

MEETING NOTICE

A meeting of the
Finance & Asset Management Committee
will be held in the Botany Town Hall Meeting Room
on **Wednesday 31 January 2018 at 6:30 pm**

AGENDA

1 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Bayside Council respects the traditional custodians of the land, and elders past and present, on which this meeting takes place, and acknowledges the Gadigal and Bidjigal Clans of the Eora Nation.

2 APOLOGIES

3 DISCLOSURES OF INTEREST

4 MINUTES OF PREVIOUS MEETINGS

Nil

5 REPORTS

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6 GENERAL BUSINESS

7 NEXT MEETING

Meredith Wallace
General Manager

Finance & Asset Management Committee

31/01/2018

Item No	5.1
Subject	Terms of Reference
Report by	Fausto Sut, Manager Governance & Risk
File	SC18/132

Summary

This report reminds members of the purpose of the Committee and its Terms of Reference and meeting schedule.

Officer Recommendation

That the following recommendation be endorsed.

- 1 That the attached Terms of Reference be received and noted.
 - 2 That the schedule of meeting dates be received and noted.
-

Background

The attached Terms of Reference, which were adopted by Council on 8 November 2017, are generic in nature and are applicable for all the recently established Advisory Committees. They address such operational matters as:

- Status and delegations of the committee
- Membership
- Support
- Meeting practices and procedures.

The focus of this committee is as follows:

‘Provides advice on strategies and policies that support Council’s principles of sound financial and asset management, and financial sustainability including matters to do with outsourcing and asset sales.’

At the same time, the Council also adopted a meeting schedule with the following principle: ‘It is also recommended that the Finance & Asset Management Committee meets on an ‘as needs’ basis, but at least quarterly to coincide with both the quarterly reviews and the development of the annual budget.’

Based on this principle, the proposed meeting dates are:

- | | |
|-------------------|-------------------|
| • 31 January 2018 | • 25 July 2018 |
| • 2 May 2018 | • 24 October 2018 |
-

Attachments

Bayside Advisory Committees - Terms of Reference [↓](#)



Bayside Advisory Committees Terms of Reference

8 November 2017



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Bayside Advisory Committees Terms of Reference

File: F17/1273 Document: 17/123664

Class of document: Terms of Reference

Enquiries: Manager Governance & Risk



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Advisory Committees Terms of Reference

2

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1 Purpose

To assist in meeting its role and responsibilities across the local government area, Bayside Council is supported by a committee framework in order is established to support the decision-making process.

Bayside Advisory Committees provide advice on strategic direction, priorities and policy principles related to the Committee function. They are to inform and monitor the development of the Delivery Program and the Operational Plans.

These terms of reference outline advisory committees' function, structure, authority and reporting requirements. For consistency of approach and understanding, they are applicable to all advisory committees established by Council, except any committee established with a specific set of terms of reference, charter, constitution or the like.

2 Interpretation

For the purpose of this document:

Member means a member of the Advisory Committee.

Committee means Advisory Committee.

Council means Bayside Council.

Chairperson means the chairperson of the Advisory Committee or Sub-Committee appointed by Council.

Mayor means the elected Mayor.

3 Status of Committee

Bayside Advisory Committees are 'advisory committees' of Council, as defined in Council's Code of Meeting Practice.

4 Delegations

Bayside Advisory Committees may make recommendations to Council on all matters before it. These recommendations are submitted via the minutes of each meeting to Council for consideration.

Substantial recommendations (including any requiring the expenditure of Council funds) are to be accompanied by a report to Council from the appropriate Council officer.

The Group's recommendations, which are determined by the General Manager to be purely or substantially 'operational' in nature, will be dealt with by the relevant Director and any action or lack thereof reported to the Group.

Advisory Committees do not have the power to incur expenditure, nor do they have the power to bind Council.

5 Membership

5.1 Overview

An Advisory Committee comprises Councillors and is supported by Council officers.

5.2 Councillors

Council appoints three (3) Councillors to be members of an Advisory Committee.

All other Councillors are welcome to attend meetings of an Advisory Committee as observers and contribute to discussions but are not entitled to vote.

5.3 Chair and Deputy Chair

The Chairperson of an Advisory Committee is one of the three Councillor members, and is appointed by Council.

In the absence of the Chairperson at a particular meeting the meeting elects a Chair of the meeting.

5.4 Quorum

The attendance of two (2) member Councillors are required to form a quorum at an Advisory Committee.

If a quorum is not present within 30 minutes of the time appointed for the commencement of the meeting, the meeting lapses.

In the event of a tied vote, the Chairperson can exercise a casting vote.

5.5 Term of office

Unless otherwise stipulated by Council, Advisory Committee members are appointed for a period coinciding with a Mayoral term.

A member continues as a member of the Committee until the next ordinary election of the Mayor, or the next general election of Council, or until the Committee is disbanded or completes its purpose in accordance with these Terms of Reference, if such event occurs before the next general local government election.

Any casual vacancy in membership is to be filled by Council appointment.

From time to time, Council may appoint other members to Committees and Sub-committees to suit the matters under consideration.

6 Other attendance

6.1 Community representation

The Chairperson and/or the General Manager may invite community representatives and/or technical specialists to specific meetings of an Advisory Committee in order to assist the Committee in the consideration of matters before it.

