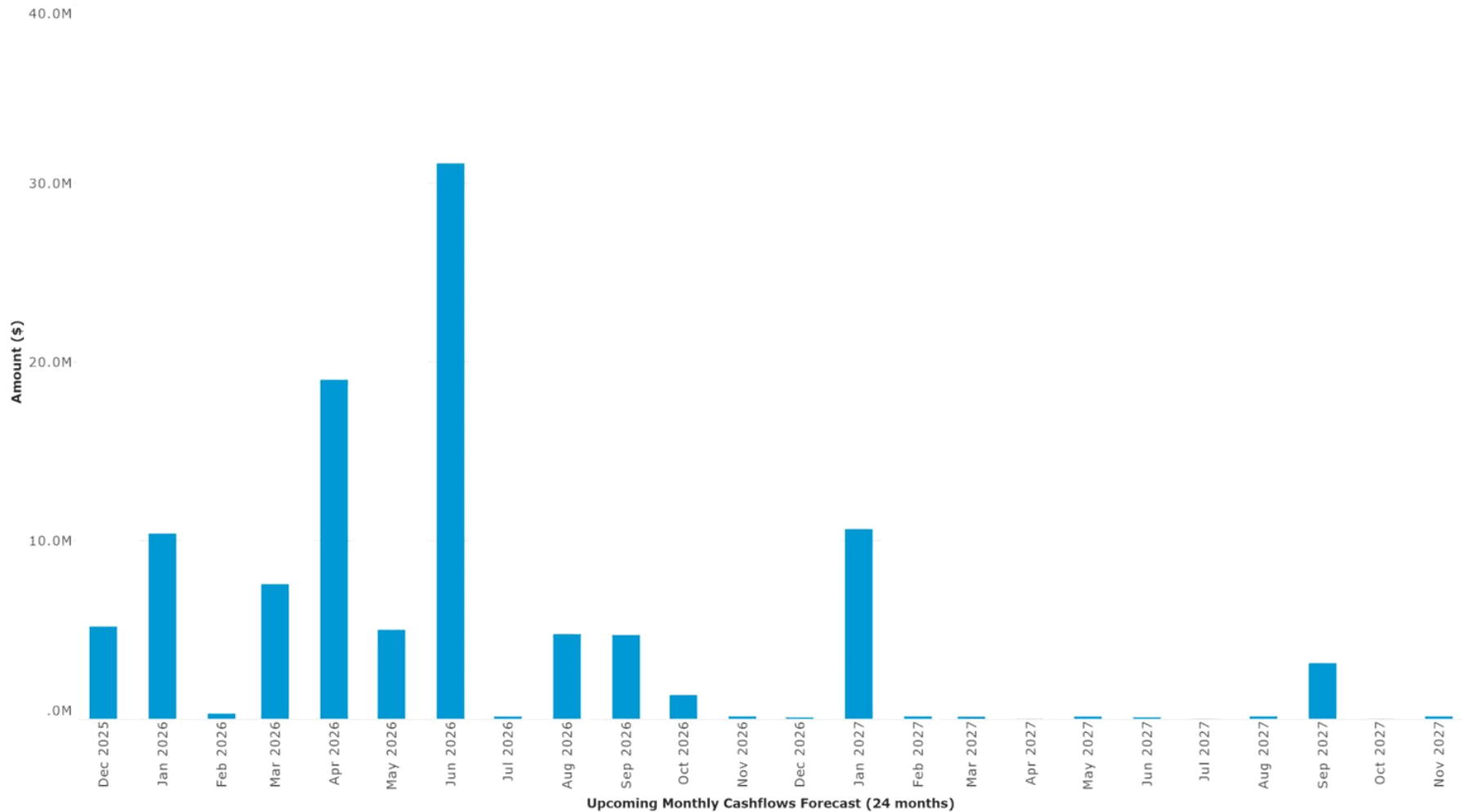
Fairfield City Council

Cashflows Report - November 2025



Fairfield City Council

Cashflows Report - November 2025



Services Committee



REPORT BY CHAIRPERSON

DATE OF MEETING: 2 December 2025

LOCATION: Committee Rooms

TIME: 6.31pm

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the council term to undertake their civic duties in the best interests of the people of Fairfield City and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

ITEM	SUBJECT	PAGE
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SECTION A

‘Matters referred to Council for its decision’

- 184:** Waive Fees and Charges - Request from South Western Sydney Local Health District (SWSLHD) Public Health Unit
File Number: 12/03512 5

RECOMMENDATION:

That the library venue hire fees and charges totalling one thousand seven hundred and thirty-five dollars (\$1,735.00) for the period from February to December 2026 to support the South Western Sydney Local Health District free immunisation clinics at Whitlam and Wetherill Park Libraries, be waived.

- 185:** NSW Department of Communities and Justice Grant - NSW Community War Memorials Fund
File Number: 23/01993 8

RECOMMENDATION:

That the grant of fifteen thousand dollars (\$15,000.00 exc. GST) offered by the NSW Community War Memorials Fund for Project MPBAR2612 Cabramatta War Memorial Bandstand be received into the 2025/2026 Operational Plan and its expenditure for that purpose, be voted.

- 186:** Delegation of Authority to the Mayor and General Manager during Council Recess Period
File Number: 10/01226 11

RECOMMENDATION:

That:

1. The Mayor, Frank Carbone or, in his absence, the Deputy Mayor, Councillor Kevin Lam and jointly the General Manager, Mr Bradley Cutts, or in his absence, the person appointed by the General Manager to act in the position of Acting General Manager, be delegated authority under Section 377 of the Local Government Act to deal with matters of business where necessary for the period from 9 December 2025 to 24 February 2026.
2. All decisions made under this delegation be reported to Council in February 2026.

***** **CONFIDENTIAL** *****

'It is recommended that the Press and Public be excluded from the meeting in regard to the following item.'

REPORT BY CHAIRPERSON
Services Committee
Meeting Date: 2 December 2025

187: RFT 109-26 - Gym Flooring and Painting Works at Prairiewood, Fairfield and Cabravale Leisure Centres

CONFIDENTIAL - It is recommended that the Council resolve into Closed Session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2)(d(i)) of the Local Government Act, 1993, on the grounds that:
(d(i)) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
and dealing with the matter in Open Session would be, on balance, contrary to the public interest.

File Number: 24/12779 13

RECOMMENDATION:

That Council accept the recommendation of the Tender Evaluation Panel in relation to the selective Request for Tender 109-26 - Gym Flooring and Painting Works at Prairiewood, Fairfield and Cabravale Leisure Centres as outlined in the report.

***** **CONFIDENTIAL** *****

'It is recommended that the Press and Public be excluded from the meeting in regard to the following item.'

188: Senior Staff Matter

CONFIDENTIAL - It is recommended that the Council resolve into Closed Session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2)(a) of the Local Government Act, 1993, on the grounds that:
(a) personnel matters concerning particular individuals.
and dealing with the matter in Open Session would be, on balance, contrary to the public interest.

File Number: Personnel 24

RECOMMENDATION:

That Council note the information contained in the Confidential Attachment and the Recommendations, be adopted.

SECTION C

‘Matters submitted to the Committee for decision subject to the right of referral’

There are no reports submitted for this section.

THAT CONCLUDES THE REPORT OF THE SERVICES COMMITTEE.

CHAIRPERSON

Services Committee



SECTION A

‘Matters referred to Council for its decision’

REPORT BY CHAIRPERSON
SERVICES COMMITTEE

Meeting Date 2 December 2025

Item Number. 184

SUBJECT: Waive Fees and Charges - Request from South Western Sydney Local Health District (SWSLHD) Public Health Unit

FILE NUMBER: 12/03512

PREVIOUS ITEMS: 103 - Waive Fees and Charges - Request from South Western Sydney Local Health District (SWSLHD) Public Health Unit - Services Supplementary Reports - 29 Jul 2025

REPORT BY: Hollie McPherson, Manager Libraries and Museum

RECOMMENDATION:

That the library venue hire fees and charges totalling one thousand seven hundred and thirty-five dollars (\$1,735.00) for the period from February to December 2026 to support the South Western Sydney Local Health District free immunisation clinics at Whitlam and Wetherill Park Libraries, be waived.

SUPPORTING DOCUMENTS:

There are no supporting documents for this report.

CITY PLAN

This report is linked to *Theme 1 Community Wellbeing* in the Fairfield City Plan.

SUMMARY

This report seeks approval to waive venue hire fees and charges totalling \$1,735.00 for the period February to December 2026 to support the South Western Sydney Local Health District (SWSLHD) Public Health Unit immunisation clinics at Whitlam and Wetherill Park Libraries.

The clinics provide free vaccinations to residents and aim to improve community health outcomes by increasing access to immunisation services. The SWSLHD Public Health Unit is seeking approval to continue using Council Libraries to operate the immunisation clinics throughout 2026.

Background

The SWSLHD Public Health Unit has completed its trial of regular immunisation clinics within Fairfield City. These clinics were established to improve community access to routine vaccinations by offering free immunisations from Council-managed venues, selected for their central locations and public transport accessibility.

Vaccination rates in Fairfield City have historically been lower than the NSW average, influenced by access barriers, vaccine hesitancy and social determinants of health. These ongoing challenges highlight the importance of providing convenient, community-based immunisation services.

Proposed Clinic Schedule and Locations

It is proposed that clinics be held from 9.30am to 2.30pm on alternating Wednesdays and Fridays each fortnight, rotating between Whitlam Library and Wetherill Park Library.

The proposed schedule would commence on Friday 6 February 2026 and continue until Friday 18 December 2026.

The associated fee changes, including the scheduled increase effective from 1 July 2026, have been incorporated into the projected costs for the program.

Social and Economic Implications

By providing free immunisation services within accessible Council venues, residents who wish to be immunised, benefit from reduced out-of-pocket healthcare costs. The clinics contribute positively to community wellbeing by increasing equitable access to health services, especially for vulnerable groups such as children, elderly residents and those with limited mobility or transportation options. Hosting clinics at libraries also promotes community engagement and health literacy.

Financial Implications

There is no direct financial cost to Council aside from the waiver of venue hire fees, which totals \$1,735.00 for 2026. The SWSLHD Public Health Unit will manage all clinical staffing, vaccine supply and operational costs.

CONCLUSION

That Council waive the library venue hire fees and charges of \$1,735.00 for the period February to December 2026 to support the delivery of free vaccination clinics at Whitlam and Wetherill Park Libraries.

REPORT BY CHAIRPERSON
SERVICES COMMITTEE

Meeting Date 2 December 2025

Item Number. 184

Hollie McPherson
Manager Libraries and Museum

Authorisation:
Director City Assets

Services Committee - 2 December 2025

File Name: **CSC02122025_16.DOCX**
***** END OF ITEM 184 *****

REPORT BY CHAIRPERSON
SERVICES COMMITTEE

Meeting Date 2 December 2025

Item Number. 185

SUBJECT: NSW Department of Communities and Justice Grant - NSW Community War Memorials Fund

FILE NUMBER: 23/01993

REPORT BY: Cheryl Dewhurst, Policy Officer Recreation and Open Space Planning

RECOMMENDATION:

That the grant of fifteen thousand dollars (\$15,000.00 exc. GST) offered by the NSW Community War Memorials Fund for Project MPBAR2612 Cabramatta War Memorial Bandstand be received into the 2025/2026 Operational Plan and its expenditure for that purpose, be voted.

