

Business Paper
Council Meeting
19 November 2024



OUR VISION, MISSION AND VALUES



CALENDAR OF MEETINGS

| Meeting Dates | Time | Meeting | Location |
|---------------|------|---------|----------|
|---------------|------|---------|----------|

| November 2024 | | | |
|----------------------|--------|--|------------------|
| Tuesday 5 | 6:00pm | Councillor Workshop | Council Chambers |
| Saturday 9 | 9:00am | Councillor Facilities Familiarisation Tour | Council Office |
| Tuesday 12 | 6:00pm | Australia Day Awards Committee | Council Chambers |
| Thursday 14 | 9:00am | Councillor Training – Code of Conduct & Code of Meeting Practice | Council Chambers |
| Friday 15 | 8:20am | Country Mayors Assoc | Sydney |
| Tuesday 19 | 6:30pm | Council Meeting | Council Chambers |
| Wednesday 27 | 9:00am | CEMCC | EVN Town Office |

| December 2024 | | | |
|----------------------|----------------|---|------------------|
| Tuesday 3 | 6:00pm | Councillor Workshop – Planning Overview: EP&A, Planning Approvals | Council Chambers |
| Tuesday 3 | After workshop | Australia Day Awards Committee | Council Chambers |
| Wednesday 5 | 6.30pm | Citizenship Ceremony | Council Chambers |
| Tuesday 17 | 6:30pm | Council Meeting | Council Chambers |

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Council Meeting Agenda

19 November 2024
commencing at 6:30PM

ORDER OF BUSINESS

1. PRESENTATIONS TO COUNCILLORS
2. PUBLIC FORUM
3. RECORDING OF MEETING STATEMENT
4. ACKNOWLEDGEMENT OF COUNTRY
5. ATTENDANCE AND APOLOGIES FOR NON-ATTENDANCE
6. DISCLOSURES OF INTEREST
7. CONFIRMATION OF MINUTES
 - 7.1 Minutes of the previous Council Meeting held on 15 October 2024
 - 7.2 Matters arising from Minutes
8. REPORTS FROM STAFF
 - PRESENTATION BY AUDITOR - CROWE AUSTRALASIA
 - Section 1 – Corporate & Community Services
 - 8.1 Audit Report – 2023/2024 General Purpose Financial Statements..... 7
 - 8.2 Finance And Investment Report for October 2024..... 9
 - 8.3 Budget Review – September 2024 Quarter..... 16
 - 8.4 Carry Forward Works 2023/24..... 22
 - 8.5 Australia Day Funding – Village Community Events..... 24
 - 8.6 Council Meeting and Workshop Dates 2025..... 25
 - 8.7 Endorsement of the State of the Shire Report 2021-2024..... 27
 - 8.8 Adoption Of Social Media Policy..... 30
 - 8.9 Code of Conduct Reporting for Bland Shire Council 2023-2024..... 40
 - 8.10 Endorsement of the Bland Shire Code of Conduct..... 46
 - 8.11 Endorsement of the Bland Shire Council Code of Meeting Practice..... 48

| | | |
|--|---|-----|
| 8.12 | Endorsement of the DRAFT Community Strategic Plan 2025-2035..... | 93 |
| 8.13 | Endorsement of the DRAFT Payment of Expenses and Provision of Facilities to Councillors Policy..... | 95 |
| 8.14 | Strengthening Communities Application – Naradhan P&C Association..... | 107 |
| 8.15 | Strengthening Communities Application – West Wyalong Hospital Auxiliary..... | 110 |
| Section 2 – Executive Services | | |
| 8.16 | Monthly Status Report – Council Meeting Actions: November 2024..... | 113 |
| 8.17 | Submission – Councillor Conduct and Meeting Practices..... | 120 |
| 8.18 | Bland Shire Australia Day Awards Committee | 150 |
| 8.19 | Annual Report 2023/2024..... | 152 |
| Section 3 – Technical Services | | |
| 8.20 | Retail Energy Tender Small Sites..... | 153 |
| 8.21 | Floodplain Risk Management Committee..... | 156 |
| 8.22 | DA2024/0039 – Waste or Resource Management Facility – Addition of Waste Disposal Facility (private ancillary landfill) to existing Resource Recovery Facility (scrap metal recycling facility)..... | 157 |
| Section 4 – Reports for Information | | |
| 8.23 | Economic Development & Tourism Report..... | 180 |
| 8.24 | Community Development Report..... | 184 |
| 8.25 | Bland Shire Library Monthly Update..... | 187 |
| 8.26 | Children Services October Update..... | 193 |
| 8.27 | Bland Community Care Services Update October 2024..... | 197 |
| 8.28 | Technical Services Report..... | 201 |
| 8.29 | Development Services Activity Report – October 2024..... | 203 |

9. NOTICE OF MOTION – CR MCGLYNN

REPORTS FROM STAFF

Section 1 – Corporate & Community Services

8.1 Audit Report – 2023/2024 General Purpose Financial Statements



Our Leadership - A well run Council acting as the voice of the community

DP10.4 Ensure the long term financial sustainability of Council through effective and prudent financial management.

Author Manager Customer & Financial Services

Introduction

The purpose of this report is to inform the Council and the community that the Council's Annual Financial Reports for the year ending 30 June 2024 have been completed and audited. The financial reports and auditor reports are now publicly presented for their adoption by Council (**Attachment One**).

Financial Implications

The audit fee as prescribed by the NSW Audit Office, has already been approved in Council's budget.

Summary

Council's General Purpose Financial Statements for 2023/24 have been audited by the NSW Auditor General.

On completion of the process and following the issuing of advice to Bland Shire Council, the financial statements were lodged with the Office of Local Government on 31 October 2024 in accordance with statutory requirements.

Returning Councillors will note that Council did not receive a qualification in relation to the Rural Fire Service "Red Fleet" and Council did not account for the items. With the arrival of a new Auditor General there has been a different approach taken in relation to the "Red Fleet" which has resulted in a satisfactory outcome for Bland Shire, which was one of 36 Councils to have a previous year qualification lifted.

The Audit Office contracts accounting firms to perform much of the audit on its behalf with Bland Shire Council's statements being audited by representatives of Crowe Australasia. The 2023/24 audit has been completed and the Audit Office has submitted their statutory reports being the Audit Opinion and Report on the Conduct of the Audit.

The Auditor General's reports accompany the General Purpose Financial Reports, Special Purpose Financial Statements and Special Schedules which are available to Councillors and the public.

A representative from Crowe will present the Annual Financial Reports and Auditor's Reports for the 2023/24 financial year at this meeting and will be available to answer questions from the Councillors.

The Financial Statements were placed on public display from Thursday 31st October 2024. The closing date for submissions to be received is 26th November 2024. Should there be submissions made, a further report will be prepared for the Council.

Recommendation:

That Council adopt the 2023/24 Financial Statements and Auditors Report as submitted to the NSW Office of Local Government.

8.2 Finance And Investment Report For October 2024



Our Leadership - A well run Council acting as the voice of the community.

DP10.4 Ensure the long-term financial sustainability of Council through effective and prudent financial management.

Author Manager Customer & Financial Services

Introduction

The Finance and Investment Report is provided to Council for information and prepared in accordance with the Local Government (General) Regulation 2021.

Financial Implications

STATEMENT OF BANK BALANCES, RATES COLLECTIONS AND INVESTMENTS FOR THE MONTH OF OCTOBER 2024.

BANK BALANCES AS AT 31ST OCTOBER 2024

| ACCOUNT | BALANCE |
|---|------------------------|
| General Fund | \$5,397,155.22 |
| Business Card | \$23,452.89 |
| | \$5,420,608.11 |
| <i>Invested Funds</i> | |
| Fixed Deposits | \$82,700,000.00 |
| Deposits at Call | \$4,230,936.09 |
| | \$86,930,936.09 |
| Net Balance | \$92,351,544.20 |
| Percentage of Invested Funds to Net Balance | 94.13% |

STATEMENT OF BANK BALANCES AS AT 31.10.2024

SUBMITTED TO THE ORDINARY MEETING NOVEMBER 19, 2024

| | |
|---------------------------------------|------------------------|
| Balance as at 01 October 2024 | \$5,945,229.99 |
| <i>Plus Receipts for October 2024</i> | <i>\$5,781,061.20</i> |
| <i>Less Payments for October 2024</i> | <i>-\$6,329,135.97</i> |
| CASH BALANCE | \$5,397,155.22 |

Limit of Overdraft Arranged with Bank

\$ 350,000.00

ACCOUNTS CERTIFICATION

I CERTIFY,

That the accounts totalling \$6,329,135.97

1. Are fully supported by vouchers and invoices and have been fully registered.
2. The responsible officer concerned has certified that the goods for which respective accounts are submitted have been rendered to order and/or that the services for which respective accounts are submitted have been rendered according to order.
3. Official orders have been issued for the supply of such goods and services. The goods for which respective accounts are submitted have been checked with the entries in the goods order book.
4. The prices and computations of every account are correct.
5. The prices for the goods supplied or services rendered under the contract or quotation in accordance therewith and in all cases the prices charged are according to order and as far as I am able to ascertain fair and reasonable.
6. The provisions of the Local Government Act, 1993 and Regulations in connection therewith have been complied with.

Further I also certify that the Ledger has been reconciled with the bank statements for the preceding monthly period.

.....
Manager Customer and Financial
Services Responsible Accounting Officer

CERTIFICATE OF GENERAL MANAGER

This accounts summary, a copy of which was submitted to each member of Council on the 19th November 2024, has been checked and is fully supported by vouchers and invoices. These vouchers have been duly certified as to receipt of goods, the rendition of services, to prices and computations, and to costings.

.....
General Manager

CERTIFICATE OF CHAIRMAN OF ORDINARY MEETING

I certify that this accounts summary, covering amounts totalling **\$6,329,135.97** was submitted to the Ordinary Meeting on the 19th November 2024 and that the amounts are presented to Council for confirmation of payment.