Such community representatives attend at the invitation of the Chairperson, are not entitled to vote, and may be requested to leave the meeting if confidential matters are before the Committee.

6.2 Council staff

Advisory Committees are supported by Council officers, who will provide technical support and secretariat services. Council officers are not entitled to vote. The Council officers are nominated by the General Manager.

6.3 General public

Advisory Committee meetings are not open to the public.

7 Support

7.1 Sub-committees

The Council may establish sub-committees, and appoint members and respective chairpersons to support the work of Advisory Committees.

7.2 Specialist support

Council provides specialist information on the areas of interest of Advisory Committees. Such information includes:

- Proposing strategic issues for consideration by the Committee.
- Background research on issues relevant to the Committee.
- Preparation of reports on issues to be considered in Committee meetings.

7.3 Administrative support

Council provides administrative support as determined by the General Manager to assist Advisory Committees in their deliberations. Such support includes:

- Preparing and publishing notices of meeting, agendas and minutes.
- Liaising with Council officers of any reports and actions required.
- Arranging meeting venues and refreshments.

8 Meeting schedule

Advisory Committees normally meet every two months (except during the summer recess) in various locations across the local government area.

The frequency and location of meetings may be varied by the Chairperson in consultation with the General Manager, following consideration of the matters before it.

The location, date and time for meetings is advised on the meeting notice, which will be provided to members along with the business paper in accordance with the Code of Meeting Practice.

9 Meeting practices and procedures

The administrative provisions of Council's Code of Meeting Practice apply, in addition to any higher standard imposed by these Terms of Reference.

The proceedings of each meeting are recorded in minutes of the meeting, including those present, apologies, conflict of interests, and recommendations on matters before the Committee.

The minutes of each meeting are submitted to the next available Council Meeting with a view to the Committee's recommendations being considered.

10 Administrative Procedures

The General Manager may approve administrative procedures that support these Terms of Reference. The procedures may address such issues as:

- Agendas, reports, and minutes arrangements
- Council officer responsibilities.

11 Document control

11.1 Review

The Group and this Terms of Reference will be reviewed at least at the commencement of each term of Council.

Apart from any inconsequential editing, amendments to these Terms of Reference are approved by the Council.

11.2 Version history

Version	Release Date	Author	Reason for Change
1.0	08/11/2017	Bruce Cooke	New document

Finance & Asset Management Committee

31/01/2018

Item No	5.2
Subject	Quarterly Budget Review - 31 December 2017
Report by	Fausto Sut, Manager Governance & Risk
File	F09/744

Summary

A presentation will be made to the Committee on the quarterly budget review statements for the second quarter ended 31 December 2017.

Officer Recommendation

That the following recommendation be endorsed:

That the Committee notes the presentation on the second quarterly budget review.

Background

Council is required to report quarterly to Council on its budget progress. All councils are required to follow the Office of Local Government's guidelines titled 'Quarterly Budget Review Statement for NSW Local Government', which set out the reporting format that needs to be used for quarterly financial progress reports to Council.

The Quarterly Budget Review Statement (QBRS) provides information on how the Council is tracking against its originally adopted budget in the Operational Plan 2017/18. It shows the revised estimated income and expenditure for the year against the original estimate of annual income and expenditure as shown in the Plan and includes recommendations regarding changes to budget to give a projected year end result.

The Committee will be provided with a presentation on the key areas of the Quarterly Budget Review to 31 December 2017.

Attachments

Nil

Finance & Asset Management Committee

31/01/2018

Item No	5.3
Subject	Annual Budget 2018/19 Financial Parameters
Report by	Fausto Sut, Manager Governance & Risk
File	F18/49

Summary

As part of the Integrated Planning and Reporting framework, Council is required to adopt an Operational Plan including budget for 2018/19 by 30 June 2018. To assist in preparing the draft budget for consideration by Council, a set of budget parameters and guiding principles are adopted. The Committee will receive a presentation of those proposed for use in the preparation of the 2018/19 budget.

Officer Recommendation

That the following recommendation be endorsed:

That the budget parameters used for preparing the 2018/2019 operational budget and fees and charges be adopted.

Background

NSW Councils operating within an Integrated Planning and Reporting framework, developed to improve councils' long term community, financial, and asset planning. The framework consists of a hierarchy of documents including Community Strategic Plan covering at least ten years, a four year Delivery Program, an annual Operational Plan and a long term Resourcing Strategy (which includes a long-term financial plan, a workforce management plan and an asset management plan).

Supporting the Delivery Program is the annual Operational Plan which details the individual service activities that will be undertaken each year to achieve the commitments made in Council's Delivery Program in response to the Community Strategic Plan.

The annual budget is a critical element of the Operational Plan. In developing the annual budget, Council is required to comply with the Local Government Act 1993 and the Local Government (General) Regulation 2005 which sets some parameters in the development of the budget including having a Statement of Revenue Policy and the setting of the fees and charges for the financial year.

In preparing the Council's annual budget Council has regard to existing operations and obligations as well as what is planned for the year to meet the Delivery Program. Each year a set of budget parameters and guiding principles are adopted to guide the administration in developing a draft budget for consideration and adoption by the Council.

The Committee will receive a presentation of the proposed budget parameters to be used in developing the 2018/19 Operational Budget and fees and charges.