SUPPORTING DOCUMENTS:

There are no supporting documents for this report.

CITY PLAN

This report is linked to *Theme 2 Places and Infrastructure* in the Fairfield City Plan.

SUMMARY

Council has received confirmation of success with an application to the NSW Community War Memorials Fund for minor repairs to the Cabravale Memorial Park Bandstand. This funding is administered by the NSW Department of Communities and Justice.

The grant provides a contribution of \$15,000.00 (exc. GST) towards the project, which was the maximum available to any application.

Background

Project funding from the Community War Memorials Fund was sought to assist Council to protect this local heritage-listed landmark in Cabramatta as an important element of Australia's military heritage.

The Cabravale Memorial Park Bandstand is registered on the NSW Register of War Memorials. The Bandstand was constructed in 1919 and dedicated on 25 April 1922.

**REPORT BY CHAIRPERSON
SERVICES COMMITTEE**

Meeting Date 2 December 2025

Item Number. 185



Cabravale Memorial Park Bandstand 2025

Cabramatta War Memorial Bandstand has been programmed for minor repairs to improve the drainage and ventilation to the Bandstand. This project (MPBAR2612) had a budget of \$35,000.00 from general funds.

The project will provide improved drainage to reduce water-related deterioration and prevent soil erosion which could undermine the structure base. Improved airflow will prevent condensation, mould and mildew, which could potentially damage timber and paintwork.

It is proposed that the conservation work be timed to minimise disruption to the calendar of military commemoration services held in Cabravale Memorial Park. Cabra-Vale Diggers Club were consulted with regards to the works and provided a letter of support towards the grant application.

Project Funding

The grant funding is provided by the Community War Memorials Fund, administered by the NSW Department of Communities and Justice. The grant must be expended within 12 months of its award and has an anticipated completion date of December 2026.

The awarding of \$15,000.00 (exc. GST) provides a contribution towards the project and enables the amount of \$15,000.00 to be returned to general funds.

With the grant, the proposed project funding is as follows:

REPORT BY CHAIRPERSON
SERVICES COMMITTEE

Meeting Date 2 December 2025

Item Number. 185

State Electorate	Suburb	Project ID	Project Description	Funds	Amount (exc. GST)
Cabramatta	Cabramatta	MPBAR2612	Cabramatta War Memorial Bandstand	General	\$20,000.00
				Grant	\$15,000.00
				TOTAL	\$35,000.00

CONCLUSION

That the amount of fifteen thousand dollars (\$15,000.00 exc. GST) offered by the NSW Community War Memorials Fund be received into the 2025/2026 Operational Plan for Project MPBAR2612 Cabramatta War Memorial Bandstand and its expenditure for that purpose, be voted and that the amount of \$15,000.00 be returned to general funds.

Cheryl Dewhurst
Policy Officer Recreation and
Open Space Planning

Authorisation:
Director City Assets

Services Committee - 2 December 2025

File Name: **CSC02122025_18.DOCX**

***** END OF ITEM 185 *****

REPORT BY CHAIRPERSON
SERVICES COMMITTEE

Meeting Date 2 December 2025

Item Number. 186

SUBJECT: Delegation of Authority to the Mayor and General Manager during Council Recess Period

FILE NUMBER: 10/01226

REPORT BY: Sonja Drca, Manager Governance and Legal

RECOMMENDATION:

That:

1. The Mayor, Frank Carbone or, in his absence, the Deputy Mayor, Councillor Kevin Lam and jointly the General Manager, Mr Bradley Cutts, or in his absence, the person appointed by the General Manager to act in the position of Acting General Manager, be delegated authority under Section 377 of the Local Government Act to deal with matters of business where necessary for the period from 9 December 2025 to 24 February 2026.
 2. All decisions made under this delegation be reported to Council in February 2026.
-

SUPPORTING DOCUMENTS:

There are no supporting documents for this report.

CITY PLAN

This report is linked to *Theme 5 Good Governance and Leadership* in the Fairfield City Plan.

SUMMARY

The purpose of this report is to address the requirement for a delegation of authority during the recess of Council over the Christmas and New Year period ie. from 9 December 2025 to 24 February 2026.

It has been the practice in past years for the Mayor and General Manager to be jointly authorised to deal with urgent matters of business, where they comply with the policies of Council for the period from the final Ordinary Council Meeting for the current year to the first Committee meetings in the New Year.

**REPORT BY CHAIRPERSON
SERVICES COMMITTEE**

Meeting Date 2 December 2025

Item Number. 186

Section 55 of the Local Government Act 1993 (the Act) and Part 7 of the Local Government (General) Regulation 2021 (Regulations) sets out all of the statutory requirements for a council to procure goods and services through tendering. Previously, Section 377 of the Act expressly denied delegation of the acceptance of tenders.

The introduction of the Local Government Amendment (Governance and Planning) Act 2016 changed Section 377 of the Act regarding the general power of the council to delegate resulting in the ability of Council to delegate acceptance of most types of tenders to the General Manager.

It should be noted by Council that this delegation excludes acceptance of tenders for services currently provided by members of staff of the Council (which could therefore result in a reduction of staff positions or increase operational resourcing).

The 2 main reasons that necessitates this recommendation are:

1. The longer duration of break between Council sitting (from 9 December 2025 to 24 February 2026)
2. Procurement projects triggered by WestInvest funding that require a prompt decision.

PROCUREMENT PROJECTS

Should any procurement decisions become critical, in order to keep these projects progressing and avoid delays, it is recommended that the General Manager be provided delegated authority to accept tenders.

CONCLUSION

Pursuant to Section 377 of the Local Government Act, it is recommended that Council resolve for the Mayor and General Manager acting jointly, to deal with matters of business where necessary until February 2026.

Any decisions made under this delegation will be reported to Council in February 2026.

Sonja Drca
Manager Governance and Audit

Authorisation:
Director People Culture and Operations

Services Committee - 2 December 2025

File Name: **CSC02122025_6.DOCX**

***** END OF ITEM 186 *****

Services Supplementary Reports



REPORT BY CHAIRPERSON

DATE OF MEETING: 9 December 2025

LOCATION: Council Chambers

TIME: 7.00pm

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the council term to undertake their civic duties in the best interests of the people of Fairfield City and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

ITEM	SUBJECT	PAGE
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SECTION A

‘Matters referred to Council for its decision’

- 195:** Schedule of Meetings - February 2026
File Number: 09/01106 4

RECOMMENDATION:

That the Meeting Schedule for February 2026 be approved as outlined in the report

- 196:** Post Exhibition - Code of Meeting Practice
File Number: 08/00542 6

RECOMMENDATION:

That the Code of Meeting Practice as exhibited from 20 October to 30 November 2025, be adopted and come into effect on 1 January 2026.

SECTION C

‘Matters submitted to the Committee for decision subject to the right of referral’

There are no reports submitted for this section.

THAT CONCLUDES THE REPORT OF THE SERVICES SUPPLEMENTARY REPORTS.

CHAIRPERSON

Services Supplementary Reports



SECTION A

‘Matters referred to Council for its decision’

REPORT BY CHAIRPERSON
SERVICES SUPPLEMENTARY REPORTS

Meeting Date 9 December 2025

Item Number. 195

SUBJECT: Schedule of Meetings - February 2026

FILE NUMBER: 09/01106

PREVIOUS ITEMS: 2 - Council Meetings, Committee Meetings and the Functions, Delegations and Membership of Committees - Extraordinary Council - 23 Sep 2025

REPORT BY: Sonja Drca, Manager Governance and Audit

RECOMMENDATION:

That the Meeting Schedule for February 2026 be approved as outlined in the report

SUPPORTING DOCUMENTS:

There are no supporting documents for this report.

CITY PLAN

This report is linked to *Theme 5 Good Governance and Leadership* in the Fairfield City Plan.

SUMMARY

This report is submitted for the determination of the meeting dates for February 2026.

The current practice is to hold the Council and Committee Meetings on the following cycle each calendar month:

Week 2	Monday	Traffic Committee	2.30pm	every second month
	Tuesday	Services Committee	6.30pm	
	Tuesday	Outcomes Committee	6.30pm	
Week 4	Tuesday	Council	7.00pm	

The first and third Tuesdays of the month are set aside for Councillor workshops and/or information sessions as required.

Model Code of Meeting Practice

REPORT BY CHAIRPERSON
SERVICES SUPPLEMENTARY REPORTS

Meeting Date 9 December 2025

Item Number. 195

Notification has been received from the Office of Local Government (OLG) advising that the Legislative Council on 25 November 2025 considered a motion to disallow the Local Government (General) Amendment (Model Code of Meeting Practice) Regulation 2025 (Regulation) however, the matter was not voted upon and will be reconsidered in February 2026.

The OLG have advised councils to continue working towards adoption of their Code of Meeting Practice based on the current Model Code. A supplementary Services report has been submitted to the 9 December 2025 Ordinary Council meeting.

Conclusion

In light of the Legislative Council yet to debate the Regulation, it is proposed that the February 2026 meeting dates be approved as follows:

3 February	Councillor Workshop (if required)
9 February	Traffic Committee
10 February	Outcomes and Services Committees
17 February	Councillor Workshop (if required)
24 February	Council

and a further report be submitted following further advice from the OLG to consider the meeting dates from March to December 2026.

Sonja Drca
Manager Governance and Audit

Authorisation:
Director People Culture and Operations
General Manager

Services Supplementary Reports - 9 December 2025

File Name: **SSR09122025_2.DOCX**

***** END OF ITEM 195 *****

REPORT BY CHAIRPERSON
SERVICES SUPPLEMENTARY REPORTS

Meeting Date 9 December 2025

Item Number. 196

SUBJECT: Post Exhibition - Code of Meeting Practice

FILE NUMBER: 08/00542

PREVIOUS ITEMS: 153 - Public Exhibition - Code of Meeting Practice - Services Committee - 14 Oct 2025

REPORT BY: Sonja Drca, Executive Manager

RECOMMENDATION:

That the Code of Meeting Practice as exhibited from 20 October to 30 November 2025, be adopted and come into effect on 1 January 2026.

SUPPORTING DOCUMENTS:

AT-A ↓	Code of Meeting Practice	50 Pages
AT-B ↓	Summary Checklist	4 Pages

CITY PLAN

This report is linked to *Theme 5 Good Governance and Leadership* in the Fairfield City Plan.

SUMMARY

Council's current Code of Meeting Practice was last adopted on 24 May 2022 and was based on the Model Code of Meeting Practice for NSW Local Councils as prescribed under the Local Government (General) Regulation 2021.

The Model Code of Meeting Practice (Model Code) was introduced in 2019 and provides a standard set of provisions on how councils in NSW should run their council and committee meetings.