.....
Chairman of Ordinary Meeting

INVESTMENTS

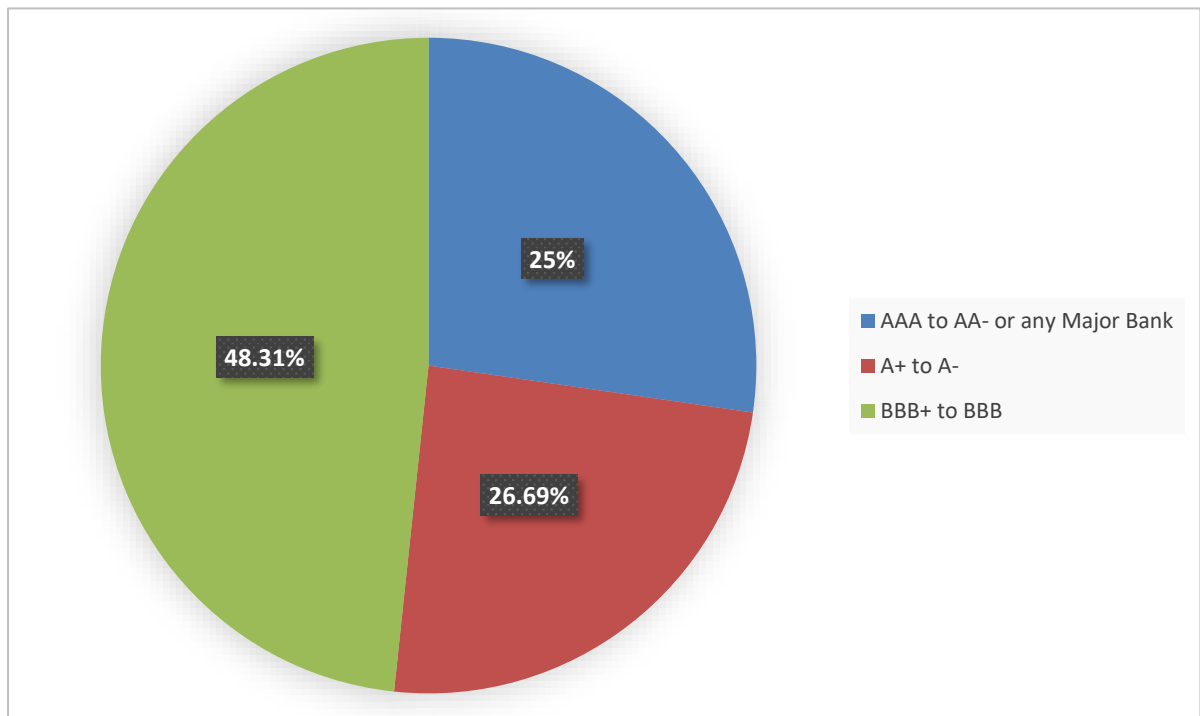
The following table gives details of Council's Funds invested at 31st October 2024. The funds consist of monies from the Bank Accounts of the Trust Funds, Reserve Accounts, Sewerage Fund and Combined General Account.

| INSTITUTION | RATING | DATE | DATE DUE | TERM | YIELD | INVESTED AMOUNT |
|-----------------------------|--------|------------|------------|------|-------|-----------------|
| Northern Territory Treasury | AA- | 30/09/2020 | 15/12/2025 | 1902 | 1.20% | 2,000,000.00 |
| AMP | BBB+ | 9/11/2023 | 7/11/2024 | 364 | 5.35% | 1,000,000.00 |
| BankVic | BBB+ | 16/11/2023 | 14/11/2024 | 364 | 5.45% | 1,000,000.00 |
| Auswide Bank | BBB+ | 23/11/2023 | 21/11/2024 | 364 | 5.45% | 2,000,000.00 |
| MyState Bank | BBB+ | 30/11/2023 | 28/11/2024 | 364 | 5.40% | 2,000,000.00 |
| Commonwealth Bank | AA- | 7/12/2023 | 16/10/2024 | 314 | 5.09% | 2,000,000.00 |
| MyState Bank | BBB+ | 20/12/2023 | 18/12/2024 | 364 | 5.15% | 1,000,000.00 |
| Judo Bank | BBB | 9/01/2024 | 3/12/2024 | 329 | 5.10% | 1,000,000.00 |
| Defence Bank | BBB+ | 10/01/2024 | 9/01/2025 | 365 | 5.10% | 1,000,000.00 |
| AMP | BBB+ | 19/01/2024 | 21/01/2025 | 368 | 5.15% | 1,000,000.00 |
| Great Southern Bank | BBB+ | 31/01/2024 | 30/01/2025 | 365 | 5.05% | 2,500,000.00 |
| ING Bank | A | 1/02/2024 | 16/01/2025 | 350 | 5.13% | 1,000,000.00 |
| Defence Bank | BBB+ | 8/02/2024 | 6/02/2025 | 364 | 5.00% | 1,000,000.00 |
| ING Bank | A | 16/02/2024 | 18/02/2025 | 368 | 5.18% | 1,000,000.00 |

| INSTITUTION | RATING | DATE | DATE DUE | TERM | YIELD | INVESTED AMOUNT |
|---------------------|--------|------------|------------|------|-------|-----------------|
| NAB | AA- | 15/02/2024 | 12/02/2025 | 363 | 5.15% | 1,000,000.00 |
| ING Bank | A | 28/02/2024 | 26/02/2025 | 364 | 5.08% | 1,000,000.00 |
| Australian Unity | BBB+ | 5/03/2024 | 5/03/2025 | 365 | 5.10% | 1,000,000.00 |
| Defence Bank | BBB+ | 6/03/2024 | 6/03/2025 | 365 | 5.10% | 1,000,000.00 |
| Defence Bank | BBB+ | 20/03/2024 | 20/03/2025 | 365 | 5.00% | 1,000,000.00 |
| Auswide Bank | BBB+ | 28/03/2024 | 26/03/2025 | 363 | 5.20% | 1,000,000.00 |
| Auswide Bank | BBB+ | 3/04/2024 | 2/04/2025 | 364 | 5.05% | 1,000,000.00 |
| ING Bank | A | 10/04/2024 | 10/04/2025 | 365 | 5.09% | 1,000,000.00 |
| Bank of QLD | A- | 30/04/2024 | 23/04/2025 | 358 | 5.10% | 1,000,000.00 |
| Judo Bank | BBB | 16/05/2024 | 14/05/2025 | 363 | 5.30% | 1,000,000.00 |
| Great Southern Bank | BBB+ | 22/05/2024 | 30/04/2025 | 343 | 5.17% | 1,000,000.00 |
| ING Bank | A | 27/05/2024 | 21/05/2025 | 359 | 5.27% | 2,000,000.00 |
| MyState Bank | BBB+ | 29/05/2024 | 27/05/2025 | 363 | 5.25% | 1,000,000.00 |
| Auswide Bank | BBB+ | 13/06/2024 | 11/06/2025 | 363 | 5.30% | 1,000,000.00 |
| Defence Bank | BBB+ | 20/06/2024 | 18/06/2025 | 363 | 5.20% | 2,000,000.00 |
| ING Bank | A | 26/06/2024 | 25/06/2025 | 364 | 5.25% | 2,000,000.00 |
| Beyond Bank | BBB+ | 26/06/2024 | 10/12/2024 | 167 | 5.20% | 1,000,000.00 |
| Beyond Bank | BBB+ | 26/06/2024 | 15/04/2025 | 293 | 5.20% | 1,000,000.00 |
| Judo Bank | BBB | 2/07/2024 | 11/03/2025 | 252 | 5.30% | 2,000,000.00 |
| Australian Unity | BBB+ | 5/07/2024 | 1/05/2025 | 300 | 5.30% | 1,000,000.00 |
| ING Bank | A | 8/07/2024 | 6/05/2025 | 302 | 5.27% | 1,000,000.00 |
| ING Bank | A | 8/07/2024 | 2/07/2025 | 359 | 5.37% | 2,000,000.00 |
| NAB | AA- | 8/07/2024 | 4/06/2025 | 331 | 5.30% | 1,000,000.00 |
| NAB | AA- | 8/07/2024 | 8/07/2025 | 365 | 5.35% | 2,000,000.00 |
| AMP | BBB+ | 11/07/2024 | 13/05/2025 | 306 | 5.20% | 1,000,000.00 |
| ING Bank | A | 17/07/2024 | 15/07/2025 | 363 | 5.33% | 1,000,000.00 |
| Police Bank | BBB+ | 31/07/2024 | 31/07/2025 | 365 | 5.25% | 2,000,000.00 |
| AMP | BBB+ | 7/08/2024 | 5/06/2025 | 302 | 5.20% | 1,000,000.00 |
| Bank of QLD | A- | 8/08/2024 | 6/02/2025 | 128 | 4.95% | 1,000,000.00 |
| NAB | AA- | 15/08/2024 | 12/08/2025 | 362 | 5.05% | 1,000,000.00 |
| AMP | BBB+ | 16/08/2024 | 15/01/2025 | 152 | 5.15% | 1,000,000.00 |
| AMP | BBB+ | 21/08/2024 | 20/02/2025 | 183 | 4.90% | 2,500,000.00 |
| NAB | AA- | 22/08/2024 | 22/07/2025 | 334 | 5.00% | 1,000,000.00 |
| NAB | AA- | 29/08/2024 | 19/08/2025 | 355 | 4.95% | 1,000,000.00 |
| ING Bank | A | 5/09/2024 | 2/09/2025 | 362 | 4.93% | 1,000,000.00 |
| Bendigo Bank | A- | 8/09/2024 | 8/09/2025 | 365 | 4.65% | 400,000.00 |
| Bendigo Bank | A- | 8/09/2024 | 8/09/2025 | 365 | 4.65% | 400,000.00 |
| Bendigo Bank | A- | 8/09/2024 | 8/09/2025 | 365 | 4.65% | 400,000.00 |
| NAB | AA- | 12/09/2024 | 10/09/2025 | 363 | 4.90% | 2,000,000.00 |
| Bank of QLD | A- | 12/09/2024 | 20/03/2025 | 189 | 4.90% | 1,000,000.00 |

| INSTITUTION | RATING | DATE | DATE DUE | TERM | YIELD | INVESTED AMOUNT |
|---------------------|--------|------------|------------|------|-------|----------------------|
| Bank of QLD | A- | 17/09/2024 | 18/03/2025 | 182 | 5.00% | 2,000,000.00 |
| NAB | AA- | 20/09/2024 | 17/09/2025 | 362 | 4.90% | 1,000,000.00 |
| Bank of QLD | A- | 26/09/2024 | 25/06/2025 | 272 | 4.85% | 2,000,000.00 |
| NAB | AA- | 3/10/2024 | 7/04/2025 | 186 | 5.05% | 1,500,000.00 |
| NAB | AA- | 9/10/2024 | 8/10/2024 | 364 | 4.95% | 2,000,000.00 |
| ING Bank | A | 17/10/2024 | 15/10/2025 | 363 | 5.03% | 2,000,000.00 |
| Police Bank | BBB+ | 24/10/2024 | 21/10/2025 | 362 | 5.00% | 2,000,000.00 |
| NAB | AA- | 24/10/2024 | 26/08/2025 | 306 | 4.95% | 2,000,000.00 |
| Beyond Bank | BBB+ | 30/10/2024 | 30/04/2024 | 182 | 5.00% | 1,000,000.00 |
| ANZ Deposit at Call | AA- | | | | | 50,964.77 |
| CBA Deposit at Call | AA- | | | | | 4,179,971.32 |
| TOTAL: | | | | | | 86,930,936.09 |