Attachments

Nil

Finance & Asset Management Committee

31/01/2018

Item No	5.4
Subject	Additional Property Projects Funding Allocation
Report by	Samantha Urquhart, Manager Property
File	F17/1035

Summary

On 1 September 2017, eleven property related projects were transferred from the former Botany Council to the Bayside Property team.

This report seeks funding for five of these projects. There is currently no budget or additional resourcing allocated to these projects. The estimated cost to undertake these projects is approximately \$63,500 (please see breakdown on the spreadsheet at Attachment 1). Approximately \$61,000 of this money will be reimbursed by the applicant.

This report seeks funding for these projects.

Officer Recommendation

That the following recommendation be endorsed:

- 1 That approval be granted for the allocation of \$63,500 from the Strategic Priority Reserve to the "Former Botany Council's Property Project Account 100708-1001" to fund the seven priority Property projects listed at Attachment 1.
 - 2 That the reimbursed funds (approximately \$61,000) will be allocated back into the Strategic Priorities Reserve upon payment of invoices.
 - 3 That the proceeds from the sale of land associated with these projects (approximately \$1,440,000) be allocated to the Strategic Priorities Reserve.
-

Background

On 1 September 2017, eleven property related projects were transferred from the former Botany Council to the Bayside Property team.

This report seeks funding for five of these projects. There is no current budget allocated to these projects. The estimated cost to undertake these projects is approximately \$63,500 (please see breakdown on the spreadsheet at Attachment 1). Approximately \$61,000 of this money will be re-imbursed by the various applicants, as shown on Table 2 below.

The below table outlines briefly the type of projects to be undertaken.

	Project	Type
1	Brighton Street Road Closure	Road closure and transfer
2	256 King Street, Divestment	Road Closure and transfer
3	1545 Botany Road	Divestment of land
4	244 Coward Street	Positive Covenant
5	Chalmers Crescent	Road Closure and transfer

Table 1

1. Brighton Street Road Closure- 42 Stephen Street, Botany

This matter involves the closure of a portion of Brighton Street, Botany. The former Botany Council resolved to close and sell a 116sqm portion of Brighton Street to the adjoining owner Mrs Joyce Roberts, as shown on the sketch at Attachment 3. This matter has been ongoing for a number of years.

The closure of the portion of Brighton Street has been granted approval in principal by Crown, and the plan of road closure has now been registered. The valuation of the land has now been received and Council are ready to issue a letter of offer to Ms Roberts for the sale of this land (at market value) upon completion of the road closure process.

Table 2 below shows the costs, reimbursement and price we should obtain for the sale of the land to Ms Roberts.

2. Hatfield Street Road Closure- 256 King Street, Mascot

This matter relates to the sale of a 34 sqm closed portion of Hatfield Street, Mascot known as Lot 1 in DP867417 (as shown on the sketch at Attachment 4) to the adjoining owner, Hasan Mahboob of 256 King Street, Mascot.

This portion of road has been formally closed and subsequently classified operational land. Council officers are currently negotiating with the owner on the terms for the sale and will then seek a Resolution of Council to divest this land.

Table 2 below shows the costs, reimbursement and price we should obtain for the sale of the land.

3. 1545 Botany Road- sale of Lots 101, 103 and 104 in DP 445997

This matter relates to the sale of three small lots, known as Lot 101 (44.3 sqm), 103 (12.6 sqm) and 104 (53.2sqm) in DP445997, as shown at Attachment 5.

These three parcels of land were formerly part of a road re-alignment, gazetted in 1959. In 1989 this re-alignment was revoked and the three small lots were subsequently vested in Council, as operational land.

The owner of No 1545 Botany Road now seeks to purchase these three small parcels of land. Council officers are currently negotiating with the owner on the terms for the sale and will then seek a Resolution of Council to divest this land.

Table 2 below shows the costs, reimbursement and price we should obtain for the sale of the land.

4. 244 Coward Street- Positive Covenant

This matter relates to finalising a positive covenant that outlines maintenance responsibilities for a community garden situated within Nancy Bird-Walton Reserve at 244 Coward Street, Mascot, known as Lot 1 in DP 1144167.

This matter is relatively simple and will require the engagement of a solicitor to prepare the required documentation.

5. Chalmers Crescent- Road Closure and sale

This matter is related to the closure of a 1118 sqm portion of Chalmers Crescent, Mascot as shown on the sketch at Attachment 6. The owners of 7-9,14-18 and 19-21 Chalmers Street, Mascot, being F Mayer Imports have sought permission from Council to close a portion of Chalmers Street to facilitate their development.

On 1 March 2017, Development Consent 15/191 was granted for a Stage 1 Masterplan for the construction of 4 Commercial Towers, car parking, landscaping and a pedestrian overpass on 7-9,14-18 and 19-21 Chalmers Street, Mascot and upon the subject portion of Chalmers Crescent. Development Consent was granted subject to approval of the inclusion of the roads within the development, ie. Road closure.

F Mayer Imports have subsequently sought approval of Council to the purchase of the 1118 sqm portion of Chalmers Crescent. Property staff are currently negotiating terms with F Mayer Imports and will seek a Resolution of Council to the closure and sale, upon agreement of terms.

Table 2 below shows the costs, reimbursement and price we should obtain for the sale of the land.

Funding

The funds to undertake these projects are required:

1. To procure valuers, lawyers, surveyors (they will also process many of the road closures on Council's behalf) and to pay for administrative fees, i.e. plan lodgement at the Land and Property Information.
2. To pay outstanding invoices associated with the project.