From December 2024, the Office of Local Government (OLG) revised the Model Code of Meeting Practice (Model Code) following extensive consultation. On 3 September 2025, the Local Government (General) Amendment (Model Code of Meeting Practice) Regulation 2025 was prescribed under the Local Government Act 1993.

REPORT BY CHAIRPERSON
SERVICES SUPPLEMENTARY REPORTS

Meeting Date 9 December 2025

Item Number. 196

Councils are required to make the following administrative arrangements in preparation for commencement of their new Code of Meeting Practice.

- Exhibit the Draft Code of Meeting Practice for at least 28 days and provide members of the community at least 42 days to comment on the Draft Code of Meeting Practice.
- Adopt a new Code of Meeting Practice by 31 December 2025.

Model Code of Meeting Practice

The Model Code contains mandatory and non-mandatory provisions. The mandatory provisions must be included in a Council's Code of Meeting Practice whilst councils can decide to either opt-in or opt-out of using the non-mandatory provisions. Councils also have the ability to include supplementary provisions within their individual Code of Meeting Practice. However, these supplementary provisions must be consistent with the mandatory provisions contained in the Model Code.

Key Features and Changes to the Model Code of Meeting Practice

Circular 25-20 has been received from the OLG detailing the revised development of the Model Code. The key features of the new Model Code are:

- The Mayor can call an extraordinary council meeting without the need to obtain the signature of 2 councillors.
- The process for dealing with urgent business at ordinary and extraordinary council meetings has been simplified.
- New mandatory provision that prohibits pre-meeting briefings.
- Public Forum must be livestreamed.
- Councillor attendance at meetings by audio-visual link has been restricted to when a councillor is prevented from attending in person due to ill health, medical reasons or unforeseen caring responsibilities.
- Councillor absences have been amended to include reasons for the absence and grant of leave of absence.
- Council must livestream meetings of the council and committees using an audio-visual recording.
- Amended rules of etiquette at meetings.
- Mayoral Minutes may be put to a meeting (council or committee) without notice.
- The rules of debate for foreshadowed motions and amendments have been removed.
- Planning decisions should contain an assessment and staff recommendation, and should Council make a decision that is not consistent with the recommendation of staff, Council must provide reasons for its decision.
- The rules governing representations by the public on the closure of meetings have been removed.
- The General Manager must publish business papers for items to be considered during closed session on the Council website after the information ceases to be confidential. This is based on the General Manager consulting Council and providing reasons for why the information has ceased to be confidential.
- Dealing with disorder by councillors and members of the public has been strengthened.

REPORT BY CHAIRPERSON
SERVICES SUPPLEMENTARY REPORTS

Meeting Date 9 December 2025

Item Number. 196

- Meetings of committees of Council must be conducted in accordance with the Code of Meeting Practice.

Layout of the Draft Code of Meeting Practice

To assist the reader in understanding what provisions are mandatory, non-mandatory and supplementary, a colour code has been introduced in the Draft Fairfield City Council Code of Meeting Practice (Attachment A) consisting of:

- Mandatory provisions are shown in **black font**
- Non-Mandatory provisions are shown in **red font**
- Supplementary Fairfield City Council provisions are shown in **purple font**

The non-mandatory provisions (**red font**) cover areas of meeting practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what the OLG sees as best practice for the relevant area of practice.

Also, to assist the reader in understanding what new provisions have been added to the Model Code, these provisions are shown in **green highlight**. The mandatory provisions shown in **green highlight** must be adopted.

The supplementary Fairfield City Council provisions, as shown in **purple font**, reflect legislation, improve the efficiency of meetings and are a best practice approach.

Provisions highlighted in **yellow** are the supplementary Fairfield City Council provisions within the Draft Code of Meeting Practice that have been amended for clarity or good practice by Council Officers as part of the review.

All references to committees of Council in the Draft Code of Meeting Practice refer to a committee consisting only of councillors and does not refer to advisory committees or working parties.

Any discretionary or blue font provisions from the Model Code that are not recommended for adoption or applicable to Council, are shown in italic print as either:

This discretionary provision from the Model Code of Meeting Practice was not adopted by Council.

This provision from the Model Code of Meeting Practice does not apply to Fairfield City Council.

Proposal

A summary table (Attachment B) provides a quick reference of the proposed changes to the Draft Code of Meeting Practice (Attachment A).

REPORT BY CHAIRPERSON
SERVICES SUPPLEMENTARY REPORTS

Meeting Date 9 December 2025

Item Number. 196

At the Councillor Briefing on 2 December 2025, the Draft Code of Meeting Practice was presented to Council in relation to this matter and to provide an overview of the key changes and how they impact Council including:

Prohibition of Pre-Meeting Briefing sessions

The new Model Code of Meeting Practice contains mandatory provisions (Clauses 3.31-3.32) relating to pre-meeting briefing sessions.

As this provision is mandatory, Council cannot amend. Council Officers will review Council's current practice for workshops, discussion groups or other gatherings in accordance with the Model Code.

Public Forum

The new Model Code of Meeting Practice contains mandatory provisions (Clauses 4.1-4.3) relating to the Public Forum. The provisions state that Public Forum may be held prior to an ordinary or extraordinary council meeting or other committees of Council.

Council has previously determined the Public Forum protocol based upon a balance of providing an opportunity for community members to raise issues directly with Council and the need for an orderly process which ensured the appropriateness of questions.

Council currently permits members of the public to speak prior to Council Meetings on matters of policy, delivery of services, regulatory functions or issues of community concern. Public participation prior to meetings of council is a useful public engagement method and Council supports retaining this practice in some format. The current protocol is inconsistent with the new Model Code of Meeting Practice and cannot be supported.

As this provision is mandatory, Council cannot amend and it is recommended that the current practice of raising matters of policy, delivery of services, regulatory functions or issues of community concern be explored to determine another way members of the public can engage with elected representatives outside of the meeting context.

The new Model Code contains a mandatory provision for Public Forum to be held by audio-visual link. It is recommended that Council maintain the current status quo where we require people to attend Public Forum in person if they wish to raise a matter. A Note has been drafted for this section advising that if people cannot attend due to public health requirements, Council will still receive their questions and provide them with a response.

It is noted that due to Council being required to livestream its meetings, members of the public speaking at Public Forum will be recorded whilst asking their question and will be advised accordingly.

Meetings held by audio-visual link

REPORT BY CHAIRPERSON
SERVICES SUPPLEMENTARY REPORTS

Meeting Date 9 December 2025

Item Number. 196

The new Model Code of Meeting Practice contains mandatory provisions (Clauses 5.16-5.18) relating to the Mayor determining to hold meetings by audio-visual link in the event of natural disaster or public health emergencies. These provisions were previously non-mandatory.

Note: the Procedure for attendance by Councillors at meetings by audio-visual link and Remote Meeting Attendance – Technology Failure Policy will be reviewed following the Code of Meeting Practice being adopted.

Attendance by councillors at meetings by audio-visual link

The new Model Code of Meeting Practice contains mandatory provisions (Clauses 5.19-5.31) relating to individual councillors attending meetings by audio-visual link. These provisions were previously non-mandatory.

These mandatory provisions have been restricted to only when a councillor is prevented from attending in person due to ill health, medical reasons or unforeseen caring responsibilities.

Note: the Procedure for attendance by Councillors at meetings by audio-visual link and Remote Meeting Attendance – Technology Failure Policy will be reviewed following the Code of Meeting Practice being adopted.

Livestreaming of Meetings

The new Model Code of Meeting Practice contains mandatory provisions (Clauses 5.36-5.41) relating to the livestreaming of council and committee meetings. The recording of the meeting is to be at the same time as the meeting taking place. The current Code allowed for either an audio or audio-visual recording. Council to date, was only audio recording its meetings.

Due to the new provisions, Council Officers have explored technology to allow for the audio-visual recording of the meeting and cameras are being affixed in the civic wing.

Order of Business for Ordinary Council Meetings

The new Model Code of Meeting Practice contains mandatory provisions (Clauses 8.1-8.3) relating to the order of business for meetings of council.

This provision has been updated to reflect Council's current order of business for meetings of council and is consistent with the 'Meetings held by audio-visual link' section of the Model Code.

It is recommended that the current provision be retained, and additional wording be accepted.

Minutes of Meetings

REPORT BY CHAIRPERSON
SERVICES SUPPLEMENTARY REPORTS

Meeting Date 9 December 2025

Item Number. 196

The new Model Code of Meeting Practice contains a non-mandatory provision (Clause 19.2(a)) relating to recording the names of councillor attendees whether in person or by audio-visual link.

It is recommended that the new provision be accepted.

Public Exhibition

Before adopting a new Code of Meeting Practice, Section 361 of the Local Government Act 1993 requires that it be placed on public exhibition for at least 28 days and provide members of the community at least 42 days in which to comment on the draft Code of Meeting Practice.

Accordingly, the proposed Code of Meeting Practice (Attachment A) was placed on public exhibition (Council website and social media) from Monday 20 October to Sunday 16 November 2025.

Submissions

During the exhibition period, no submissions were received from members of the community.

Transitional Arrangements

The OLG has indicated it will issue model best practice guidance for councils, however at the time of writing this report, these have not yet been released.

The Code of Meeting Practice becomes effective as of Thursday 1 January 2026. To enable changes to the business paper system to reflect the revised Code of Meeting Practice, cosmetic changes are required to the business paper and include update of the meeting agenda and minutes templates and Order of Business schedule. Councillors will be provided further notice closer to the commencement date of when the Code begins. Information sessions will be conducted to ensure the Mayor, councillors and staff are aware of their obligations under the revised Code of Meeting Practice.

Following adoption, the Code will be accessible on Council's intranet site, website and Stellar Library. In addition, applicable Forms and Quality Management procedures will be updated.

CONCLUSION

The Code of Meeting Practice structure assists decision making by allowing effective decision processes and use of time, Councillors to fulfil their responsibilities under the Local Government Act and a structured community input and participation in decision making.

REPORT BY CHAIRPERSON
SERVICES SUPPLEMENTARY REPORTS

Meeting Date 9 December 2025

Item Number. 196

Notification has been received from the OLG advising that the Legislative Council on 25 November 2025 considered a motion to disallow the Local Government (General) Amendment (Model Code of Meeting Practice) Regulation 2025 however, the matter was not voted upon and will be reconsidered in February 2026. The OLG have advised councils to continue working towards adoption of their Code of Meeting Practice based on the current Model Code.

Accordingly, it is recommended that the appended Code of Meeting Practice (Attachment A) be adopted.

Sonja Drca
Manager Governance and Audit

Authorisation:
Director People Culture and Operations
General Manager

Services Supplementary Reports - 9 December 2025

File Name: **SSR09122025_1.DOCX**
***** END OF ITEM 196 *****



**MODEL CODE OF
MEETING PRACTICE
FOR LOCAL COUNCILS IN NSW**

**Adopted by Fairfield City Council on
9 December 2025**

Effective from 1 January 2026

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1 INTRODUCTION

This Code of Meeting Practice is based on the Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) as prescribed under Section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Model Meeting This Code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted Code of Meeting Practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a Code of Meeting Practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

The mandatory provisions of the Model Meeting Code are indicated in **black font**. The provisions of the Model Meeting Code that are not mandatory are indicated in **red font** and supplementary Council provisions are indicated in **purple font**.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the Code of Meeting Practice adopted by the council.