| Long Term Credit Rating | Policy Maximum (%) | Current Holding (%) | Current Holding (\$) |
|------------------------------|--------------------|---------------------|----------------------|
| AAA to AA- or any Major Bank | 100 | 25 | 21,730,936.09 |
| A+ to A- | 80 | 26.69 | 23,200,000.00 |
| BBB+ to BBB | 70 | 48.31 | 42,000,000.00 |
| BBB- and Unrated | 10 | - | - |
| | | | 86,930,936.09 |



| Individual Institution Limit | Rating | Policy Maximum (%) | Current Holding (%) | Current Holding (\$) |
|-------------------------------------|---------------|---------------------------|----------------------------|-----------------------------|
| AMP | BBB+ | 25 | 8.63 | \$7,500,000.00 |
| ANZ | AA- | 40 | 0.06 | \$50,964.77 |
| Australian Unity | BBB+ | 25 | 2.30 | \$2,000,000.00 |
| Auswide Bank | BBB+ | 25 | 5.75 | \$5,000,000.00 |
| Bank of QLD | A- | 30 | 8.05 | \$7,000,000.00 |
| BankVic | BBB+ | 25 | 1.15 | \$1,000,000.00 |
| Bendigo Bank | A- | 30 | 1.38 | \$1,200,000.00 |
| Beyond Bank | BBB+ | 25 | 3.45 | \$3,000,000.00 |
| Commonwealth Bank | AA- | 40 | 7.11 | \$6,179,971.32 |
| Defence Bank | BBB+ | 25 | 6.90 | \$6,000,000.00 |
| Great Southern Bank | BBB+ | 25 | 4.03 | \$3,500,000.00 |
| ING Bank | A | 30 | 17.26 | \$15,000,000.00 |
| Judo Bank | BBB | 25 | 4.60 | \$4,000,000.00 |
| MyState Bank | BBB+ | 25 | 4.60 | \$4,000,000.00 |
| NAB | AA- | 40 | 17.83 | \$15,500,000.00 |
| Northern Territory | AA- | 40 | 2.33 | \$2,000,000.00 |
| Police Bank | BBB+ | 25 | 4.60 | \$4,000,000.00 |
| | | | | \$86,930,936.09 |

I certify that the above investment has been reconciled with Council's General Ledger Accounts.

I certify that the above investments have been made in accordance with Section 625 of the Local Government Act 1993, the Regulation and Council's Investment Policies.

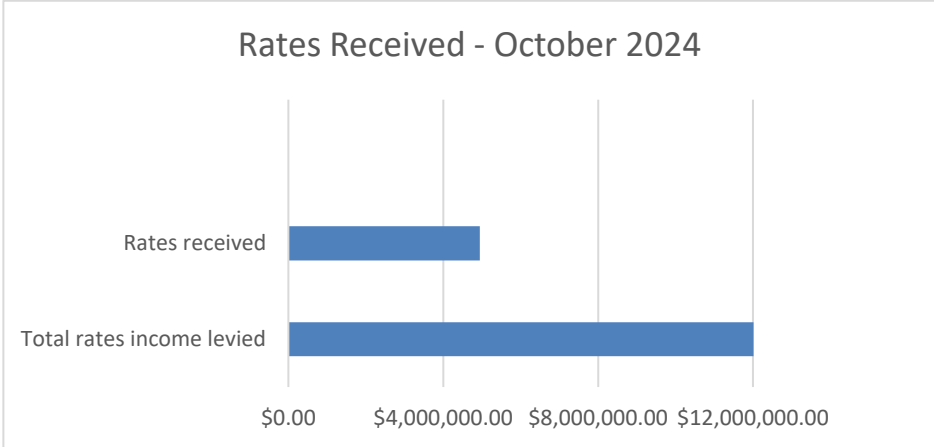
GENERAL MANAGER

RATES REPORT

Below is a summary of outstanding rates

| | | |
|-------------------------------------|------------------|---------------------------|
| Total rates income levied (2024/25) | \$ 12,011,304.30 | (\$11,545,736.60 in 2023) |
| Rates received as at 31/10/2024 | \$ 4,942,704.35 | (\$4,686,097.14 in 2023) |
| % of rates received to date | 41.15% | (40.59% in 2023) |

The total rates income includes rates in arrears and accumulated interest.



Summary

The information provided within this Finance and Investment Report has been prepared in accordance with the Local Government (General) Regulation 2021 as well as Council’s financial management policies and procedures. Further, the financial position of Council is satisfactory and the external investments are held in accordance with section 625 of the Local Government act 1993.

Recommendation:

That Council

- 1) receive and note the information contained within the Finance and Investment Report for the month of October 2024
 - 2) confirms the payment of accounts, for the period 01 October to 31 October 2024, totalling \$6,329,135.97
-

8.3 Budget Review – September 2024 Quarter



Our Leadership - A well run Council acting as the voice of the community

DP10.4 Ensure the long term financial sustainability of Council through effective and prudent financial management.

Author Manager Customer & Financial Services

Introduction

The Local Government (General) Regulation 2005 requires the Council to prepare and consider a Budget Review Statement each quarter, which shows:

- Estimates of income and expenditure
- Appropriate revision of those estimates

The Statement must also include a report indicating changes in estimates for income and expenditure. This is done in consultation with the responsible director or manager of the relevant department. The Statement must comply with the Local Government Code of Accounting Practice and be considered by the Council no later than 2 months past the conclusion of the quarter.

The attached financial reports comply with the Council's statutory responsibilities and are presented using the organisational structure approved by the Council.

The Quarterly Budget Review Statement has been prepared on an accrual basis as required.

The Statement includes:

- Budget Review Summary including actuals to date, original budget and revised estimates if applicable and remaining balance.
- Reserves Position

Overall Position

In general terms, the Council has received 58% of projected revenue (calculated on an accrual basis) to the original budget and 17% of projected operating expenditure to the original budget by the end of September 2024. \$1.2 million was spent on capital plant purchases with the main items being two new graders.

The balance of Council's cash and investments held was around \$92.9million at the end of the September quarter with \$48.1 million restricted (52%).

At the end of the September quarter, the total budget amendment requests net \$166,555 and will not have a material impact on the current budget deficit.

The following are the results in the Departmental cost centres together with some commentary. An adjustment summary is attached to the review documentation.

OFFICE OF THE GENERAL MANAGER

The OGM has produced a result at the end of the first quarter that is within the budget for the directorate. Some reasonable adjustments have been identified for the Human Resources area, and a small adjustment for the Media and Communications area.

CORPORATE AND COMMUNITY SERVICES

Corporate and Community Services have produced a result at the end of the first quarter that is within the budget for the directorate. A positive outcome for the Library with the Riverina Regional Library confirming that the Mobile Library Fees are included in the RRL fees, which will see a reduction in that expenditure budget. The Community Services area is sitting at 31% of budgeted expenditure for the September quarter, so they are right on target.

DEVELOPMENT AND REGULATORY SERVICES

Development and Regulatory Services are on track at the end of the first quarter with 38% of budgeted revenue received and no requested adjustments.

TECHNICAL SERVICES

Technical Services has produced a result at the end of the first quarter that is within the budget for the directorate. The recent finalisation of several large tenders should see expenditure for capital works and grant funded projects increase in the December quarter.

Conclusion

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005.

As Council's Responsible Accounting officer, it is my opinion that the Quarterly Budget Review Statement for Bland Shire Council for the quarter ended 30th September 2024 indicates that Council's financial position at 30th September 2024 is considered satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Recommendation:

That the

- 1) Quarterly Budget Review Statement for September 2024 be received and noted, and
 - 2) Council endorses the Statement acknowledging the financial position is considered satisfactory.
-

Signed _____ Date ____/____/____

Responsible Accounting Officer, Bland Shire Council

ADJUSTMENT REQUESTS - SEPTEMBER 2024 BUDGET REVIEW

| EXECUTIVE | Requested Adjustment | | Comments |
|-------------------------------|----------------------|----------------|--|
| | Income | Expenditure | |
| Human Resources | | | |
| - Employee Costs | | -35,000 | Reduction in employee costs due to the Human Resource Coordinator Position remaining vacant in the organisation structure. |
| - Contractor Costs | | 150,000 | For the use of Local Government Appointment contractor for HR Services. To be funded from Council's budget. |
| - Employee Assistance Program | | 7,000 | To encourage employees to seek additional support if required. To be funded from Council's budget. |
| Media & Community Relations | | | |
| - Website Costs | | 6,000 | Actual costs received for website upgrade. To be funded from Council's budget. |
| Executive Total | 0 | 128,000 | |

| CORPORATE SERVICES | Requested Adjustment | | Comments |
|-------------------------------------|----------------------|----------------|---|
| | Income | Expenditure | |
| Corporate Support | | | |
| - Pulse Software Program | | 36,000 | Implementation of staff evaluation module. To be funded from Council's budget. |
| Corporate Support | | | |
| - Internal Audit, Governance & Risk | -120,000 | 150,000 | IAGR Coordinator Position - shared between the Audit Alliance. 20% BSC Contribution to be funded from Council's budget. |
| Community Development | | | |
| - Skin Check Truck | -5,000 | 10,000 | As per Council resolution 12/10/2023. Missed in 24/25 budget process. To be funded from Council's budget. |
| Library | | | |
| - Summer Reading Club | -1,400 | 1,400 | Successful funding sourced from Evolution and Bernardi's for Summer Reading Club Program. |
| Library | | | |
| - Mobile Library | | -63,217 | Confirmation received from Riverina Regional Library that the Mobile Library Fees are included in the RRL Fees amount of \$187,289. |
| Corporate Services Total | -126,400 | 134,183 | |

| TECHNICAL SERVICES | Requested Adjustment | | Comments |
|---------------------------------|----------------------|----------------|--|
| | Income | Expenditure | |
| CAPITAL | | | |
| Roads, Works & Transport | | | |
| - Safety Guard Rails | | 30,772 | Additional safety rails for Quandialla Road. To be funded from Council's budget. |
| Technical Services Total | 0 | 30,772 | |
| GENERAL FUND TOTAL | -126,400 | 292,955 | |