The costs associated with each of these projects is briefly outlined in Table 2 below. A further breakdown of these costs can be found on the spreadsheet attached.

Upon completion of these five projects, the land will be divested. The sale of this land should be in the order of approximately \$1,440,000, as outlined in Table 2 below.

Project	Total costs (approx)	Legal Costs	Consultant s Costs	Compensati on	Re-imburement of costs (Y/N)	Purchase Price (Approximate only)
Brighton Street Road Closure	\$17,000	\$7000	\$10,000	NA	Y	\$300,000
256 King Street, Divestmen t	\$5,000		\$5000	NA	Y	\$40,000
1545 Botany Road	\$9,000	\$6,000	\$3,000	NA	Y	\$100,000
244 Coward Street	\$2,500	\$2,000	\$500	NA	N	NA
Chalmers Crescent Road Closure	\$30,000	\$3000	\$27,000	NA	Y	\$1,000,000
Total	\$63,500	\$18,000	\$45,500			\$1,440,000

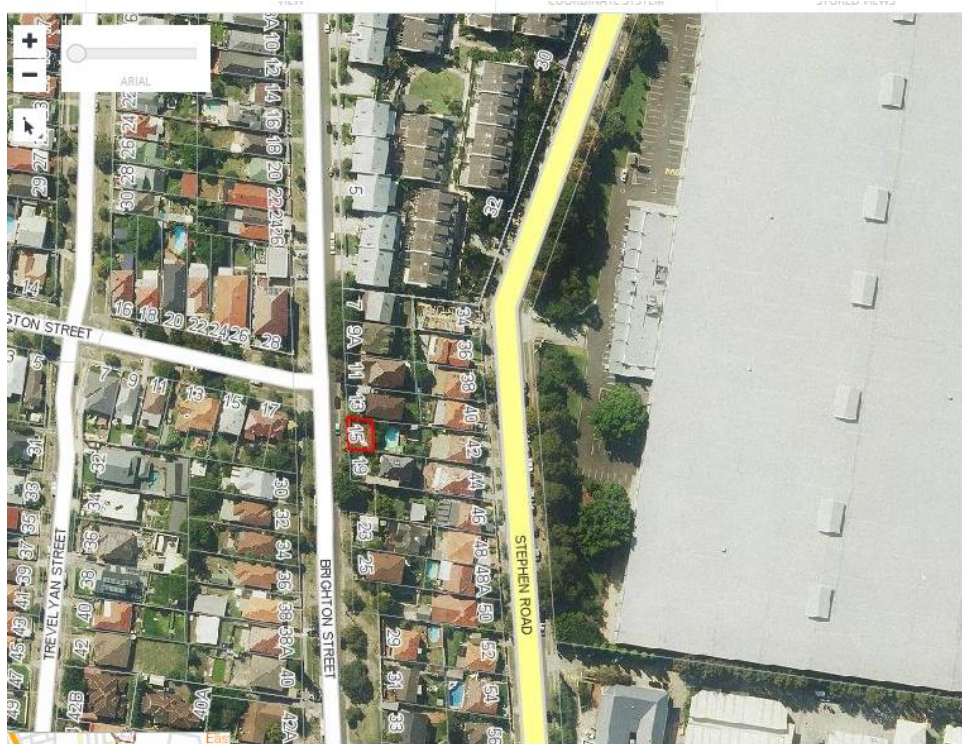
Table 2

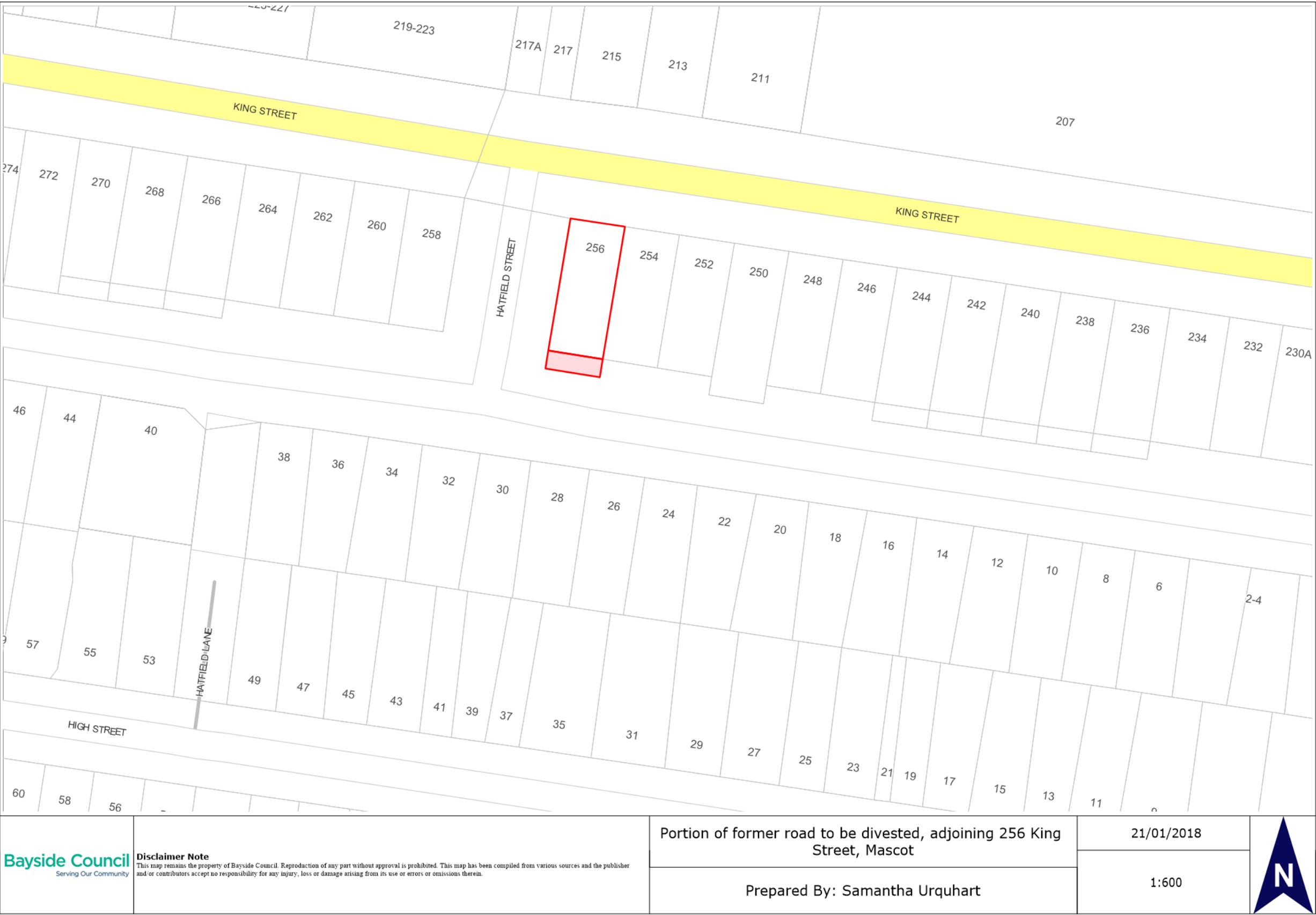
The spreadsheet at Attachment 1 outlines the status and next steps to be undertaken for each of the seven high priority projects. All of these projects are under foot, with most being resolved by the former Botany Council.

Attachments

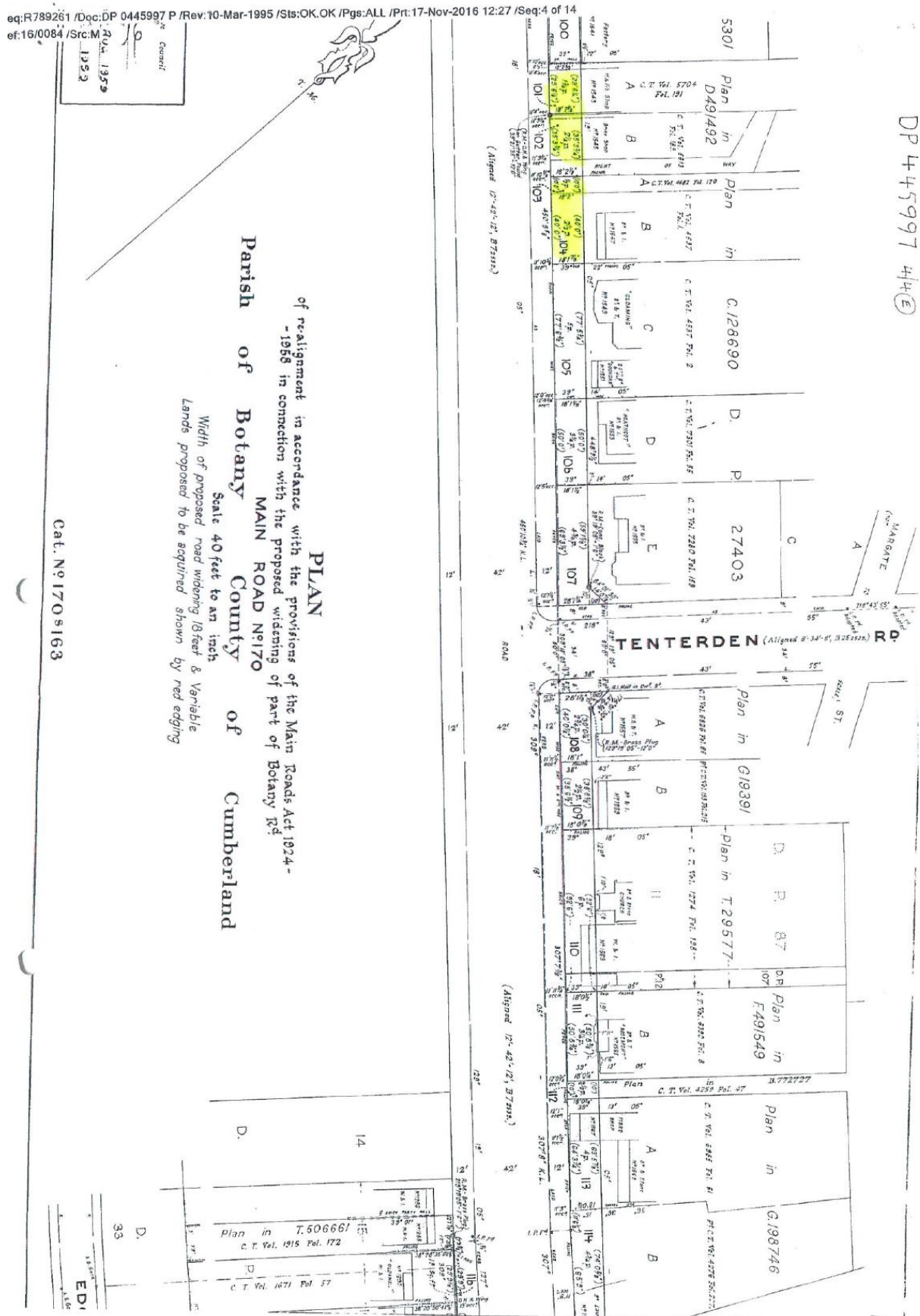
- 1 Project spreadsheet
- 2 Road Closure sketch- 42 Stephen Road
- 3 Sketch- 256 King Street
- 4 Lot 101, 103 & 104 in DP445997- 1545 Botany Road, Botany
- 5 Road Closure sketch- Chalmers Crescent [↓↓↓↓↓](#)