The Model Meeting Code also applies to meetings of the boards of joint organisations and county councils. The provisions that are specific to meetings of boards of joint organisations are indicated in **blue font**.

~~In adopting the Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "Mayor", "voting representative" for "councillor" and "executive officer" for "General Manager".~~

~~In adopting the Model Meeting Code, county councils should adapt it to substitute the term "chairperson" for "Mayor" and "member" for "councillor".~~

2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

Note: The Office of Local Government has issued a guideline on free speech in Local Government in NSW. The Guideline provides practical guidance to councils on what free speech means in the context of NSW local Government including in relation to council meetings. The Guidelines have been issued under Section 23A of the Act meaning councils must consider them when exercising their functions at meetings.

3 BEFORE THE MEETING

Timing of ordinary council meetings

- 3.1 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Note: Under Section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under Section 365A.

Note: Under Section 396 of the Act, county councils are required to meet at least four (4) times each year.

Note: Under Section 400T of the Act, boards of joint organisations are required to meet at least four (4) times each year, each time in a different quarter of the year.

Note: Under Clause 13 of Schedule 11 of the Act, councils that have been designated as a rural and remote council under the Regulation are required to meet at least four (4) times each year, each time in a different quarter of the year.

Extraordinary meetings

- 3.2 If the Mayor receives a request in writing, signed by at least two (2) councillors, the Mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The Mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.2 reflects Section 366 of the Act.

- 3.3 The Mayor may call an extraordinary meeting without the need to obtain the

signature of two (2) councillors.

3.3.1 The Mayor or the General Manager may by a written notice call an extraordinary meeting to deal with:

- (a) a notice of motion to rescind a resolution of council, or Note: refer to Clauses 17.3-17.11.
- (b) any adjourned, deferred or otherwise unconcluded business from former meetings, or
- (c) any business which, in his or her opinion, is necessary or urgent.

Notice to the public of council meetings

3.4 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings, and of each meeting of committees of the council.

Note: Clause 3.4 reflects Section 9(1) of the Act.

3.5 For the purposes of Clause 3.4, notice of a meeting of the council and of a committee of council must be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

3.6 For the purposes of Clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

3.7 The General Manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.7 reflects Section 367(1) of the Act.

3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, unless the council determines otherwise, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.8 reflects Section 367(3) of the Act.

Notice to councillors of extraordinary meetings

3.9 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.9 reflects Section 367(2) of the Act.

3.9.1 The Mayor or the General Manager may determine what constitutes an emergency.

Giving notice of business to be considered at council meetings

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted **within such reasonable time no later than 4.00pm on the Tuesday of the week before the meeting date or no later than 4.00pm five (5) business days** before the meeting is to be held **as determined by the council**.
- 3.11 A councillor may, in writing to the General Manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

Questions with notice

- 3.12 A councillor may, by way of a notice submitted under Clause 3.10, ask a question for response by the General Manager about the performance or operations of the council.
- 3.13 A councillor is not permitted to ask a question with notice under Clause 3.12 **that would constitute an act of disorder**.
- 3.14 The General Manager or their nominee may respond to a question with notice submitted under Clause 3.12 by way of a report included in the business papers for the relevant meeting of the council.

Agenda and business papers for ordinary meetings

- 3.15 The General Manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.16 The General Manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the Mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under Clause 3.10.
- 3.17 Nothing in Clause 3.16 limits the powers of the Mayor to put a Mayoral minute to a meeting without notice under Clause 9.7.
- 3.18 The General Manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the General Manager, the business is, or the implementation of the business would be, unlawful. The General Manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

- 3.19 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the meeting is closed to the public, the General Manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under Section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.19 reflects Section 9(2A)(a) of the Act.

- 3.20 The General Manager must ensure that the details of any item of business which, in the opinion of the General Manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

- 3.21 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.21 reflects Section 9(2) and (4) of the Act.

- 3.22 Clause 3.21 does not apply to the business papers for items of business identified under Clause 3.19 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.22 reflects Section 9(2A)(b) of the Act.

- 3.23 For the purposes of Clause 3.21, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.23 reflects Section 9(3) of the Act.

- 3.24 A copy of an agenda, or of an associated business paper made available under Clause 3.21, may in addition be given or made available in electronic form **unless the council determines otherwise.**

Note: Clause 3.24 reflects Section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.25 The council must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.26 Nothing in Clause 3.25 limits the powers of the Mayor to put a Mayoral Minute to an extraordinary meeting without notice under Clause 9.7.
- 3.27 Despite Clause 3.25, business may be considered at an extraordinary meeting of the council at which all councillors are present, even though due notice has not been given of the business, if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council. A resolution adopted under this Clause must state the reasons for the urgency.
- 3.28 A motion moved under Clause 3.27 can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with. Despite any other provision of this Code, only the mover of a motion moved under Clause 3.27, and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 3.29 If all councillors are not present at the extraordinary meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with Clause 3.27 and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 3.30 A motion of dissent cannot be moved against a ruling of the chairperson under Clause 3.29 on whether a matter is urgent.

Agenda and business papers for committee meetings

- 3.30.1 A committee agenda shall include a Section A and or a Section B if there are matters to be included in the agenda that fall within the definitions of those Sections.

Note: Refer to Part 22 Definitions

Supplementary Reports

- 3.30.2 Circumstances may necessitate the distribution of supplementary reports either prior to or at council and committee meetings. Where the supplementary reports:
- (a) are distributed prior to the meeting, no additional time will be allowed for councillors to read the report unless the meeting decides otherwise, or
 - (b) are distributed at the meeting, the Chairperson shall determine a period of time to allow councillors to read the report, prior to the item being discussed or determined.
- 3.30.3 Supplementary reports, other than those relating to confidential business, will be available to the public as soon as practicable after they have been printed but in any event will be available on the night of the meeting.

Prohibition of pre-meeting briefing sessions

- 3.31 Briefing sessions must not be held to brief councillors on business listed on the agenda for meetings of the council or committees of the council.

Note: The prohibition on the holding of briefing sessions under Clause 3.31 reflects the intent of Chapter 4, Part 1 of the Act which requires business of the council to be conducted openly and transparently at a formal meeting of which due notice has been given and to which the public has access. Pre-meeting briefing sessions are inconsistent with the principles of transparency, accountability and public participation and have the potential to undermine confidence in the proper and lawful decision-making processes of the council.

- 3.32 Nothing in Clause 3.31 prevents a councillor from requesting information from the General Manager about a matter to be considered at a meeting, provided the information is also available to the public. Information requested under this Clause must be provided in a way that does not involve any discussion of the information.

4 PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to meetings of the council and committees of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to meetings of other committees of the council.

- 4.1.1 Public Forum session is held prior to each ordinary meeting of the council and the Outcomes, Services and Traffic Committees for the purpose of hearing oral submissions from members of the public on items of business listed on the agenda/business paper for consideration at the council or committee meeting that evening/day.

- 4.2 The council may determine the rules under which public forums are to be conducted and when they are to be held.

- 4.2.1 Members of the public wanting to participate in the Public Forum must attend in person subject to the provisions of a Public Health Order. If public attendance is not permitted, Council may consider questions which have been submitted in accordance with Clause 4.1.1.

- 4.2.2 Public Forum session is chaired by the Mayor or their nominee.

- 4.2.3 To ask a question of council, a person must first submit on a duly completed and signed application form to the General Manager. Applications to speak at the Public Forum must be received by 12 noon on the day of the meeting.

- 4.2.4 Each speaker will be limited to asking 1 (one) question to which they will receive a written response.

- 4.2.5 Representatives acting on behalf of others are not permitted to speak at Public Forum unless they provide their name, address, contact telephone number and signed authorisation from the person they are representing when applying to speak at the meeting.
- 4.2.6 The Chairperson will only allow questions to be asked that are consistent with this Code and may refuse an application to speak at Public Forum. The Chairperson must give reasons in writing for a decision to refuse an application.
- 4.2.7 The Public Forum session is limited to 30 minutes.
- 4.2.8 Approved speakers at the Public Forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the Public Forum and to identify any equipment needs no more than 12 noon on the day of the meeting. The General Manager or their delegate may refuse to allow such material to be presented.
- 4.2.9 The General Manager or their delegate is to determine the order of speakers at the Public Forum.
- 4.2.10 Each speaker will be allowed 5 (five) minutes to address the council. This time is to be strictly enforced by the Chairperson.
- 4.2.11 Speakers at Public Forums must not digress from the question they have applied to address the council on. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.
- 4.2.12 Speakers at Public Forums cannot ask questions of the council, councillors or council staff.
- 4.2.13 When addressing the council, speakers at Public Forums must comply with this Code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the Council's Code of Conduct or making other potentially defamatory statements.
- 4.2.14 If the Chairperson considers that a speaker at a Public Forum has engaged in conduct of the type referred to in Clause 4.2.13, the Chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the Chairperson's request, the Chairperson may immediately require the person to stop speaking.
- 4.2.15 Clause 4.2.14 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at Public Forums in accordance with the provisions of Part 15 of this Code.
- 4.2.16 Where a speaker engages in conduct of the type referred to in Clause 4.2.13, the Chairperson may refuse further applications from that person to speak at Public Forums for such a period as the Chairperson considers appropriate.

- 4.3 The provisions of this Code requiring the livestreaming of meetings also apply to public forums.

5 COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under Section 233A of the Act.

- 5.2 The council may determine standards of dress for councillors when attending meetings.

Dress Code

- 5.2.1 The Mayor, Councillors and staff of Fairfield City Council may not be permitted to remain in meetings of council unless they are wearing appropriate business attire.

- 5.2.2 Members of the public may not be permitted to remain in meetings of council and committee meetings of council unless they are dressed in appropriate attire.

- 5.3 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this Code.

- 5.4 ~~The board of the joint organisation may, if it thinks fit, transact any of its business at a meeting at which representatives (or some representatives) participate by telephone or other electronic means, but only if any representative who speaks on a matter before the meeting can be heard by the other representatives. For the purposes of a meeting held in accordance with this Clause, the chairperson and each other voting representative on the board have the same voting rights as they have at an ordinary meeting of the board.~~

This provision from the Model Code of Meeting Practice does not apply to Fairfield City Council.

Note: Clause 5.4 reflects Section 397G of the Regulation. Joint organisations may adopt Clause 5.4 and omit Clause 5.3. Councils must not adopt Clause 5.4.

- 5.5 Where a councillor is unable to attend one or more meetings of the council or committees of the council, the councillor should submit an apology for the meetings they are unable to attend, state the reasons for their absence from the meetings and request that the council grant them a leave of absence from the relevant meetings.

- 5.6 The council must not act unreasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.7 Where a councillor makes an apology under Clause 5.5, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting for the purposes of Section 234(1)(d) of the Act. If the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its decision in its resolution.
- 5.8 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under Section 438HA.

Note: Clause 5.8 reflects Section 234(1)(d) of the Act.

5.8.1 The seating arrangements of Councillors at meetings of the council and committees is determined by the Mayor/General Manager.