INCOME as at 30 SEPTEMBER 2024

| | BUDGET | REQUESTED ADJUSTMENTS | AMENDED BUDGET | ACTUALS | BALANCE REMAINING |
|--|--------------------|--------------------------|--------------------|--------------------|--------------------|
| EXECUTIVE | | | | | |
| Governance | -210,484 | | -210,484 | -1,065 | -209,419 |
| Democracy | -75,000 | | -75,000 | 0 | -75,000 |
| Land Development | -2,250,000 | | -2,250,000 | 0 | -2,250,000 |
| Economic Development | 0 | | 0 | 0 | 0 |
| Tourism | -5,150 | | -5,150 | 0 | -5,150 |
| Human Resources & WHS | -25,150 | | -25,150 | 0 | -25,150 |
| Media & Community Relations | 0 | | 0 | 0 | 0 |
| Executive Total Outcome | -2,565,784 | | -2,565,784 | -1,065 | -2,564,719 |
| CORPORATE SERVICES | | | | | |
| General Revenue | -7,855,942 | | -7,855,942 | -7,817,221 | -38,721 |
| Financial Assistance & investments | -7,076,839 | | -7,076,839 | 0 | -7,076,839 |
| Corporate Support | -877,050 | | -877,050 | -9,455 | -867,595 |
| Corporate Services Total | -15,809,831 | | -15,809,831 | -7,826,675 | -7,983,156 |
| COMMUNITY SERVICES | | | | | |
| Aged Care | -460,000 | | -460,000 | -97,241 | -362,759 |
| Children's Services | -1,430,207 | | -1,430,207 | -611,116 | -819,091 |
| Library | -98,500 | -1,400 | -97,100 | -1,694 | -95,406 |
| Community Development | -79,000 | -5,000 | -74,000 | -24,886 | -49,114 |
| Community Services Total | -2,067,707 | -6,400 | -2,061,307 | -734,937 | -1,326,370 |
| DEVELOPMENT & REGULATORY SERVICES | | | | | |
| Regulatory Services | -9,100 | | -9,100 | -6,387 | -2,713 |
| Developmental Control | -86,200 | | -86,200 | -28,686 | -57,514 |
| Environmental Planning | -10,500 | | -10,500 | -4,346 | -6,154 |
| Health & Environment | -4,500 | | -4,500 | -1,305 | -3,195 |
| Property Maintenance | -148,271 | | -148,271 | -57,271 | -91,000 |
| Development & Regulatory Services Total | -258,571 | | -258,571 | -97,996 | -160,575 |
| TECHNICAL SERVICES | | | | | |
| Works Administration | -1,068,000 | | -1,068,000 | -162,191 | -905,809 |
| Plant Running | -4,118,494 | | -4,118,494 | -1,130,137 | -2,988,357 |
| Roads, Works & Transport | -9,249,619 | | -9,249,619 | -789,687 | -8,459,932 |
| Public Services | -408,700 | | -408,700 | -74,083 | -334,617 |
| Pools | 0 | | 0 | 0 | 0 |
| Council Property Maintenance | -131,000 | | -131,000 | -5,000 | -126,000 |
| Waste management | -1,931,361 | | -1,931,361 | -1,522,851 | -408,510 |
| Sewerage Disposal Services | -2,101,111 | | -2,101,111 | -2,075,729 | -25,382 |
| Technical Services Total | -19,008,285 | | -19,008,285 | -5,759,678 | -13,248,608 |
| GENERAL FUND TOTAL | -39,710,178 | -6,400 | -39,703,778 | -14,420,351 | -25,283,427 |

EXPENDITURE as at 30 SEPTEMBER 2024

| | BUDGET | REQUESTED ADJUSTMENTS | AMENDED BUDGET | ACTUALS | BALANCE REMAINING |
|--|-------------------|--------------------------|-------------------|------------------|-------------------|
| EXECUTIVE | | | | | |
| Governance | 803,487 | | 803,487 | 191,505 | 611,982 |
| Democracy | 331,664 | | 331,664 | 37,328 | 294,336 |
| Land Development | 2,355,000 | | 2,355,000 | 203,186 | 2,151,814 |
| Economic Development | 50,000 | | 50,000 | 9,986 | 40,014 |
| Tourism | 199,000 | | 199,000 | 65,923 | 133,077 |
| Human Resources & WHS | 397,031 | 122,000 | 275,031 | 108,245 | 166,786 |
| Media & Community Relations | 176,500 | 6,000 | 170,500 | 10,074 | 160,426 |
| Executive Total Outcome | 4,312,682 | 128,000 | 4,184,682 | 626,247 | 3,558,435 |
| CORPORATE SERVICES | | | | | |
| General Revenue | 1,179,917 | | 1,179,917 | 55,910 | 1,124,007 |
| Financial Assistance & investments | 126,839 | | 126,839 | 0 | 126,839 |
| Corporate Support | 3,801,146 | 36,000 | 3,765,146 | 855,846 | 2,909,300 |
| Corporate Services Total | 5,107,902 | 36,000 | 5,071,902 | 911,756 | 4,160,146 |
| COMMUNITY SERVICES | | | | | |
| Aged Care | 799,819 | | 799,819 | 135,002 | 664,817 |
| Children's Services | 1,456,507 | | 1,456,507 | 562,965 | 893,541 |
| Library | 653,043 | -61,817 | 714,860 | 175,384 | 539,476 |
| Community Development | 300,750 | 10,000 | 290,750 | 107,646 | 183,104 |
| Community Services Total | 3,210,119 | -51,817 | 3,261,936 | 980,998 | 2,280,938 |
| DEVELOPMENT & REGULATORY SERVICES | | | | | |
| Regulatory Services | 163,992 | | 163,992 | 74,550 | 89,442 |
| Developmental Control | 997,351 | | 997,351 | 258,418 | 738,933 |
| Environmental Planning | 229,000 | | 229,000 | 16,158 | 212,843 |
| Health & Environment | 4,700 | | 4,700 | 48 | 4,652 |
| Property Maintenance | 759,042 | | 759,042 | 113,863 | 645,179 |
| Development & Regulatory Services | 2,154,085 | 0 | 2,154,085 | 463,036 | 1,691,049 |
| TECHNICAL SERVICES | | | | | |
| Works Administration | 4,774,083 | | 4,774,083 | 574,385 | 4,199,698 |
| Plant Running | 3,013,494 | | 3,013,494 | 562,959 | 2,450,535 |
| Roads, Works & Transport | 11,997,277 | | 11,997,277 | 1,959,611 | 10,037,666 |
| Public Services | 4,680,418 | | 4,680,418 | 844,999 | 3,835,419 |
| Pools | 481,078 | | 481,078 | 51,205 | 429,873 |
| Council Property Maintenance | 59,937 | | 59,937 | 737 | 59,200 |
| Waste management | 1,931,361 | | 1,931,361 | 220,144 | 1,711,217 |
| Sewerage Disposal Services | 2,089,170 | | 2,089,170 | 247,218 | 1,841,952 |
| Technical Services Total | 29,026,818 | 0 | 29,026,818 | 4,461,258 | 24,565,561 |
| GENERAL FUND TOTAL | 43,811,606 | 112,183 | 43,699,423 | 7,443,295 | 36,256,128 |

KEY PERFORMANCE INDICATORS as at 30 SEPTEMBER 2024

| Rates & Annual Charges Coverage Ratio | | | | | |
|--|---------------|---------------|---------------|----------------|--------------|
| | Rates | Waste | Sewer | Total | Ratio |
| Rates & Annual Charges | -7,817,220.59 | -1,522,850.97 | -2,075,729.32 | -11,415,800.88 | 29% |
| Revenue from Continuing Operations | | | | -39,781,528.39 | |

| % Revenue Achieved | | 58% |
|---|----------------|------------|
| Actual Revenue Achieved | -23,110,266.53 | |
| Budgeted Revenue from Continuing Operations | -39,781,528.39 | |

| % Actual Expenditure | | 17% |
|---|---------------|------------|
| Actual Expenditure YTD | 7,497,072.78 | |
| Budgeted Expenditure from Continuing Operations | 44,168,749.79 | |

8.4 Carry Forward Works 2023/24



Our Leadership - A well run Council acting as the voice of the community

DP10.4 Ensure the long term financial sustainability of Council through effective and prudent financial management.

Author Manager Customer & Financial Services

Introduction

At the end of each financial year, final budgets are reviewed. During this review process, budgeted works that were still in progress at the end of the 2023/24 financial year are identified and a determination is made as to which projects need to continue into the 2024/25 financial year.

A statement is prepared listing the works and budget balance required to carry into the 2024/25 financial year.

Financial Implications

NIL as the carry forward works were already budgeted for in the previous financial year.

Summary

A statement of the carry forward requests, and budget balances has been prepared and requires Council to review and approve the carry forward of the budgeted balance.

Recommendation:

That Council approve the requested budget adjustments, as detailed in the Carry Forward document, for the amount of \$175,643 to be carried forward to the 2024/25 financial period.

Carry Forward Summary 2023-24

| Description | Requested Carry Forward Amount | Comment |
|-------------------------------------|---------------------------------------|--|
| DEMOCRACY | | |
| Councillor Development | 9,064 | <i>Unspent amount of 23/24 budget. Request budget amount be moved into 24/25 budget to provide additional opportunities for the new Council.</i> |
| COMMUNITY DEVELOPMENT | | |
| Community Satisfaction Survey | 7,000 | <i>\$25,000 was budgeted and not spent in 23/24. Quoted amount for the survey is \$32,000 with only \$25,000 budgeted in 24/25. Request \$7,000 of 23/24 budget amount be moved into 24/25 budget.</i> |
| ROADS, WORKS & TRANSPORT | | |
| Footpath Maintenance | 29,579 | <i>Contractor availability on necessary maintenance meant only \$20,421 of the original \$50,000 budget was spent in 23/24. Request to carry forward remaining amount of \$29,579 into the 24/25 budget.</i> |
| PLANT RUNNING | | |
| Plant Replacement | 130,000 | <i>Plant purchases are still being delayed, with lengthy wait times after ordering. Request budget amount of \$130,000 be moved into 24/25 budget.</i> |
| Plant Purchases Reserve | -130,000 | |
| Working Reserve | -45,643 | |
| TOTAL | 0 | |

8.5 Australia Day Funding – Village Community Events



Our People - A Strong, healthy, connected and inclusive community

DP4.1- Facilitate Council events to build social capital and a sense of belonging within the community

Author: Community Development Officer

Introduction

Council has in the past, been approached by numerous village community members for financial assistance to hold an Australia Day Event throughout our village communities on Sunday 26 January 2025.

Australia Day presents us with the opportunity to come together, reflect and remind ourselves about everything that is great about our community – where we have come from, what we have now, and what lies ahead.

Council will provide financial support up to the amount of \$300 for the villages of Barmedman, Mirrool, Tallimba, Ungarie and Weethalle to contribute towards an Australia Day event. Payments will be made upon receipt of invoices to a maximum of \$300.