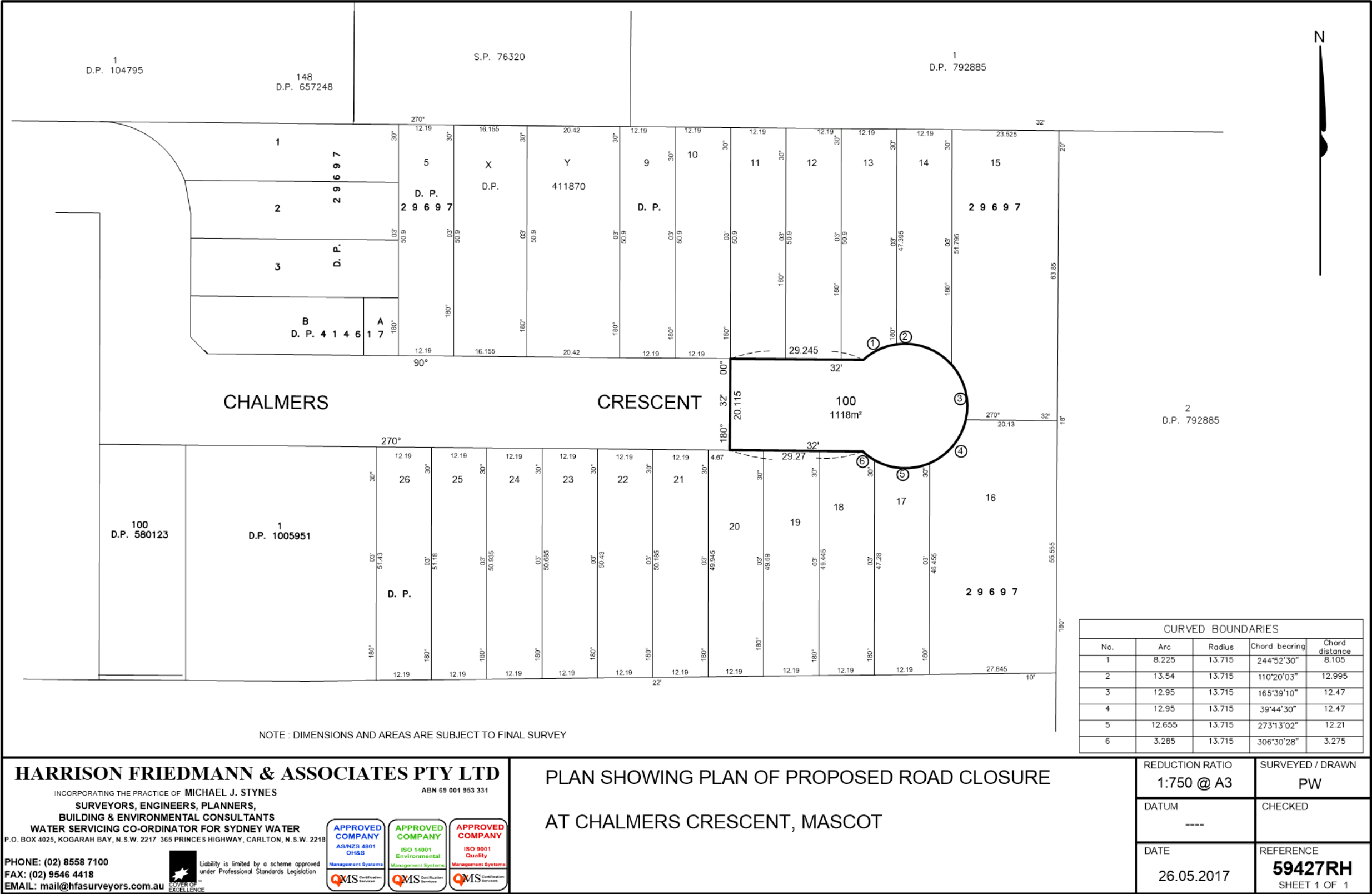
Project	Type	Status	Associated Costs	Total costs	costs to be re-imbursed (Y/N)	Price (approx only)	Responsible Officer	Necessary consultants	Exec approval required Y/N	Priority	Next Steps (1)		1	2	3		4	5	6	6 Complete	Date of Completion	
Hatfield Road Closure- 276 King St, Savvas versus Council	Road Closure and transfer	Approval in principle and Crown have now executed the plan form. A deed of agreement has been executed by both parties, agreeing to the compensation and costs associated with the easement and transfer of land.	\$45,000 in compensation and plaintiff legal fees, as per deed. \$15,000 in our legal fees and \$5,000 in admin fees for lodgement of plan and issue of CT		\$65,000 N		\$0 Jeff Appel, then Sam	Lawyer: Houston, Deans O'Connor	Y	High	Seek execution from the Council to execute the forms.		Judge Plans with LPI	Forward registered plan to Crown for Government Gazetial	Judge Request at LPI for issue of CT and removal of road notation from the title of the land		On issue of title arrange notice of sale and transfer of land				Feb-18	
Brighton Street Road Closure	Road closure and transfer	Approval in principle and Crown have now executed the plan form.	Legal Fees- \$7000, Admin fees- \$5000, Valuations- \$5,000. The costs will be re-imbursed.		\$17,000 Y		\$100,000 Jeff Appel	Lawyer, Valuer, Surveyor	Y	High	Seek execution from the Council to execute the forms.	Seek valuation advice and prepare a letter of offer to be sent to the owner	Judge Plans with LPI	Forward registered plan to Crown for Government Gazetial	Judge Request at LPI for issue of CT and removal of road notation from the title of the land	Prepare a memo to exec seeking approval by the sale of the land for the agreed price, subject to the ROC.	On issue of title arrange notice of sale and transfer of land				Feb-18	
Florence Avenue Road Closure	Road Closure	Approval in principle and Crown have now executed the plan form.	Admin fees- \$5000	NA				Lawyer	Y	Medium	Seek execution from the Council to execute the forms.		Judge Plans with LPI	Forward registered plan to Crown for Government Gazetial	Forward registered plan to Crown for Government Gazetial	For issue of CT and removal of road	On issue of title arrange notice of sale and transfer				Dec-17	
256 King Street, Divestment	Road Closure and transfer	sale of a closed portion of Hatfield Street to the adjoining resident	Legal fees- \$5000 Costs to be re-imbursed by purchaser		\$5,000 Y		\$40,000 Jeff Appel	Lawyer	Y	High	negotiate terms with purchaser		seek resolution of council to sell the land	prepare transfer documentation and undertake the sale							Nov-17	