The quorum for a meeting

- 5.9 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.9 reflects Section 368(1) of the Act.

- 5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.10 reflects Section 368(2) of the Act.

- 5.11 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.
- 5.12 In either case, the meeting must be adjourned to a time, date, and place fixed:
- (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the councillors present, or
 - (c) failing that, by the General Manager.
- 5.13 The General Manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of

a quorum) at or arising during a meeting of the council, together with the names of the councillors present.

- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the Mayor may, in consultation with the General Manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a meeting is cancelled under Clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called by the Mayor under Clause 3.3.

Motions for Adjournment

- 5.15.1 No discussion will be permitted by the Chairperson on any motion for adjournment of a meeting of the council or a committee of Council.
- 5.15.2 If the motion for adjournment is lost, the subject then under consideration, or next on the business paper, is to be considered.
- 5.15.3 No Councillor is to move a motion for adjournment of a meeting of the council or a committee of council until half an hour has elapsed since the previous motion for adjournment was lost.

Meetings held by audio-visual link

- 5.16 A meeting of the council or a committee of the council may be held by audio-visual link where the Mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The Mayor may only make a determination under this Clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The Mayor must make a determination under this Clause in consultation with the General Manager and, as far as is practicable, with each councillor.
- 5.17 Where the Mayor determines under Clause 5.16 that a meeting is to be held by audio-visual link, the General Manager must:
- give written notice to all councillors that the meeting is to be held by audio-visual link, and
 - take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
 - cause a notice to be published on the council's website and in such other manner the General Manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.

- 5.18 This Code applies to a meeting held by audio-visual link under Clause 5.16 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under Clause 5.16, it is still required under Section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by councillors at meetings by audio-visual link

- 5.19 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.
- 5.20 Clause 5.19 does not apply to meetings at which a Mayoral election is to be held.
- 5.21 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the General Manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.22 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under Clause 5.21.
- 5.23 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.24 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.25 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state the meetings the resolution applies to.
- 5.26 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.27 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering

requests by councillors to attend meetings by audio-visual link.

- 5.28 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this Code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.29 This Code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this Code, they are to be taken as attending the meeting in person for the purposes of the Code and will have the same voting rights as if they were attending the meeting in person.
- 5.30 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this Code.
- 5.31 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

- 5.32 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.32 reflects Section 10(1) of the Act.

- 5.33 Clause 5.32 does not apply to parts of meetings that have been closed to the public under Section 10A of the Act.
- 5.34 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.34 reflects Section 10(2) of the Act.

- 5.35 On the adoption of this Code and at the commencement of each council term, the council must determine whether to authorise the person presiding at a meeting to exercise a power of expulsion.

Note: If adopted, Clauses 15.15 and 15.16 confer a standing authorisation on all chairpersons of meetings of the council and committees of the

~~council to expel persons from meetings. If adopted, Clause 15.15 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, Clause 15.16 authorises chairpersons to expel persons other than councillors from a council or committee meeting.~~

Livestreaming of meetings

- 5.36 Each meeting of the council or a committee of the council is to be recorded by means of an **audio-visual device**.
- 5.37 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:
- (a) the meeting is being recorded and made publicly available on the council's website, and
 - (b) persons attending the meeting should refrain from making any defamatory statements.
- 5.38 The recording of a meeting is to be made publicly available on the council's website at the same time as the meeting is taking place.
- 5.39 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting **or for the balance of the council's term, whichever is the longer period**.
- 5.40 Clauses 5.36 - 5.39 do not apply to any part of a meeting that has been closed to the public in accordance with Section 10A of the Act.

Note: Clauses 5.36 – 5.40 reflect Section 236 of the Regulation.

- 5.41 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

~~Note: Joint organisations are not required to livestream their meetings but may choose to do so by adopting Clauses 5.36–5.40. Joint organisations that choose not to livestream their meetings may omit Clauses 5.36–5.40.~~

Attendance of the General Manager and other staff at meetings

- 5.42 The General Manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.42 reflects Section 376(1) of the Act.

- 5.43 The General Manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Note: Clause 5.43 reflects Section 376(2) of the Act.

- 5.44 The General Manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the General Manager or the terms of employment of the General Manager.

Note: Clause 5.44 reflects Section 376(3) of the Act.

- 5.45 The attendance of other council staff at a meeting, (other than as members of the public) shall be determined by the General Manager **in consultation with the Mayor.**

- 5.46 The General Manager and other council staff may attend meetings of the council and committees of the council by audio-visual link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the General Manager, as per the *Remote Meeting Attendance – Technology Failure Policy*.

6 THE CHAIRPERSON

The chairperson at meetings

- 6.1 The Mayor, or at the request of or in the absence of the Mayor, the Deputy Mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects Section 369(1) of the Act.

- 6.2 If the Mayor and the Deputy Mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects Section 369(2) of the Act.

Election of the chairperson in the absence of the Mayor and deputy Mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4 The election of a chairperson must be conducted:
- (a) by the General Manager or, in their absence, an employee of the council designated by the General Manager to conduct the election, or
 - (b) by the person who called the meeting or a person acting on their behalf if neither the General Manager nor a designated employee is present at the meeting, or if there is no General Manager or designated employee.
- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of Clause 6.5, the person conducting the election must:
- (a) arrange for the names of the candidates who have equal numbers of

- votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under Clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:
- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
 - (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7 MODES OF ADDRESS

- 7.1 Where physically able to, councillors and staff should stand when the Mayor enters the chamber and when addressing the meeting.
- 7.2 If the chairperson is the Mayor, they are to be addressed as 'Mr Mayor', 'Madam Mayor' or 'Mayor'.
- 7.3 If the chairperson is the deputy Mayor, they are to be addressed as 'Mr Deputy Mayor', or 'Madam Deputy Mayor' or 'Deputy Mayor'.
- 7.4 Where the chairperson is not the Mayor or Deputy Mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson' or 'Chair'.
- 7.5 A councillor is to be addressed as 'Councillor [surname]'.
- 7.6 A council officer is to be addressed by their official designation or as Mr/Ms/Mx [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

- 8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council.

- 8.1.1 The general order of business for an ordinary meeting of the council shall be:

- National Anthem
- Mayoral Welcome
- Acknowledgement of Country
- Apologies and Leave of Absence
- Remote Meeting Attendance
- Confirmation of Minutes
- Mayoral Minutes
- Notices of Motion

Questions to the Mayor
 Reports and Supplementary Items
 Confidential Reports to Council
 Close of Meeting

Note 1: Mayoral Welcome

As a matter of practice, the Mayor will open the ordinary meeting of council by welcoming all those present in Council's Chamber, greeting delegates and special guests in the gallery and acknowledging the traditional owners past and present of the land on which the meeting is being held.

Following the Mayor's welcoming address, the Mayor will ask all present to be upstanding and will ask a Councillor to say the Prayer.

Explanatory Note: Declaration of Interests

Declarations of Interests are made by Councillors immediately before a Motion is considered. The Chairperson of the meeting will provide ample time and opportunity for Councillors to declare their interests in the matter to be considered prior to the commencement of discussions. Councillors are required to declare their interests in writing by completing a Conflicts of Interest Form which is to be handed to the Governance Officer on the occasion of the meeting. Refer to Part 16 (Conflicts of Interest) of this Code.

- 8.2 The order of business as fixed under Clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: If adopted, Part 13 allows council to deal with items of business by exception.

- 8.3 Despite any other provision of this Code, only the mover of a motion referred to in Clause 8.2 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by Clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with Clause 3.7 in the case of an ordinary meeting or Clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) is a matter or topic put to the meeting by way of a Mayoral minute, or

(d) is a motion for the adoption of recommendations of a committee of the council.

9.3 Despite Clause 9.1, business may be considered at a meeting of the council at which all councillors are present even though due notice has not been given of the business to councillors, if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting. A resolution adopted under this Clause must state the reasons for the urgency.

9.4 A motion moved under Clause 9.3 can be moved without notice. Despite any other provision of this Code, only the mover of a motion referred to in Clause 9.3 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

9.5 If all councillors are not present at a meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with Clause 9.3, and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.

9.6 A motion of dissent cannot be moved against a ruling by the chairperson under Clause 9.5.

Mayoral minutes

9.7 The Mayor may, by minute signed by the Mayor, put to the meeting without notice any matter or topic that the Mayor determines should be considered at the meeting.

9.8 A Mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The Mayor may move the adoption of a Mayoral minute without the motion being seconded.

9.9 A recommendation made in a Mayoral minute put by the Mayor is, so far as it is adopted by the council, a resolution of the council.

Staff reports

9.10 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

9.11 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.

9.12 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.13 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with Clauses 3.10 and 3.12, **unless the council determines otherwise in accordance with this Code.**
- 9.14 A councillor may, through the chairperson, **ask** another councillor about a matter on the agenda.
- 9.15 A councillor may, through the **Mayor**, ask the General Manager about a matter on the agenda. **The General Manager may request another council employee to answer the question.**
- 9.16 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.17 Councillors must **ask** questions directly, succinctly, and without argument.
- 9.18 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

Questions to the Mayor

9.19.1 Questions without notice are generally not permitted.

9.19.2 At each ordinary council meeting, Councillors will be permitted to address questions to the Mayor. These questions will be treated as questions on notice. The questions must be related to the function and business of Council and be limited to:

- matters raised on behalf of members of the community, or
- matters which propose or may result in a change in current policy or practice, or
- matters which may require a reallocation of funds or additional expenditure, or
- matters which may incur a considerable amount of research and subsequently a reallocation of staff priorities, or
- matters which are demonstrably of current public concern.

9.19.3 The questions asked must be submitted in writing at the ordinary council meeting. The Chairperson will ask the Councillor if the question is in writing. Questions that are not submitted in writing will not be accepted as questions and will not be recorded in the minutes. Statements that are not questions will not be recorded in the minutes whether or not they are submitted in writing. The Chairperson must rule out of order any submission made under this Clause that is not in writing or that is not a question.

9.19.4 Questions submitted under this Clause will not be debated, discussed or replied to at the meeting of Council at which they are submitted, except if a motion is passed to have the question dealt with at the meeting and the

Chairperson rules the matter to be of great urgency, in accordance with Clause 9.3 of this Code.

9.19.5 The Chairperson may, in their discretion, rule a question out of order if it is their opinion that it will divert significant time and resources of staff, is vague, trivial, overly detailed, offensive, or does not relate to the function and business of council as set out in sub-Clause 9.19.2.

9.19.6 A schedule of unanswered questions will be distributed to Councillors each month for their information.

10 RULES OF DEBATE

Motions to be seconded

10.1 Unless otherwise specified in this Code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

10.2 A councillor who has submitted a notice of motion under Clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.

10.3 If a councillor who has submitted a notice of motion under Clause 3.10 wishes to withdraw it, they may request its withdrawal at any time. If the notice of motion is withdrawn after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the chairperson is to note the withdrawal of the notice of motion at the meeting unless the council determines to consider the notice of motion at the meeting.

10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:

- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
- (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.

10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.