Financial Implications

There is currently \$12,557 remaining in the Community Meetings and Functions including Australia Day operational budget.

Summary

Council has supported the popular Australia Day events in the past, with positive feedback received from those who have attended.

This request meets objectives set out in Councils Community Strategic Plan.

Recommendation:

That Council receive and note the information contained within the Australia Day Funding – Village Community Events report.

8.6 Council Meeting and Workshop Dates 2025



Our Leadership - A well run Council acting as the voice of the community

Delivery Program Strategy 10.1 - Councillors are provided with appropriate support and resources to carry out their civic duty

Author: Director Corporate and Community Services

Introduction

It would be appropriate for Council to now determine a program of meetings and briefings for the coming year to enable all interested parties to plan.

This report presents dates to allow Council to continue to meet regularly to deal with matters as required as well as providing alternative dates to accommodate anticipated activities associated with the election of Councillors for a new term of Bland Shire Council.

Financial Implications

There are no additional budget requirements in relation to this matter.

Summary

The projected Council Meeting and Council Workshop Schedule for the period up to December 2025 is as attached (**Attachment A**).

Section 365 of the Local Government Act 1993 states that Council is required to meet at least 10 times each year. Accordingly, Ordinary Meetings of Bland Shire Council are currently held on the third Tuesday of every month excluding January, with Council Workshops held on the first Tuesday of every month.

Council meetings and workshops are held in the Council Chambers with meetings commencing at 6.30pm and workshops currently scheduled to commence at 6pm.

Recommendation:

That Council adopt the Council Meeting and Workshop Schedule for 2025 as provided in Attachment A.

COUNCIL MEETING DATES 2025

| January | | | | | | | February | | | | | | | March | | | | | | |
|---------|----|----|----|----|----|----|----------|----|----|----|----|----|----|-----------|----|----|----|----|----|----|
| Su | Mo | Tu | We | Th | Fr | Sa | Su | Mo | Tu | We | Th | Fr | Sa | Su | Mo | Tu | We | Th | Fr | Sa |
| | | | 1 | 2 | 3 | 4 | | | | | | | 1 | | | | | | | 1 |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 26 | 27 | 28 | 29 | 30 | 31 | | 23 | 24 | 25 | 26 | 27 | 28 | | 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| | | | | | | | | | | | | | | 30 | 31 | | | | | |
| April | | | | | | | May | | | | | | | June | | | | | | |
| Su | Mo | Tu | We | Th | Fr | Sa | Su | Mo | Tu | We | Th | Fr | Sa | Su | Mo | Tu | We | Th | Fr | Sa |
| | | 1 | 2 | 3 | 4 | 5 | | | | | 1 | 2 | 3 | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 27 | 28 | 29 | 30 | | | | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 29 | 30 | | | | | |
| July | | | | | | | August | | | | | | | September | | | | | | |
| Su | Mo | Tu | We | Th | Fr | Sa | Su | Mo | Tu | We | Th | Fr | Sa | Su | Mo | Tu | We | Th | Fr | Sa |
| | | 1 | 2 | 3 | 4 | 5 | | | | | | 1 | 2 | | 1 | 2 | 3 | 4 | 5 | 6 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 27 | 28 | 29 | 30 | 31 | | | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 28 | 29 | 30 | | | | |
| | | | | | | | 31 | | | | | | | | | | | | | |
| October | | | | | | | November | | | | | | | December | | | | | | |
| Su | Mo | Tu | We | Th | Fr | Sa | Su | Mo | Tu | We | Th | Fr | Sa | Su | Mo | Tu | We | Th | Fr | Sa |
| | | | 1 | 2 | 3 | 4 | | | | | | | 1 | | 1 | 2 | 3 | 4 | 5 | 6 |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 26 | 27 | 28 | 29 | 30 | 31 | | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 28 | 29 | 30 | 31 | | | |
| | | | | | | | 30 | | | | | | | | | | | | | |

| Key Holidays and Observances (NSW) | | | | | |
|------------------------------------|------------------|-------------------------------|--------------------------|--|----------------|
| Jan 01 | New Year's Day | Jan 26 | Australia Day | Apr 18 | Good Friday |
| Apr 20 | Easter Sunday | Apr 21 | Easter Monday | Apr 25 | Anzac Day |
| Jun 9 | King's Birthday | | | Oct 05 | Labour Day |
| Dec 25 | Christmas Day | Dec 26 | Boxing Day | Dec 31 | New Year's Eve |
| Legend | | | | | |
| | Council Workshop | | Ordinary Council Meeting | | Public Holiday |
| School Holidays NSW | | | | | |
| AUTUMN | | WINTER | | SPRING | |
| 14 April to 24 April 2025 | | 7 July to Friday 18 July 2025 | | 29 September to Friday 10 October 2025 | |
| | | | | SUMMER | |
| | | | | 22 December to Monday 26 January 2026 | |

8.7 Endorsement of the State of the Shire Report 2021-2024



Our Leadership - A well run Council acting as the voice of the community

DP10.3 The General Manager takes on a high level role in implementing the Community Strategic Plan and other Council documents

Author: Director Corporate and Community Services

Introduction

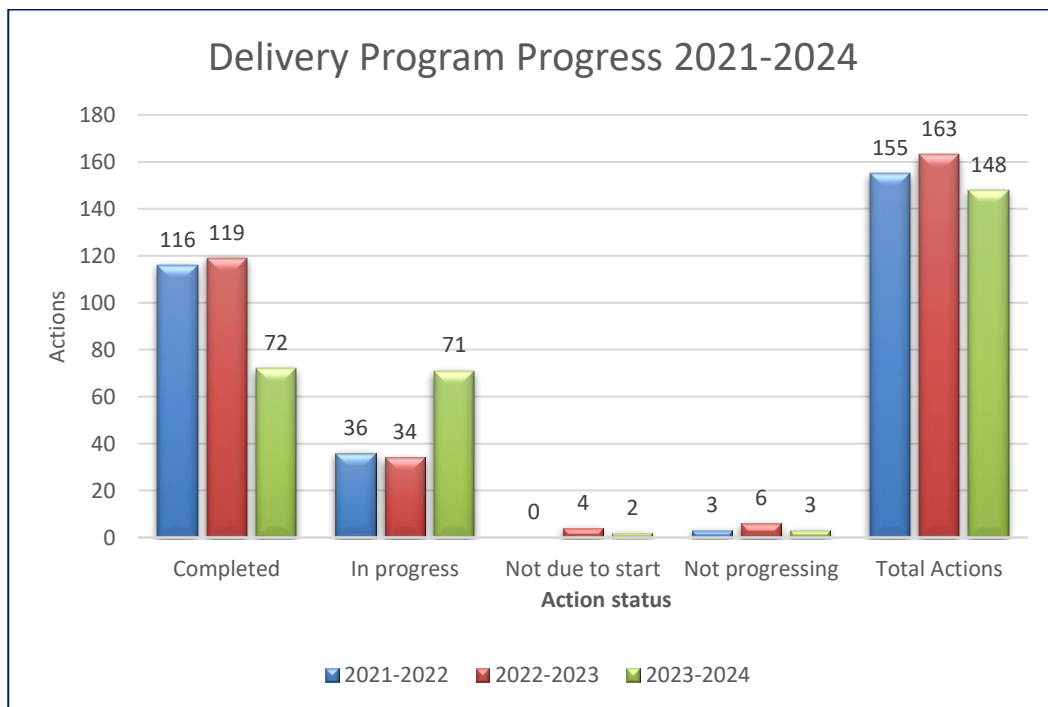
Under the Local Government Act 1993 Section 406 and the Integrated Planning & Reporting Guidelines, all Councils are required to prepare a State of The Shire Report (formerly referred to as End of Term Report) on the progress of the implementation of the Community Strategic Plan over the previous three years.

This report must be tabled at the second meeting of the incoming Council and included with the annual report which must be submitted to the Office of Local Government by 30 November 2024.

The State of the Shire Report 2021-2024 details the actions and achievements during the Council term, in response to its strategic direction and priorities as articulated through its policies, delivery program and annual operational plan.

The Report has been structured to demonstrate what Council has done towards achieving the Goals identified within the *Your Vision, Our Future Community Strategic Plan 2017-2027*.

Contained within the report is an overview of the activities undertaken by Council. A breakdown of actions achieved is also included. The following graph provides an overview of those activities.



The items not proceeding by year and the reasons were:

2021-2022

| Code | Action | Comment |
|-------------|--|--|
| 3.2.3 | Facilitate a Bland Flavour Festival. | Decision made in consultation with Councillors, GM and community representatives not to proceed with the Flavour Festival. |
| 8.4.1 | Review Heritage items currently listed in the Bland Local Environmental Plan and to investigate the inclusion of new heritage items. | Review will recommence once the heritage advisor program restarts. |
| 8.4.2 | Promote and implement the Heritage Advisory Program. | New heritage advisor yet to be appointed. |

2022-2023

| Code | Action | Comment |
|-------------|--|--|
| 3.1.2 | Recognise and celebrate volunteers for National Volunteer Week. | Due to staff resourcing issues, no event was held specifically for National Volunteer Week in May. |
| 8.4.2 | Promote and implement the Heritage Advisory Program. | New heritage advisor yet to be appointed. |
| 1.2.7 | Investigate grant opportunities to upgrade infrastructure and equipment required for service provision. | No current grant opportunities have been identified for infrastructure and equipment upgrades. |
| 12.1.2 | A range of programs are supported, promoted and controlled to encourage and enforce responsible companion animal ownership by increasing companion animal registrations, reduction in number of impounding's, reduction in rate of companion animal related incidents and reduction in number of companion animal related fines. | It was proposed to host an open day to showcase new pound, however, construction has been delayed. |
| 9.1.3 | Review Technical Services Policies and Strategies. | No action in this quarter |
| 7.1.1 | Maximise water storage within budgetary constraints. | No action in this quarter |

2023-2024

| Code | Action | Comment |
|-------------|--|--|
| 1.2.8 | Review and update the Disability Inclusion Action Plan. | DRAFT Disability Inclusion Action Plan has commenced. |
| 12.3.3 | Monitor the effectiveness of the LGNSW Capability Framework in the Performance and Development Review process. | Position Descriptions have been updated. Capability Framework has not been reviewed. |
| 5.1.1 | Promote Access Mobility Map. | Due to staff resourcing issues, no progress has been made in this area. |

Financial Implications

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

Summary

The report meets the statutory reporting requirements under the Local Government Act s.428 and is provided for the information of Councillors and the community.