935 Botany Road, Land acquisition	Road Closure and transfer	acquisition of land to realise an extension of Leves Street Reserve	Legal Fees- \$7000, Consultant Fees- \$1000, surveyor- \$5000.	NA			Jeff Appel	Lawyer, valuer, surveyor	Y	Medium	Talk with Glen and Zoran about the need for the Leves Street reserve		start negotiations for the transfer of land	undertake due diligence, including the releases	agree terms		prepare Exec report on the	prepare council report on the acquisition of	prepare transfer documentation	transfer land		Apr-18
1545 Botany Road	Divestment of land	land divestment of 3 small former road widenings	Legal fees- \$6000 and valuation fees- \$3000 Costs to be re-imbursed by purchaser		\$9,000 Y		\$100,000 Jeff Appel and Sue Connors	Lawyer, Valuer	Y	High	seek legal advice on our ability to sell former road adjoining to adjoining owner.		seek valuation of 3 land parcels	prepare offer to Peter Reul	Prepare Exec report on the divestment of land		Seek resolution of Council for the divestment	prepare transfer documentation	transfer land			Feb-18
Durley Avenue Road Closure	Road Closure	road closure and sale to adjoining resident	Legal Fees- \$1000, admin fees- \$1000, surveyor- \$22,000 (to undertake the processing of the road closure), advertising fees- \$2000. Costs will be reimbursed by purchaser		\$30,000 Y		\$500,000	Lawyer, Valuer, surveyor	Y	High	seek an update valuations.		agree a letter of offer	seek Exec and Council approval to close road	undertake statutory assessment, including referrals internally and to utilities and public notification.	Prepare report to Crown lands	open approval prepare plan of road closure for execution	register the road closure plan	forward to Crown for Govt gazetial	request form to remove road notation from the	prepare transfer document upon and transfer the land	2020
Land acquisition Pemberton Street/Botany Road	Acquisition of land	potential land acquisition for signalisation of the intersection	At this stage none	NA			Sam Unquhart	Lawyer, Valuer, surveyor	Y	Medium	Internal consultation to investigate the need for the acquisition		report to exec on the way forward.	consult with City Infrastructure on the inclusion of pipelines in the data before you dig database			Provide report to Exec on the way forward	prepare documentation for renewal	execution of documentation	deed packing		Dec-17
Pipeline Agreements	License agreements	review and renewal/negotiation of pipeline agreements	Legal Fees- \$30,000, Consultants Fees- \$50,000		\$80,000 N		\$0 Jeff Appel and Ben Renaud	Environmental Engineers/Structural Engineers/Lawyer	Y	High	Seek legal review of documentation, and to advise on the next steps, ie. Renewal of documentation, seeking further advice, engaging specialists to investigate areas of concern			engage engineers to review and advise on plan of attack	consult with licensees							Apr-18
244 Coward Street	Positive Covenant	Execution of Positive Covenant for the maintenance of Henry Road Walkway Reserve	Legal Fees- \$1000 and admin fees- \$500		\$2,500 N		\$0 Jeff Appel	Lawyer	Y	High	execute Positive Covenant		Judge with LPI									Nov-17