10.7 Before ruling out of order a motion or an amendment to a motion under Clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

Amendments to motions

- 10.8 An amendment to a motion must be moved and seconded before it can be debated.
- 10.9 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.10 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.11 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.12 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.13 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.14 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Limitations on the number and duration of speeches

- 10.15 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.16 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.17 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.18 Despite Clause 10.17, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.19 Despite Clauses 10.15 and 10.16, a councillor may move that a motion or an amendment be now put:

- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.20 The chairperson must immediately put to the vote, without debate, a motion moved under Clause 10.19. A seconder is not required for such a motion.
- 10.21 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under Clause 10.15.
- 10.22 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.23 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this Code, remain silent while another councillor is speaking.
- 10.24 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.
- 10.25 Clause 10.24 does not prevent a further motion from being moved on the same item of business where the original motion is lost provided the motion is not substantially the same as the one that is lost.

Participation by non-voting representatives in joint organisation board meetings

- 10.26 ~~Non-voting representatives of joint organisation boards may speak on but must not move, second or vote on any motion or an amendment to a motion. This provision from the Mode Code of Meeting Practice does not apply to Fairfield City Council.~~
Note: Under Section 400T(1)(c) of the Act, non-voting representatives of joint organisation boards may attend but are not entitled to vote at a meeting of the board.
- Note: Joint organisations must adopt Clause 10.26. Councils must not adopt Clause 10.26.**

11 VOTING

Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects Section 370(1) of the Act.

Note: Under Section 400T(1) of the Act, voting representatives of joint organisation boards are entitled to one (1) vote each at meetings of the board.

- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects Section 370(2) of the Act.

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

- 11.4 ~~A motion at a meeting of the board of a joint organisation is taken to be lost in the event of an equality of votes.~~

~~This provision from the Model Code of Meeting Practice does not apply to Fairfield City Council.~~

~~**Note: Clause 11.4 reflects Section 397E of the Regulation. Joint organisations must adopt Clause 11.4 and omit Clauses 11.2 and 11.3. Councils must not adopt Clause 11.4.**~~

~~**Note: Under Section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, Clause 11.4 must be adapted to reflect those requirements.**~~

Explanatory Note:

Although a councillor does not have to vote, voting at council meetings is one of the responsibilities of a councillor and should be regarded seriously.

Councillors who are not present for the vote are not counted as having voted. A Councillor will be absent from voting if he or she has physically left the meeting room. If a Councillor is in the room, but chooses not to vote or say that he or she abstains from voting, the Councillor is taken to have voted against the motion (Clause 11.6). This will be the case even if the Councillor is sitting away from the meeting table.

Councillors with a pecuniary interest in a matter cannot be present at, or in sight of, the meeting that is considering the matter or voting on it (Section 4.29 of the Code of Conduct). The only exception to this is where the Minister has given permission for such a councillor to be present in the meeting and to vote on the issue (Section 4.38 of the Code of Conduct). This sub-Clause does not apply to a Councillor who does not vote because he or she has a pecuniary interest in the subject matter of the motion.

Voting at council meetings

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.6 If a councillor who has voted against a motion put at a council meeting so requests, the General Manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.7 The decision of the chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.

- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with Clause 11.5 of this Code.
- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for Mayor or deputy Mayor is to be by secret ballot.
- 11.11 ~~All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment (including the use of the casting vote) being recorded.~~
This discretionary provision from the Model Code of Meeting Practice was not adopted by Fairfield City Council.
Note: If Clause 11.11 is adopted, Clauses 11.6 – 11.9 and Clause 11.15 may be omitted.

Voting on planning decisions

- 11.12 The council or a council committee must not make a final planning decision without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.
- 11.13 Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.
- 11.14 The General Manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.15 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.16 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.17 Clauses 11.14–11.16 apply also to meetings that are closed to the public.

Note: Clauses 11.14–11.17 reflect Section 375A of the Act.

Note: The requirements of Clause 11.14 may be satisfied by maintaining a register of the minutes of each planning decision.

12 COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects Section 373 of the Act.

- 12.2 All the provisions of this Code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches **and encouraging councillors and staff to stand when addressing the meeting.**

Note: Clauses 10.15 – 10.25 limit the number and duration of speeches.

Note: Clause 7.1 encourages councillors and staff to stand when addressing the meeting where they can.

- 12.3 The General Manager or, in the absence of the General Manager, an employee of the council designated by the General Manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution **where it considers it necessary to expedite the consideration of business at a meeting.**
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under Clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under Clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under Clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with Clause 8.2.
- 13.5 A motion to adopt multiple items of business together under Clause 13.1 must

identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.

- 13.6 Items of business adopted under Clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under Clause 13.1.

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the council, councillors, council staff or council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of the council's Code of Conduct.

Note: Clause 14.1 reflects Section 10A(1) and (2) of the Act.

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects Section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in Clause 14.1:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and

- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects Section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in Clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice,
- (c) are fully discussed in that advice, and
- (d) are subject to legal professional privilege.

Note: Clause 14.4 reflects Section 10B(2) of the Act.

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in Clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in Clause 14.1.

Note: Clause 14.5 reflects Section 10B(3) of the Act.

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects Section 10B(4) of the Act.

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects Section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under Clause 3.19 as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the

- matter is a matter referred to in Clause 14.1, and
- (b) the council or committee, after considering any representations made under Clause 14.9, resolves that further discussion of the matter:
- (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects Section 10C of the Act.

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects Section 10A(4) of the Act.

- 14.10 A representation under Clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Despite Clauses 14.9 and 14.10, the council may resolve to close the meeting to the public in accordance with this Part to hear a representation from a member of the public as to whether the meeting should be closed to consider an item of business where the representation involves the disclosure of information relating to a matter referred to in Clause 14.1
- 14.12 Where the matter has been identified in the agenda of the meeting under Clause 3.19 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under Clause 14.9, members of the public must first make an application to the council in a manner determined by the council. Applications must be received two (2) business days before the meeting at which the matter is to be considered.

Expulsion of non-councillors from meetings closed to the public

- 14.13 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with Section 10A of the Act and this Code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by Section 10(2)(a) or (b) of the Act.
- 14.14 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under Section 660 of the Act carrying a maximum penalty of 20 penalty units.

Obligations of councillors attending meetings by audio-visual link

- 14.15 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under Section 10A of the Act.

Note: This provision also applies to Council staff who may be attending the meeting by audio-visual link.

Information to be disclosed in resolutions closing meetings to the public

- 14.16 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of Section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.16 reflects Section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.17 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.18 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under Clause 14.17 during a part of the meeting that is **live-streamed where practicable**.
- 14.19 The General Manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 14.20 The General Manager must consult with the council and any other affected persons before publishing information on the council's website under Clause 14.19 and provide reasons for why the information has ceased to be confidential.

15 KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this Code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this Code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.3 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.4 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.5 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.6 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.7 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.8 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.9 Despite any other provision of this Code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.10 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act, the Regulation or this Code, or
 - (b) assaults or threatens to assault another councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction

- of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) uses offensive or disorderly words, or
 - (e) makes gestures or otherwise behaves in a way that is sexist, racist, homophobic or otherwise discriminatory, or, if the behaviour occurred in the Legislative Assembly, would be considered disorderly, or
 - (f) imputes improper motives to or unfavourably personally reflects upon any other council official, or a person present at the meeting, except by a motion, or
 - (g) says or does anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.

Note: Clause 15.10 reflects Section 182 of the Regulation.

Note: The Legislative Assembly's Speaker's Guidelines state that "Members are not to use language, make gestures, or behave in any way in the Chamber that is sexist, racist, homophobic or otherwise exclusionary or discriminatory. Such conduct may be considered offensive and disorderly, in accordance with Standing Order 74".

15.11 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in Clauses 15.10(a), (b), (d), (e), or (g), or
- (b) to withdraw a motion or an amendment referred to in Clause 15.10(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in Clauses 15.10(d), (e), (f) or (g).

Note: Clause 15.11 reflects Section 233 of the Regulation.

15.12 A failure to comply with a requirement under Clause 15.11 constitutes a fresh act of disorder for the purposes of Clause 15.10.

15.13 Where a councillor fails to take action in response to a requirement by the chairperson to remedy an act of disorder under Clause 15.11 at the meeting at which the act of disorder occurred, the chairperson may require the councillor to take that action at each subsequent meeting until such time as the councillor complies with the requirement. If the councillor fails to remedy the act of disorder at a subsequent meeting, they may be expelled from the meeting under Clause 15.18.

How disorder at a meeting may be dealt with

15.14 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This Clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

15.15 All chairpersons of meetings of the council and committees of the council are authorised under this Code to expel any person, including any councillor, from a council or committee meeting, for the purposes of Section 10(2)(b) of the Act.

15.16 All chairpersons of meetings of the council and committees of the council are authorised under this Code to expel any person other than a councillor, from a council or committee meeting, for the purposes of Section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

This discretionary provision from the Model Code of Meeting Practice was not adopted by Fairfield City Council.

Note: Councils may use either Clause 15.15 or Clause 15.16.

15.17 Clause [15.15/15.16] ~~[delete whichever is not applicable]~~ does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under Section 10(2)(a) of the Act.

15.18 A councillor may, as provided by Section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under Clause 15.11 or Clause 15.13. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.18 reflects Section 233(2) of the Regulation.

15.19 A member of the public may, as provided by Section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

15.20 Members of the public attending a meeting of the council:

- (a) must remain silent during the meeting unless invited by the chairperson to speak,
- (b) must not bring flags, signs or protest symbols to the meeting, and
- (c) must not disrupt the meeting.

15.21 Without limiting Clause 15.19, a contravention of Clause 15.20 or an attempt to contravene that Clause, constitutes disorderly conduct for the purposes of Clause 15.19. Members of the public may, as provided by Section 10(2) of the Act, be expelled from a meeting for a breach of Clause 15.20.

15.22 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.23 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person

presiding, may, by using such force as is reasonably necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under Section 660 of the Act carrying a maximum penalty of 20 penalty units.

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.24 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this Code.
- 15.25 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.26 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.27 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.28 Without limiting Clause 15.19, a contravention of Clause 15.27 or an attempt to contravene that Clause, constitutes disorderly conduct for the purposes of Clause 15.19. Any person who contravenes or attempts to contravene Clause 15.27, may, as provided for under Section 10(2) of the Act, be expelled from the meeting.
- 15.29 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under Section 660 of the Act carrying a maximum penalty of 20 penalty units.

16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage conflicts of interest they have in matters being considered at meetings of the council and committees of the council in accordance with the council's

Code of Conduct. All declarations of conflicts of interest must be recorded in the minutes of the meeting at which the declaration was made.

- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they have in matters being considered at the meeting in accordance with the council's Code of Conduct. Where a councillor has declared a conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

- 16.3 A Conflict of Interest Guide is provided to assist Councillors in managing their declaration of interest requirements. This Guide does not supersede or substitute the provisions of the Code of Conduct.