Recommendation:

That

- 1) Council endorses the State of the Shire Report 2021-2024.
 - 2) the State of the Shire Report 2021-2024 be published on Council's website.
 - 3) the NSW Office of Local Government be advised accordingly.
-

8.8 Adoption Of Social Media Policy



Our People - A Strong, healthy, connected and inclusive community

DP3.1 Develop and support a strong sense of community, providing advice and support to community groups

Author: Director Corporate and Community Services

Introduction

Council's Social Media Policy (**Attachment One**) was recently reviewed by the Senior Management Team and is being presented to Council for endorsement to allow for its exhibition and comments to be received from the community.

Financial Implications

Nil

Summary

The Social Media Policy has been reviewed by Council and the document (**Attachment One**) has been developed with reference to the Office of Local Government's Model Social Media Policy.

Bland Shire Council recognises that social media provides opportunities for dynamic and interactive two-way communication, which can complement existing communication and further improve information, access and delivery of key services. The Council also recognises a number of benefits to having a healthy and positive social media presence, such as networking, recruitment, promotion and circulating time sensitive information.

The policy was designed to provide a framework for Council, Council staff and Councillors to use social media tools to facilitate collaboration and sharing between Council, employees, ratepayers and external stakeholders.

In accordance with Section 160 of the Local Government Act 1993, Council must now advertise the policy for feedback from the community.

Recommendation:

That

- 1) Council endorses the revised Social Media Policy and places it on public exhibition from Friday 22 November 2024 for a period of 28 days.
 - 2) following the period of exhibition and submission period to allow for written submissions to be made, any suggested amendments to the plan be made and a further report be presented to Council prior to its formal adoption.
-

Attachment One



POLICY STATEMENT

SOCIAL MEDIA POLICY

AUTHORISATION

| | |
|---|--|
| POLICY TYPE: <i>(Council or Operational)</i> | Council |
| POLICY LOCATION: <i>(eg. Corporate, Engineering, etc.)</i> | Executive Services |
| RESPONSIBLE OFFICER: <i>(by position title)</i> | Media and Communications Officer |
| AUTHORISED BY: <i>(GM or Director Title)</i> | General Manager |
| DATE ADOPTED: | |
| ADOPTED BY: <i>(Manex or Council)</i> | Council |
| MINUTE NO: <i>(If required)</i> | |
| REVIEW DUE DATE: <i>(Four years unless statutorily required sooner)</i> | March 2028 |
| REVISION NUMBER: | 3 |
| RELATIONSHIP TO THE COMMUNITY STRATEGIC PLAN | This Policy supports Council's Delivery Program and Operational Plan 2022-23 under strategy 4.3 and 11.2. Ensuring proper management and use of social media further allows for active engagement with community and promotion of open communication by adopting innovative and accessible communication strategies. |

DOCUMENT HISTORY

| VERSION NO. | DATE | DESCRIPTION OF AMENDMENTS <i>Include names of former policies that this policy will replace if applicable</i> | AMENDED BY <i>(Where required)</i> |
|--------------------|---------------|---|--|
| 1 | 20 Nov 2012 | | |
| 2 | 21 April 2020 | | |
| 3 | March 2024 | New template adopted. Synthesis of the document, whilst adding additional information relating to complaints handling when received via social media, and Councillor and Staff use of social media. Clarification also added on authorised users and scope of document. | Media and Communications Officer |

REVIEW OF THIS POLICY

This Policy will be reviewed within 4 years from the date of adoption or as required in the event of legislative changes. The Policy may also be changed as a result of other amendment that are to the advantage that Council and in the spirit of this Policy.

Any amendment to the Policy must be with the approval of the General Manager/Manex.

1. Definitions;

'Authorised persons' refers to the General Manager, the Director of Corporate and Community Services or persons that have been given express approval by the General Manager to perform administrative duties on Council social media.

'Social Media' refers to internet-based tools for sharing or discussing information. It relates to user-generated information, opinion or other content shared over open digital networks.

Social Media may include (although is not limited to):

- social networking sites (eg: Facebook, Twitter)
- video and photo sharing websites (eg: Flickr, Youtube)
- blogs, including corporate blogs and personal blogs
- Wikipedia and other online collaborations (e.g. wiki's)
- forums, discussion boards and groups (eg: Google and Yahoo groups)
- podcasting

2. Purpose:

Bland Shire Council recognises that social media provides opportunities for dynamic and interactive two-way communication, which can complement existing communication and further improve information, access and delivery of key services. The Council also recognises a number of benefits to having a healthy and positive social media presence, such as networking, recruitment, promotion and circulating time sensitive information.

This policy is designed to provide a framework for Council, Council staff and Councillors to use social media tools to facilitate collaboration and sharing between Council, employees, ratepayers and external stakeholders.

It is acknowledged that certain risks are associated with social media tools. The intent of this policy is to provide understanding and guidance for the appropriate use of social media platforms and tools for anyone who uses social media on behalf of Bland Shire Council.

3. Scope:

This policy applies to:

- the use of any of Council's social media forums in an official capacity by an approved social media representative.
- Councillors, employees, contractors, agents and volunteers of Bland Shire Council.
- all activities undertaken on an official Council social media channel or using a social media tool.
- all individuals seeking promotion through the Media and Communications Officer managing any of Council's social media forums such as:
 - Bland Shire Council Facebook page

- Visit West Wyalong Facebook page
- Bland Shire Library Facebook Page
- Bland Shire Children Services Unit Facebook Page
- Bland Shire – It Takes a Village Facebook Page
- Bland Shire Youth Facebook Page
- Bland Shire Youth Instagram Page
- Bland Shire Council Facebook Page
- Bland Shire Council LinkedIn
- Visit West Wyalong Facebook Page
- Bland Shire Library Instagram Page
- Bland Shire Children Services Unit Instagram Page
- Bland Shire Council YouTube channel

It is noted that Social Media falls under the ‘Media’ category of Bland Shire Council’s Communication Policy and Procedure, and this document should be read in conjunction with these other documents.

4. Outcomes;

This Policy is designed to inform authorised users, and members of Council, of the appropriate use of social media as a representative of the Bland Shire Council. It outlines measures to protect and enhance the reputation of Council in the use of social media channels and to promote effective, timely and productive community engagement through social media. Effective implementation will result in empowering the community to genuinely participate in community life, and in decisions that affect their lives, whilst minimising miscommunication or mischievous communications.

5. General Matters;

Staff and Councillors, with the exception of the Mayor and General Manager, are prohibited from posting on social media regarding Council related business and operational matters in their capacity as a staff member or Councillor without the written permission of the General Manager.

Council staff and Councillors may post on social media as private individuals on the conditions that their comments are not perceived as representing official Council position or policy. Best practise is to not identify yourself as a staff member, or as a Councillor, to avoid misplaced implications of official authority.

Councillors and Council staff should raise social media occurrences that could result in damage to Council’s reputation directly to the General Manager at their earliest convenience, and refrain from commenting or posting on the matter.

6. Roles and Responsibilities;

The Implementation of this Policy applies to authorised persons that administrate and manage Bland Shire Council social media outlets and representatives of Council.

When establishing a social media account on behalf of Council, authorised users must complete the Social Media Account Checklist (Appendix A) and submit to the relevant Director for approval and the General Manager for authorisation.

Account administrators must operate the account in accordance with the objectives outlined in the completed Social Media Account checklist submitted to the General Manager.

Council's social media platforms are administered by authorised persons only. Councillors and staff are responsible for the moderation and administration of their own personal accounts.

Official Council social media Users;

Authorised users will;

- Know and follow record management practices.
 - Council has regulatory and legal obligations to retain certain information as records. Follow the procedures outlined in Council's Records Management Policy.
- Ensure that when using Facebook, all Council accounts must be operated and administered as a "page" rather than a "profile".
 - Facebook advise that maintaining a personal account or "profile" for anything other than an individual person is a violation of its Statement of Rights and Responsibilities.
- Ensure that all social media accounts administered by Council officers as part of their employment shall remain under the control of Council.
- Provide log in and password details to records as well as the relevant director or supervisor.
 - When a staff member leaves Council, responsibility for administering the relevant account will be transferred to another employee at the discretion of the relevant director or supervisor.
- Ensure that the community are aware of Council policy regarding offensive and inappropriate behaviour.
 - This information will be accessible to the general public on all relevant social media pages and accounts.
- Promptly remove content that is offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, racist, sexist, infringes copyright, constitutes a contempt of court, breaches a Court suppression order, or is otherwise unlawful.
- Ban users that breach Council's Social Media Policy from accessing Council's social media sites. The authorised user also reserves the right to moderate content from individuals who seek to monopolise and dominate Council's social media sites for their own purposes.
- In the event that a community member has a complaint regarding content on Council social media, they should be acknowledged, and directed to make a complaint in line with the Complaints Handling Policy.
- In the event that a community member has a query, the query should be directed to the relevant staff member or director for appropriate response.
- All queries or complaints should be recorded in Bland Shire Council's records management system.

Authorised users will ensure posts;

- Adhere to Council's code of conduct, policies, procedures and guidelines.
- Behave with caution, courtesy, honesty and respect.
- Comply with relevant laws and regulations.
- Reinforce the integrity, reputation and values of Bland Shire Council.
- Are corrected promptly when they have errors in content, spelling and grammar.

Authorised users will ensure posts do not contain;

- Abusive, profane or sexual language

- Content which is false or misleading
- Confidential information about Council or third parties
- Copyright or Trade mark protected materials
- Discriminatory material in relation to a person or group based on age, colour, creed, disability, family status, gender, nationality, marital status, parental status, political opinion/affiliation, pregnancy or potential pregnancy, race or social origin, religious beliefs/activity, responsibilities, sex or sexual orientation
- Illegal material or materials designed to encourage law breaking
- Materials that could compromise Council, an employee or system safety
- Materials which would breach applicable laws (eg. defamation, privacy, trade practices, financial rules and regulations, fair use, trademarks)
- Material that would offend contemporary standards of taste and decency
- Material that would bring the Council into disrepute.
- Personal details or references to Councillors, Council staff or third parties, which may be inconsistent with Council's Privacy Policy.
- Spam, meaning the distribution of unsolicited bulk electronic messages
- Statements which may be considered to be bullying or harassment

If any doubt prevails regarding applying the provisions of this policy, administrators are required to check with their relevant Director or the General Manager before using social media to communicate.

The General Manager or Director of Corporate and Community Services will exercise authority to amend the site or delete posts if considered detrimental to any party or individual and will advise and discuss these actions with the appropriate site administrator.

Councillors and Mayor;

Councillors should conduct themselves on social media in a way that reflects the values of Council and in adherence with the Model Code of Conduct. Whether intended or not, posts, comments or any other social media activity engaged in a private capacity may reflect on Council and their role as a Councillor.

Councillors may make personal comments on social media platforms, however they must make clear that any views and opinions are their own, and do not reflect that of other Council representatives or Council itself.