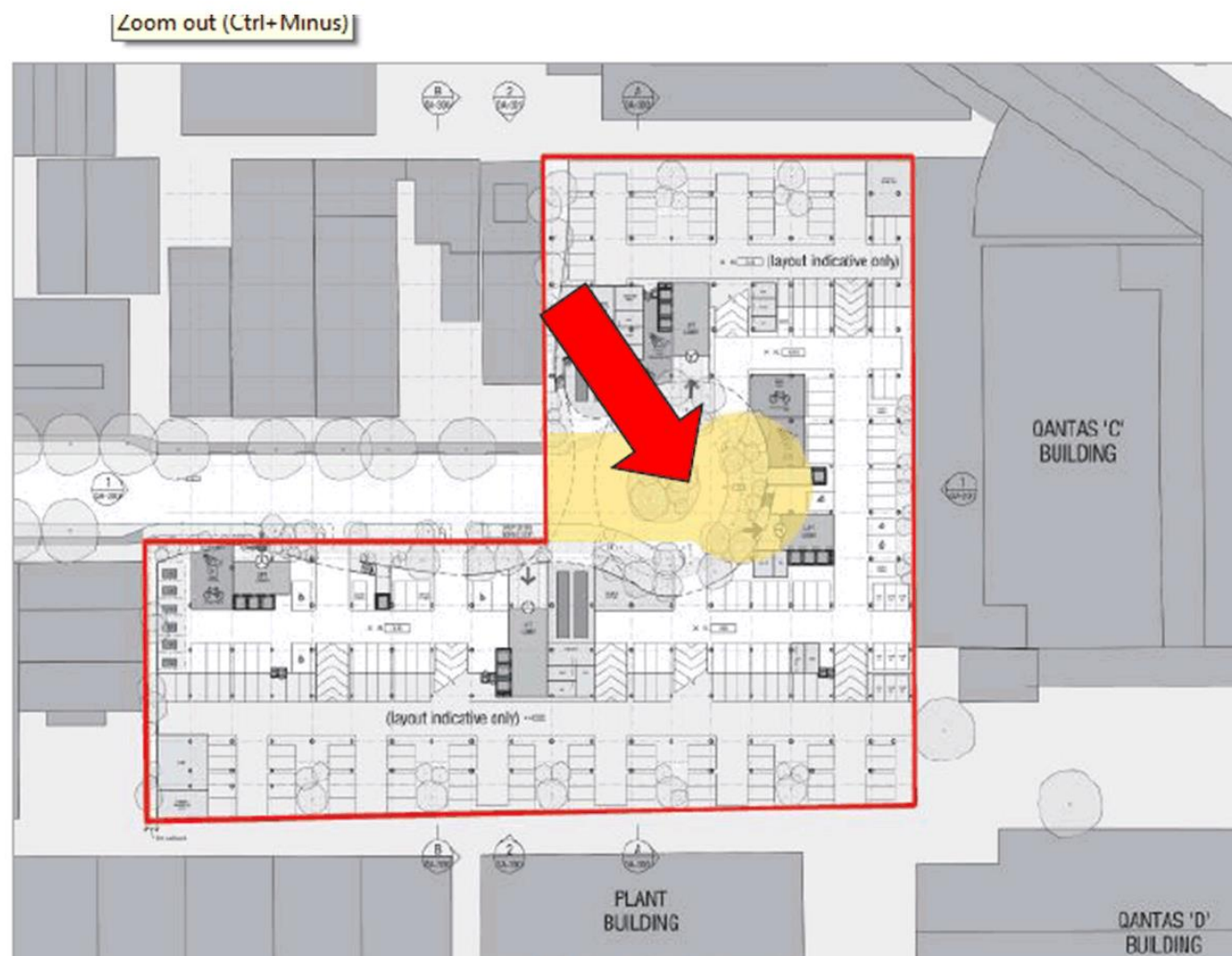




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Finance & Asset Management Committee

31/01/2018

Item No	5.5
Subject	Key Focus Areas
Report by	Fausto Sut, Manager Governance & Risk
File	F18/22

Summary

The Committee is asked to consider the key focus areas it wishes to pursue as a priority during the term of the Committee in order to fulfil its Charter responsibilities.

Officer Recommendation

That the Committee outlines its key focus areas for its term.

Background

The terms of reference for the Committee as previously mentioned is as follows:

“Provides advice on strategies and policies that support Council’s principles of sound financial and asset management, and financial sustainability including matters to do with outsourcing and asset sales.”

As you will appreciate the Committee’s scope is broad and its work will also compliment work of the other Advisory Committees. In order to ensure the Committee works effectively within the allocated meeting time, consideration should be given to the key focus areas that the Committee meeting may wish to allocate as a priority. As a starting point some key focus for discussion, some key focus areas have been identified as follows:

- Quarterly Budget Review
- Asset Management Framework
- Proposed annual budget
- Long term financial plan
- Asset sales and acquisition strategy
- Financing strategy including borrowing, investment, internal restrictions
- Key financial performance indicators
- Capital Works Program - funding sources

Consideration should also be given to scope of the other Advisory Committees such as the Public Works & Maintenance Committee to ensure that there is alignment between each others work eg capital works project identification vs capital works funding sources.

Attachments

Nil