Conflict of Interest Guide

Type of Conflict	Action 1	Action 2	Action 3
Pecuniary (Appreciable financial gain or loss)	Declare nature of interest	Leave the room and sight of the meeting – Code of Conduct 4.29	
Non-pecuniary - significant (Particularly close relationship eg. relative, close friend, business relationship, directorship or affiliation with an organisation, sporting body, club, corporation or association that is particularly close)	Declare nature of interest 1	1) Remove, divest or reallocate the conflict – Code 2) *Leave the room – Code of Conduct 4.29	
Non-pecuniary - not- significant (Know the applicant but relationship is not close, no financial benefit or loss)	Declare nature of interest	Explain why you don't have to divest or leave the room – Code of Conduct 5.11	
Political Donation (Political contribution that	Declare nature of interest	**If over \$1,000: Leave the room – Code of Conduct 5.16	

directly benefits your campaign)		If under \$1,000: Determine if relationship is significant – Code of Conduct 5.18 Nature, strength, duration of relationship	**If yes, leave the room – Code of Conduct 4.29
			If no, explain relationship – Code of Conduct 5.11

* Councillors may participate in a decision to delegate the decision to a third party – Code of Conduct 5.19

** Councillors may participate in a decision to delegate the decision to a third party – Code of Conduct 5.19

Procedures for Disclosure of Interest

16.4 Councillors who declare a conflict of interests must disclose that interest in writing even if it is not significant.

16.5 A Conflict of Interest Form will be forwarded to Councillors at the same time that the agenda and business papers are forwarded so that Councillors have the opportunity to complete the form prior to the date or commencement of the meeting.

A Conflict of Interest Form will also be available at council and committee meetings.

16.6 Councillors are required to present the completed form to a Governance Officer on the occasion of the meeting to ensure all such disclosures can be recorded in the minutes accurately.

16.7 If there is an inconsistency between a disclosure made during the meeting (whether made verbally or in any other form) and the content of the completed form, the disclosure made during the meeting will prevail and the Councillor will be asked to adjust the written disclosure to comply with the actual disclosure. The Governance Officer is entitled, to the extent of the inconsistency, to record the disclosure made during the meeting as the definitive disclosure to be recorded in the minutes.

17 DECISIONS OF THE COUNCIL

Council decisions

17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects Section 371 of the Act in the case of councils and Section 400T(8) in the case of joint organisations.

Note: Under Section 400U(4) of the Act, joint organisations may specify

~~more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, Clause 17.1 must be adapted to reflect those requirements.~~

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given **in accordance with this Code.**

Note: Clause 17.3 reflects Section 372(1) of the Act.

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects Section 372(2) of the Act.

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with **this Code.**

Note: Clause 17.5 reflects Section 372(3) of the Act.

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects Section 372(4) of the Act.

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This Clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects Section 372(5) of the Act.

- 17.8 The provisions of Clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects Section 372(7) of the Act.

- 17.9 A notice of motion submitted in accordance with Clause 17.6 may only be withdrawn under Clause 3.11 with the consent of all signatories to the notice of motion.

- ~~17.10 A notice of motion to alter or rescind a resolution relating to a development~~

application must be submitted to the General Manager no later than 1 day after the meeting at which the resolution was adopted.

This discretionary provision from the Model Code of Meeting Practice was not adopted by Fairfield City Council.

17.10.1 If a notice of motion to rescind a resolution is given after the meeting at which the resolution is carried and the notice of motion is received by the General Manager no later than 12pm on the next day after the date on which the resolution is carried, the General Manager shall suspend implementation of the resolution that is the subject of the notice of motion until the Council has considered the notice of motion.

17.10.2 For the purposes of this sub-Clause an identical motion, even if signed separately will be sufficient.

17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects Section 372(6) of the Act.

17.12 ~~Subject to Clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:~~

~~(a) a notice of motion signed by three councillors is submitted to the chairperson at the meeting, and~~

~~(b) the council resolves to deal with the motion at the meeting on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council.~~

This discretionary provision from the Model Code of Meeting Practice was not adopted by Fairfield City Council.

17.13 ~~A motion moved under Clause 17.12(b) can be moved without notice. Despite any other provision of this Code, only the mover of a motion referred to in Clause 17.12(b) and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.~~

This discretionary provision from the Model Code of Meeting Practice was not adopted by Fairfield City Council.

17.14 ~~A resolution adopted under Clause 17.12(b) must state the reasons for the urgency.~~

This discretionary provision from the Model Code of Meeting Practice was not adopted by Fairfield City Council.

Recommitting resolutions to correct an error

17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

(a) to correct any error, ambiguity or imprecision in the council's resolution, or

(b) to confirm the voting on the resolution.

- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of Clause 17.15(a), the councillor is to propose alternative wording for the resolution.
- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of Clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under Clause 17.15 can be moved without notice. Despite any other provision of this Code, only the mover of a motion referred to in Clause 17.15 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under Clause 17.15.
- 17.20 A motion moved under Clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18 TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the council and committees of the council are to conclude at a time the council may from time to time determine no later than 11.00pm.
- 18.2 If the business of the meeting is unfinished at 11.00pm the time the council has determined and the council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
 - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.3 Clause 18.2 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.4 Where a meeting is adjourned under Clause 18.2 or 18.3, the General Manager must:
- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the General Manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19 AFTER THE MEETING

Minutes of meetings

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 19.1 reflects Section 375(1) of the Act.

- 19.2 At a minimum, the General Manager must ensure that the following matters are recorded in the council's minutes:

- (a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a council meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this Code.

- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 19.3 reflects Section 375(2) of the Act.

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects Section 375(2) of the Act.

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this Clause must not alter the substance of any decision made at the meeting.

- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This Clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

- 19.7.1 A motion or discussion with respect to minutes shall only be in order if, in the opinion of the Chairperson, it relates to the accuracy of the minutes as a record of the proceedings of the meeting of the council or committee as the case may be, and not the merits of the matters which were the subject of the proceedings.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects Section 11(1) of the Act.

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects Section 11(2) of the Act.

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in Section 10A(2) of the Act.

Note: Clause 19.10 reflects Section 11(3) of the Act.

- 19.11 Correspondence or reports to which Clauses 19.9 and 19.10 apply are to be marked with the relevant provision of Section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 19.12 The General Manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects Section 335(b) of the Act.

20 COUNCIL COMMITTEES

Application of this Part

- 20.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the Mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
 - (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

- 20.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

20.5.1 At the time of adoption of this Code the council has, by prior resolution, adopted the committee structure (with the functions specified below) pursuant to Clause 20.5 above:

Services Committee

To implement and review the operational activities within Council's strategic direction as expressed in the Operational Plan.

Outcomes Committee

To develop the policies, priorities, plans and strategic direction in achieving the Community's vision as expressed in the Fairfield City Plan through implementation of the Delivery Program.

Traffic Committee

To consider those matters relating to Council's functions under the Roads Act and the Regulations made, those matters relating to Council's functions in respect to public roads under the Local Government Act and those matters contained in the Transport for NSW Authorisation and Delegation Instrument dated 1 August 2025.

Sister City Committee

To encourage friendships between the people of Fairfield and its Sister Cities.
To promote international understanding and provide opportunities for residents to experience the culture of the Sister Cities so that they develop greater awareness, tolerance and understanding of other cultures.

To give young people the opportunity to develop leadership skills and experience different cultures.

To develop business and economic relationships between the Sister Cities and Fairfield so the City and community benefit financially.

Delegated authority of Committees

20.5.2 Council may delegate to each committee of council the authority to make decisions in relation to certain types of matters, which relate to the particular committee's function.

20.5.3 A decision made by a committee in relation to a particular matter so delegated shall be deemed to be the decision of council on the matter at 12 noon on the Monday immediately following the meeting of the committee at which such matter was considered, unless a Councillor exercises his or her right of referral set out in Clause 20.5.4 of this Code.

20.5.4 Such committee does not have authority to exercise any of the functions identified in Section 377(1) of the Act as not being able to be delegated.

Right of Referral to Council Meeting

20.5.5 Subject to Clause 20.5.6, a Councillor may choose to have any matter that has been considered by a committee referred for further consideration at a meeting of council.

20.5.6 In order to exercise this option of referral, a Councillor must advise the General Manager in writing. This must be received by the General Manager not later than 12 noon on the Monday immediately following the meeting of the committee at which such matter was considered ('the referral period'), unless a change to Council's meeting schedule has been made in which case the

referral period may also be changed in order to meet deadlines for the distribution of business papers. All Councillors must be advised of any changes to the referral period.

20.5.7 A Councillor may withdraw or cancel his or her option of referral under Clause 20.5.5 by giving written notice to the General Manager provided that:

- (a) The Councillor provides written notice of the withdrawal or cancellation to all other Councillors at the same time as the notice to the General Manager.
- (b) If the notice of withdrawal or cancellation is provided on the last day of the referral period, the deadline for other Councillors to exercise a right of referral concerning the same matter will be extended to 5.00pm on the last day of the referral period.
- (c) The withdrawal or cancellation of an option of referral will be of no effect if it is received after the applicable referral period.

Notice of committee meetings

20.6 The General Manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

20.7.1 The Mayor or the General Manager may determine what constitutes an emergency.

Order of Business for Committee meetings

20.7.2 The order of business for a meeting of a committee of council in accordance with this Code is to be:

Apologies
Remote Meeting Attendance
Confirmation of Minutes
Reports from Council Officers
Confidential Items
Close of Meeting

Non-members entitled to attend committee meetings

20.8 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

- 20.9 The chairperson of each committee of the council must be:
- (a) the Mayor, or
 - (b) if the Mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
 - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.10 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.11 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.12 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting. If neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 20.13 Subject to any specific requirements of this Code, each committee of the council may regulate its own procedure. The provisions of this Code are to be taken to apply to all committees of the council.
- 20.14 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with Clause 20.13.
- 20.15 ~~A motion at a committee of a joint organisation is taken to be lost in the event of an equality of votes.~~
This provision from the Model Code of Meeting Practice does not apply to Fairfield City Council.
Note: Clause 20.15 reflects Section 397E of the Regulation. Joint organisations must adopt Clause 20.15 and omit Clause 20.14. Councils must not adopt Clause 20.15.
- 20.16 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Mayoral minutes

- 20.17 The provisions of this Code relating to Mayoral minutes also apply to meetings of committees of the council in the same way they apply to meetings of the council.

Closure of committee meetings to the public

- 20.18 The provisions of the Act and Part 14 of this Code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under Clause 20.19 during a part of the meeting that is **livestreamed where practicable**.
- 20.21 The General Manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 20.22 The General Manager must consult with the committee and any other affected persons before publishing information on the council's website under Clause 20.21 and provide reasons for why the information has ceased to be confidential.

Disorder in committee meetings

- 20.23 The provisions of the Act, the Regulation, and this Code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way they apply to meetings of the council.

Minutes of council committee meetings

- 20.24 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
 - (b) details of each motion moved at a meeting and of any amendments moved to it,
 - (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost, and
 - (e) such other matters specifically required under this Code.
- 20.25 ~~All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.~~

This discretionary provision from the Model Code of Meeting Practice was not adopted by Fairfield City Council.