The following examples relate to, but are not limited to, what a Councillor must **not** do:

- Speak on Council's behalf;
- Commit Council to any action, pre-empt official Council announcements or post any confidential Council information;
- Direct staff to post content, in line with the Model Code of Conduct;
- Breach the privacy of other Council officials or those that deal with Council;
- Post content that is offensive, humiliating, threatening, or intimidating to other Council officials or those that deal with Council;
- Post content to ridicule, vilify, harass, cyberbully, discriminate against or bring into disrepute the Council, or other Council officials, including Councillors or community members; or
- Post content about Council that may be misleading or deceptive to the community.

Council Staff;

Council staff and Management should conduct themselves on social media in a way that reflects the values of Council and in adherence with the Model Code of Conduct. Whether intended or not, posts, comments or any other social media activity engaged in a private capacity may reflect on Council and their role as a Council employee.

Council Staff may post on their private social media platforms in a personal capacity but must make clear that any views are their own opinions as an individual and not those of Council.

The following are examples of, but are not limited to, what Council staff should and should not do on social media.

Do ...

- Remember everything you say and do is public, and you can be identified as a Council employee.
- Pause before you post – would you be comfortable with this information being shared with your family, friends, work colleagues, media and the broader community, and is the information likely to bring you or Council into disrepute?
- Be mindful of your general conduct obligations under the Model Code of Conduct, including the requirement not to damage Council's reputation.
- Be careful to communicate accurate information.
- Be courteous and respectful of Councillors, other Council staff and members of the community, including respecting people's privacy.
- Report any violations of this policy to the General Manager and/or the Internal Ombudsman.

Do not ...

- Imply that you are speaking on behalf of Council.
- Disclose official, personal, or confidential information that is not publicly available (such as staff, personal information, legal advice, commercial-in-confidence and Model Code of Conduct complaints).
- Post material that is obscene, pornographic, defamatory, threatening, harassing or discriminatory to any individual, group or organisation or may lead to criminal penalty.

7. Legislation and Supporting Documents;

This Policy should be read in conjunction with the following legislation:

- Local Government Act 1993 (NSW)
- Local Government (General) Regulation 2021
- Government Information (Public Access) Act 2009 (GIPA)
- Privacy and Personal Information Protection Act (NSW) 1998 (PPIPA)

This policy should be read in conjunction with the following Bland Shire Council documents:

- Bland Shire Social Media Procedure
- Bland Shire Council's Code of Conduct
- Bland Shire Complaints Handling Policy
- Bland Shire Council's Communications and Engagement Plan

- Bland Shire Council's Communications Policy
- Bland Shire Council's Communications Procedure
- Bland Shire Council employment contracts.
-

Authorised users are required to adhere to the Privacy and Personal Information Protection Act (NSW) 1998 when posting material on social media.

8. References:

Local Government Association of South Australia – a Social Media Issues Paper for Local Councils
NSW Department of Industry, Skills and Regional Development Social Media Policy
State Library of New South Wales

9. Attachments:

Appendix A – Social Media Account Checklist

Appendix A

Social Media Account Checklist

The following checklist is a good place to begin when considering setting up a social media account and determining its purpose.

1. What will our account name be?

- Can we get a name that aligns with our organisation-services?
- Can we get a name that matches other social media accounts we already have?
- All Council social media pages are owned by Bland Shire Council and should be referenced accordingly

2. What email account will it be linked to?

- Can this email be accessed by multiple staff or one person only?
- If it is a corporate account will it block communication from the site?

3. Who can post/publish items to the account?

- Will publishing responsibility be restricted to an individual or team of people?
- How will the messages be controlled, fact checked, spell checked?
- Is it important that any communications have a similar 'voice' or style?
- Will this be officially recognised as part of people's work plans with time allocated to the activity? If so, how much time?

4. What type of content can be published?

- What will the account be used for primarily?
- Will we post images or just text?

5. What type of content will NOT be published?

- Will we post details of events/promotions for organisations outside of Council that we are not a partner with, or attending?
- Will we post details of events/promotions for other areas of Council?
- What about activities/groups that staff are involved with outside of work?
- What is our policy about naming staff members online?
- What do we do with information that may be critical of Council or politically sensitive e.g. new development application?

6. Who is our target audience?

- How will we reach them?
- Why are we doing this?

7. Who/What will we follow/friend or NOT?

- Will we follow official Council accounts from our own Council?
- Will we follow other Councils?
- Will we follow local media?
- Will we follow Councillors?
- Will we follow individual members of staff?
- Will we follow members of the public?
- Will we follow political parties?
- What about local service providers, businesses, emergency services, Government organisations, community groups, lobby groups, clubs etc.?

8. Who/What will we block and why?

- What is our legal/moral obligation here?
- Will we block illegal, offensive, defamatory material? Political/fundraising material?
- Advertising/promotional material?

9. Will we Direct Message followers/friends?

- Will all our communication/posting be public? - Remember many of our followers/friends may be under 18 years of age.

10. How will we track/monitor our postings/communication?

- Will we use a third party product?
 - What will our policy be about deleting posts?
 - Should copies be kept of deleted posts?
 - Do we need to archive posts? How often? How?
-

8.9 Code of Conduct Reporting for Bland Shire Council 2023-2024



Our Leadership - A well run Council acting as the voice of the community

DP13.2 - Develop, implement and promote best practice governance policies and procedures

Author: Director Corporate and Community Services

Introduction

Council has a statutory obligation to regularly inform State Government agencies within certain time frames in relation to relevant activities under various pieces of legislation. This report serves to advise Councillors of the information supplied to assist Council in meeting this obligation.

Financial Implications

Nil

Summary

The Model Code of Conduct requires the complaints coordinator from each council to report on a range of complaints statistics to the council and to the Office of Local Government within three months of the end of September each year.

The Model Code of Conduct Complaint Statistics collection form assists councils meet their reporting obligations.

Various data points are also published in the Time Series Data and on the *Your Council* website.

The statistics for Bland Shire Council were submitted to the Office of Local Government on 7 November 2024 advising that a report to the Council was to be presented to the 19 November Meeting. A copy of the statistics report forms **Attachment One**.

Recommendation:

That Council notes the submission of the Annual Agency Report on the Code of Conduct Complaints Statistics was made to the Office of Local Government within the statutory time frames.

Attachment One

**Model Code of Conduct Complaints
Statistics 2023-24
Bland Shire Council**

| Number of Complaints | | | |
|---------------------------------|---|--|---|
| 1 | The total number of complaints received in the reporting period about councillors and the General Manager (GM) under the code of conduct from the following sources: | | |
| i | Community | 1 | |
| ii | Other Councillors | 1 | |
| iii | General Manager | 0 | |
| iv | Other Council Staff | 0 | |
| 2 | The total number of complaints finalised about councillors and the GM under the code of conduct in the following periods: | | |
| i | 3 Months | 1 | |
| ii | 6 Months | 0 | |
| iii | 9 Months | 0 | |
| iv | 12 Months | 0 | |
| v | Over 12 months | 0 | |
| Overview of Complaints and Cost | | | |
| 3 | a | The number of complaints finalised at the outset by alternative means by the GM or Mayor | 1 |
| | b | The number of complaints referred to the Office of Local Government (OLG) under a special complaints management arrangement | 0 |

| | | |
|-----|--|---|
| c | The number of code of conduct complaints referred to a conduct reviewer | 1 |
| d | The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer | 0 |
| e | The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer | 0 |
| f | The number of finalised code of conduct complaints investigated by a conduct reviewer | 0 |
| g | Cost of dealing with code of conduct complaints via preliminary assesment | 0 |
| h | Progressed to full investigation by a conduct reviewer | 0 |
| i | The number of finalised complaints investigated where there was found to be no breach | 0 |
| j | The number of finalised complaints investigated where there was found to be a breach | 0 |
| k | The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police | |
| i | ICAC | 0 |
| ii | NSW Ombudsman | 0 |
| iii | OLG | 1 |
| iv | Police | 0 |
| v | Other Agency (please specify) | 0 |
| | | |

| | | |
|---|--|---|
| l | The number of complaints being investigated that are not yet finalised | 1 |
| m | The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs | 0 |

Preliminary Assessment Statistics

| | | |
|---|---|---|
| 4 | The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions: | |
| a | To take no action (clause 6.13(a) of the 2020 Procedures) | 0 |
| b | To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2020 Procedures) | 0 |
| c | To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2020 Procedures) | 0 |
| d | To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2020 Procedures) | 0 |
| e | To investigate the matter (clause 6.13(e) of the 2020 Procedures) | 0 |
| f | Other action (please specify) | 0 |
| | <div style="border: 1px solid black; height: 20px; width: 500px;"></div> | |

Investigation Statistics

| | | |
|---|--|---|
| 5 | The number of investigated complaints resulting in a determination that there was no breach , in which the following recommendations were made: | |
| a | That the council revise its policies or procedures | 0 |
| b | That a person or persons undertake training or other education (clause 7.40 of the 2020 Procedures) | 0 |

| | | |
|---|--|---|
| 6 | The number of investigated complaints resulting in a determination that there was a breach in which the following recommendations were made: | |
| a | That the council revise any of its policies or procedures (clause 7.39 of the 2020 Procedures) | 0 |
| b | In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.37(a) of the 2020 Procedures) | 0 |
| c | In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.37(b) of the 2020 Procedures) | 0 |
| d | In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.37(c) of the 2020 Procedures) | 0 |
| 7 | Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2020 Procedures) | 0 |

Categories of misconduct

| | | |
|---|---|---|
| 8 | The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct: | |
| a | General conduct (Part 3) | 0 |
| b | Non-pecuniary conflict of interest (Part 5) | 0 |
| c | Personal benefit (Part 6) | 0 |
| d | Relationship between council officials (Part 7) | 0 |
| e | Access to information and resources (Part 8) | 0 |

Outcome of determinations

9 The number of investigated complaints resulting in a determination that there was a breach in which the council:

a Adopted the independent conduct reviewers recommendation

b Failed to adopt the independent conduct reviewers recommendation

10 The number of investigated complaints resulting in a determination where:

a The external conduct reviewers decision was overturned by OLG

b Council's response to the external conduct reviewers recommendation was overturned by OLG

11 Date Code of Conduct data was presented to council

8.10 Endorsement of the Bland Shire Code of Conduct



Our Leadership - A well run Council acting as the voice of the community

Strategy 10.2 - Ensure Councillors take ownership and a strong leadership role

Author: Director, Corporate and Community Services

Introduction

On 7 August 2020, the Office of Local Government (OLG) released a strengthened Model Code of Conduct. Following the release of this information, amendments to the Code and its procedures were formally adopted by Bland Shire Council. Both documents were developed using the *Model Code of Conduct for Local Councils in NSW 2020* and the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2020* (**Attachments One and Two**).