- 20.26 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.27 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.28 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.
- 20.29 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this Clause must not alter the substance of any decision made at the meeting.
- 20.30 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This Clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 IRREGULARITIES

- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
 - (a) a vacancy in a civic office, or
 - (b) a failure to give notice of the meeting to any councillor or committee member, or
 - (c) any defect in the election or appointment of a councillor or committee member, or
 - (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's Code of Conduct, or
 - (e) a failure to comply with this Code.

Note: Clause 21.1 reflects Section 374 of the Act.

Liability of Councillors, employees and other persons

- 21.1.1 A matter or thing done by the Minister, the Departmental Chief Executive, the council, a Councillor, a member of a committee of council or an employee of the Council or any person acting under the direction of the Minister, the Departmental Chief Executive, the council or a committee of council does not, if the matter or thing was done in good faith for the purpose of executing this or any other Act, and for and on behalf of the Minister, the Departmental Chief Executive, the council or a committee of council, subject a councillor, a member, an employee or a person so acting personally to any action, liability, claim or demand.

Note: Clause 21.2 reflects Section 731 of the Act.

Proceedings in cases not provided for

21.1.2 Where any matter arises at a council meeting which is, in the opinion of the Mayor, not provided for by this Code, the Mayor has the discretion, observing the principles of fairness, to deal with the matter. The rules, forms and usages of the Legislative Assembly of New South Wales may be used as guide.

22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in Clause 15.10 of this Code
Agenda and business paper	means meeting reports, agendas including supplementary reports and agendas
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by Section 369 of the Act and Clauses 6.1 and 6.2 of this Code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by Clause 20.9 of this Code
this Code	means the council's adopted Code of meeting practice
committee of the council	means a committee established by the council in accordance with Clause 20.2 of this Code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under Clause 12.1
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and any other person exercising functions on behalf of the council
day	means calendar day
division	means a request by two councillors under Clause 11.7 of this Code requiring the recording of the names of the councillors who voted both for and against a motion
livestream	a video broadcast of a meeting transmitted across the internet concurrently with the meeting
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan, a planning agreement or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act

performance improvement order	means an order issued under Section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
Section A	means: (a) The portion of an agenda of a council meeting that includes matters that are to be determined by council (including matters that cannot be delegated by Council under Section 377(1) of the Act, matters determined under Section A of committee meeting and referred to council, or supplementary reports to council that have not been submitted to a committee), or (b) The portion of an agenda of a committee meeting that includes matters that must be determined by council because the committee does not have the delegated power to deal with such matters.
Section B	means the portion of an agenda of a committee meeting that includes matters that can be dealt with under delegated authority from council but are subject to a councillor's right of referral under Clause 20.5.5 of this Code
Section C	means the portion of an agenda of a council meeting that includes matters that have been referred to council by a councillor or committee pursuant to Clause 20.5.5. of this Code
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
year	means the period beginning 1 July and ending the following 30 June

Proposed changes to Code of Meeting Practice		
Clause	Reason for or Type of Change	Type of Provision
Cover Page	Additional words added to reflect FCC.	Mandatory
Footer	Deleted reference to Model Code.	
Page 3 Introduction	Additional words added . 2 paragraphs deleted . These paragraphs are not applicable to local councils as they apply only to Joint Organisations and County Councils.	Mandatory
Page 4 Note	New provision consistent with OLG Guideline on free speech.	Mandatory
Page 4 Clause 3.1	New provision. 3 paragraphs deleted . These paragraphs are not applicable to local councils as they apply only to Joint Organisations and County Councils.	Mandatory
Page 5 Clause 3.3	New provision allowing Mayor to call extraordinary meeting without signatures.	Mandatory
Page 5 Clause 3.3.1	Added to provide context of type of business extraordinary council meeting can deal with.	Supplementary
Page 5 Clause 3.8	New additional wording.	Mandatory
Page 5 Clause 3.9.1	Added to reflect FCC practice of what is emergency.	Supplementary
Page 6 Clause 3.10	Added to reflect FCC deadline.	Supplementary
Page 6 Clauses 3.13	New additional wording.	Mandatory
Page 7 Clause 3.24	New additional wording.	Mandatory
Page 8 Clauses 3.25-3.30	New additional wording and new provisions (3.29, 3.30)	Mandatory
Page 8 Clause 3.30.1-3.30.3	Additional words added to reflect FCC practices.	Supplementary
Page 9 Clauses 3.31-3.32	New provisions regarding pre-meeting briefings.	Mandatory
Page 9-11 Clauses 4.1-4.3	New provisions regarding Public Forum.	Mandatory
Page 9 Clauses 4.3.1-4.3.17	Additional words added to reflect FCC practices.	Supplementary
Page 11 Clause 5.2 Clause 5.2.1-5.2.2	New provision. Added to clarify dress code requirements.	Mandatory Supplementary
Page 11 Clause 5.4	Additional words added . 2 paragraphs deleted . These paragraphs are not applicable to local councils as they apply only to Joint Organisations and County Councils.	Mandatory
Page 11 Clause 5.5	New additional wording.	Mandatory
Page 12 Clause 5.8.1	Additional words added to reflect FCC practices.	Supplementary

Proposed changes to Code of Meeting Practice		
Clause	Reason for or Type of Change	Type of Provision
Page 13 Clauses 5.15.1-5.15.3	Additional words added to reflect FCC practices for motions of adjournment.	Supplementary
Page 13 Clause 5.16 Clause 5.17 (a)	New additional wording.	Mandatory
Page 14 Clause 5.19 Clause 5.20	New additional wording to specify reasons that allow councillors to attend a meeting by audio-visual link. New provision.	Mandatory
Page 15 Clause 5.35	New provision.	Mandatory
Pages 16-17 Note Clauses 5.35.1 – 5.35.13	Added wording to clarify public speaking rights only apply to FCC committee meetings.	Supplementary
Page 17 Heading Clause 5.36, 5.39 5.41	New additional wording. Paragraph deleted . This paragraph is not applicable to local councils as it applies only to Joint Organisations and County Councils.	Mandatory
Page 18 Clause 5.45	New additional wording.	Mandatory
Page 18 Clause 5.46	Added to provide for staff attendance at meetings via audio-visual link. Wording added to make reference to current policy for remote attendance at meetings.	Supplementary
Page 19 Clauses 7.1, 7.3, 7.4, 7.6	New additional wording.	Mandatory
Page 20 Clauses 8.1 and 8.3	New additional wording.	Mandatory
Page 20 Clause 8.1.1	Additional words added to reflect FCC practices.	Supplementary
Page 21 Clauses 9.3-9.5, 9.7 and 9.8	New additional wording.	Mandatory
Page 22 Clauses 9.13, 9.14, 9.15 and 9.17	New additional wording.	Mandatory
Page 22 Clauses 9.19.1 – 9.19.6	Additional words added to reflect FCC practices for Questions to the Mayor by councillors.	Supplementary
Page 23 Clause 10.3	New additional wording.	Mandatory
Page 25 Clause 10.25	New provision.	Mandatory
Page 25-26 Clause 10.26	Additional words added . 2 paragraphs deleted . These paragraphs are not applicable to local councils as they apply only to Joint Organisations and County Councils.	Mandatory

Proposed changes to Code of Meeting Practice		
Clause	Reason for or Type of Change	Type of Provision
Page 26 Clause 11.1 Note Clause 11.4	Paragraphs deleted . These paragraphs are not applicable to local councils as they apply only to Joint Organisations and County Councils.	Mandatory
Pages 26-27 Note	Additional words added to reflect FCC practices regarding voting at meetings.	Supplementary
Page 27 Clause 11.11	Paragraphs deleted . These paragraphs are not applicable to local councils as they apply only to Joint Organisations and County Councils.	Non-Mandatory
Page 27 Clauses 11.12-11.3	New provisions.	Mandatory
Page 28 Clause 12.2 Note	New additional wording. New provision.	Mandatory
Page 29 Clause 13.1	New additional wording.	Non-Mandatory
Page 30 Clause 14.4 (d)	New provision.	Mandatory
Page 31 Clause 14.11	New provision.	Mandatory
Page 31 Clause 14.12	New additional wording. Additional words added to reflect FCC practices.	Mandatory Supplementary
Page 32 Clause 14.14 Note	New additional word. New provision if a person fails to leave a meeting.	Mandatory
Page 32 Clause 14.15 Note	Additional words added to reflect FCC practices for staff.	Supplementary
Page 33 Clause 14.18 Clauses 14.19-14.20	New additional wording. New provision for the General Manager to determine when confidential information can be published on the council website.	Mandatory
Page 34 Clause 15.10 (d)-(g) Note Clause 15.11	New additional wording to cover how acts of disorder by councillors may be dealt with. New provision relating to Legislative Assembly Speakers Guidelines. New additional wording.	Mandatory
Page 35 Clauses 15.12-15.13	New provisions about how acts of disorder by councillors may be dealt with.	Mandatory
Page 35 Clauses 15.16-15.17	New additional wording.	Non-Mandatory
Page 36 Clauses 15.20-15.21 Note	New provisions for members of the public attending meetings.	Mandatory
Page 37 Clause 15.28 Note	New additional wording. New provision if a person fails to leave a meeting.	Mandatory

Proposed changes to Code of Meeting Practice		
Clause	Reason for or Type of Change	Type of Provision
Pages 37-39 Clauses 16.3-16.7	Additional words added to reflect FCC practices for conflict of interests.	Supplementary
Page 39 Note	Paragraph deleted . This paragraph is not applicable to local councils as they apply only to Joint Organisations and County Councils.	Mandatory
Page 39 Clauses 17.3, 17.5	New additional wording.	Mandatory
Pages 40-41 Clauses 17.10, 17.12, 17.13, 17.14 Clauses 17.10.1, 17.10.2, 17.18 18.1 18.2	Additional words added to reflect FCC practices. New additional wording. Additional words added to reflect FCC practices.	Non-Mandatory Supplementary Non-Mandatory Non-Mandatory Supplementary
Page 43 Clause 19.7.1	Additional words added to reflect FCC practices.	Supplementary
Pages 44-46 Clauses 20.5.1-20.5.7 Clauses 20.7.1-20.7.2	Additional words added to reflect FCC standing committees and right of referral.	Supplementary
Page 47 Clause 20.15	Paragraph deleted . This paragraph is not applicable to local councils as they apply only to Joint Organisations and County Councils.	Mandatory
Page 47 Heading Clause 20.17 Clause 20.20 Clauses 20.21-20.22	New provisions for Mayoral Minutes at committees. New additional wording. New provisions for the General Manager to determine when confidential information can be published on the council website.	Mandatory
Page 48-49 Clause 20.25 Clauses 21.1.1-21.1.2	New additional wording. Additional words added to reflect FCC practices for liability and proceedings.	Non-Mandatory Supplementary
Pages 50-51 Definitions	Term webcast amended to read livestream. Additional words added to reflect FCC practices.	Mandatory Supplementary

Legend:

FCC – Fairfield City Council

Model Code – Model Code of Meeting Practice

Mandatory (Model Code of Meeting Practice)

Non-Mandatory (Model Code of Meeting Practice)

Supplementary (FCC)