Under the Local Government Act 1993, a council must, within 12 months after each ordinary election, review its adopted code and make such adjustments as it considers appropriate and as are consistent with this section.

The purpose of this report is for the newly elected Council to endorse the existing Code of Conduct until such time as a review currently being undertaken by the Office of Local Government into the Councillor Conduct Framework.

Financial Implications

There are no financial implications for Council in adopting the amended documents which have not already been identified within the adopted budget.

Summary

Following the election of a new Council, it is prudent to review and endorse an agreed Code of Conduct based on the *Model Code of Conduct for Local Councils in NSW* and the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* are prescribed under the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

Bland Shire Council's Code does include an additional section which relates to its commitment at the June 2020 meeting of Council to become a Child Safe Organisation.

In light of the current review of the Councillor Conduct Framework, a discussion paper was circulated to local Councils by the OLG in early September, and the attached Code is provided as a guidance document for Councillors in the interim period. A report on Council's response to this discussion paper appears elsewhere in the agenda.

Significant discussion has been undertaken as part of the Framework review and it is anticipated that a completely new Code of Conduct for elected representatives will be developed. Given this, it was viewed that to prepare a complete Code for the new Council at this time would not be optimal as it would require changes subject to the outcome of the review.

As Council is not seeking to change its Code of Conduct, there is no requirement for it to be placed on public exhibition for comment.

Should Council determine it wishes to establish a new Code of Conduct prior to the finalisation of the Framework review, a further report will need to be prepared for a future meeting of the Council.

Recommendation:

That Council

- 1) endorse the existing Bland Shire Council Code of Conduct 2020 and Procedures for the Administration of the Code of Conduct 2020 until the completion of the Councillor Conduct Framework Review by the Office of Local Government.
 - 2) seek Expressions of Interest from suitably qualified persons to be included on Council's Panel of Conduct Reviewers.
-

8.11 Endorsement of the Bland Shire Council Code of Meeting Practice



Our Leadership – A well run Council acting as the voice of the community

Strategy 13.2 - Develop, implement and promote best practice governance policies and procedures

Author: Director Corporate and Community Services

Introduction

The purpose of this report is to submit the Bland Shire Council Code of Meeting Practice (**Attachment One**) for endorsement by the newly elected Council until the completion of the current review into the Councillor Conduct Framework being undertaken by the Office of Local Government (OLG).

Financial Implications

Nil.

Summary

Following extensive consultation, the Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code) was finalised late in 2021.

The attached Bland Shire Council Code of Meeting Practice was developed incorporating elements of the Code as agreed to by the previous Council.

In light of the current review of the Councillor Conduct Framework, a discussion paper was circulated to local Councils by the OLG in early September, and the attached Code is provided as a guidance document for Councillors in the interim period. A report on Council's response to this discussion paper appears elsewhere in the agenda.

Under Section 360 of the Local Government Act 1993, Councils are required to adopt a Code of Meeting Practice within 12 months of an ordinary election.

The attached document incorporates all mandatory provisions as well as elements that reflect the meeting practices of Bland Shire Council.

Should Councillors wish to make changes to the current Code, that is a matter for the Council.

In light of the current review it was considered prudent to continue to operate under the existing Code and await the outcome of the review before progressing any detailed amendments.

As this is not a new document, there is no requirement for Council to seek community feedback at this time.

However, consultation will be undertaken following the completion of the Councillor Conduct Framework review should there be recommendations which lead to amendments to the Code.

Councils and committees of councils of which all the members are councillors must conduct their meetings in accordance with the code of meeting practice adopted by the council.

Recommendation:

That

- 1) Council endorse the Bland Shire Council Code of Meeting Practice.
 - 2) at the completion of the Councillor Conduct Framework review process, and should it be required, a revised Code of Meeting Practice be prepared for further consideration by Council.
-



BLAND SHIRE COUNCIL
west wyalong

DRAFT FOR CONSULTATION
CODE OF MEETING PRACTICE

NOVEMBER 2024



Table of Contents

| | | |
|----|---|----|
| 1 | INTRODUCTION | 3 |
| 2 | MEETING PRINCIPLES | 3 |
| 3 | BEFORE THE MEETING..... | 4 |
| 4 | PUBLIC FORUMS | 9 |
| 5 | COMING TOGETHER | 11 |
| 6 | THE CHAIRPERSON | 16 |
| 7 | MODES OF ADDRESS..... | 17 |
| 8 | ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS | 18 |
| 9 | CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS | 18 |
| 10 | RULES OF DEBATE..... | 20 |
| 11 | VOTING | 23 |
| 12 | COMMITTEE OF THE WHOLE..... | 25 |
| 13 | DEALING WITH ITEMS BY EXCEPTION | 25 |
| 14 | CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC..... | 26 |
| 15 | KEEPING ORDER AT MEETINGS | 30 |
| 16 | CONFLICTS OF INTEREST..... | 33 |
| 17 | DECISIONS OF THE COUNCIL | 34 |
| 18 | AFTER THE MEETING | 36 |
| 19 | COUNCIL COMMITTEES | 37 |
| 20 | IRREGULARITIES..... | 40 |
| 21 | DEFINITIONS | 42 |

1 INTRODUCTION

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

The Model Meeting 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. This document, the Bland Shire Council Code of Meeting Practice, has been developed incorporating the mandatory elements of the Model 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.

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.

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.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

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.

3 BEFORE THE MEETING

Timing of ordinary council meetings

- 3.1 Ordinary meetings of the council will be held on the following occasions:

The third Tuesday of each month (excluding January) in the Council Chambers commencing immediately following a Public Forum at 6.30pm. Should there be no specific requests to address the Council via a Public Forum, the Council meeting will commence at 6.30pm. On those occasions when meeting dates are changed, sufficient notification of the change will be communicated to the public by way of Council's standard communication methods.

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.

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.

Notice to the public of council meetings

- 3.3 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 3.3 reflects section 9(1) of the Act.

- 3.4 For the purposes of clause 3.3, notice of a meeting of the council and of a committee of council is to 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.
- 3.5 For the purposes of clause 3.3, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.6 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 3.6 reflects section 367(1) of the Act.

- 3.7 The notice and the agenda for, and the business papers relating to, the meeting will be given to councillors in electronic form.

Note: Clause 3.7 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

- 3.8 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 3.8 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.9 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 at least eight (8) business days before the meeting is to be held.

- 3.10 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.

- 3.11 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.

- 3.12 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:

- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
- (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer

consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

- 3.13 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.
- 3.14 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.15 The general manager or their nominee may respond to a question with notice submitted under clause 3.13 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.16 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.
- 3.17 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.
- 3.18 Nothing in clause 3.17 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.19 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.
- 3.20 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 3.20 reflects section 9(2A)(a) of the Act.

- 3.21 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.

Statement of ethical obligations

- 3.22 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Availability of the agenda and business papers to the public

- 3.23 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 3.23 reflects section 9(2) and (4) of the Act.

- 3.24 Clause 3.23 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.24 reflects section 9(2A)(b) of the Act.

- 3.25 For the purposes of clause 3.23, 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 3.25 reflects section 9(3) of the Act.

- 3.26 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.

Note: Clause 3.26 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.27 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.28 Despite clause 3.27, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 3.29 A motion moved under clause 3.28(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.30 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.28(a) can speak to the motion before it is put.
- 3.31 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.28(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.32 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.33 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.34 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.35 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.36 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.37 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

4 PUBLIC FORUMS

- 4.1 The council will hold a public forum prior to each ordinary meeting 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 extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums may be held by audio-visual link.
- 4.3 Public forums are to be chaired by the mayor or their nominee.
- 4.4 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received **fifteen (15) minutes prior to the commencement of the meeting** on the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.5 A person may apply to speak on no more than **one (1)** item of business on the agenda of the council meeting.
- 4.6 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.7 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.8 No more than **two (2)** speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 4.10 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 4.11 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 **two (2)** days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.

- 4.12 The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.13 Each speaker will be allowed **three (3)** minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.14 Speakers at public forums must not digress from the item on the agenda of the council meeting on which they have applied to address the council. 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.
- 4.15 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.16 Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to **two (2)** minutes.
- 4.17 Speakers at public forums cannot ask questions of the council, councillors, or council staff.
- 4.18 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to **three (3)** minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.19 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.20 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.
- 4.21 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.20, 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.
- 4.22 Clause 4.21 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.
- 4.23 Where a speaker engages in conduct of the type referred to in clause 4.20, the general manager or their delegate may refuse further applications from that

person to speak at public forums for such a period as the general manager or their delegate considers appropriate.

- 4.24 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.

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 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.
- 5.3 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.4 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.5 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.6 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 5.6 reflects section 234(1)(d) of the Act.

- 5.7 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

- 5.8 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 5.8 reflects section 368(1) of the Act.

- 5.9 Clause 5.8 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 5.9 reflects section 368(2) of the Act.

- 5.10 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.
- 5.11 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.
- 5.12 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.
- 5.13 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.

- 5.14 Where a meeting is cancelled under clause 5.13, 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 under clause 3.3.

Meetings held by audio-visual link

- 5.15 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.
- 5.16 Where the mayor determines under clause 5.15 that a meeting is to be held by audio-visual link, the general manager must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
 - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
 - (c) 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.
- 5.17 This code applies to a meeting held by audio-visual link under clause 5.15 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 5.15, 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

- 5.18 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.
- 5.19 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.
- 5.20 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 5.19.
- 5.21 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.
- 5.22 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.
- 5.23 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:
- (a) the meetings the resolution applies to, and
 - (b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.
- 5.24 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.
- 5.25 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. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.
- 5.26 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.
- 5.27 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.
- 5.28 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.

- 5.29 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

- 5.30 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 5.30 reflects section 10(1) of the Act.

- 5.31 Clause 5.30 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.32 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 5.32 reflects section 10(2) of the Act.

Note: If adopted, clause 15.14 confers a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.14 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

Webcasting of meetings

- 5.33 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.

- 5.34 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.

- 5.35 The recording of a meeting is to be made publicly available on the council's website:

- (a) at the same time as the meeting is taking place, or

- (b) as soon as practicable after the meeting.
- 5.36 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.
- 5.37 Clauses 5.35 and 5.36 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 5.33 – 5.37 reflect section 236 of the Regulation.

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

Attendance of the general manager and other staff at meetings

- 5.39 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 5.39 reflects section 376(1) of the Act.

- 5.40 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 5.40 reflects section 376(2) of the Act.

- 5.41 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 5.41 reflects section 376(3) of the Act.

- 5.42 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.

- 5.43 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.

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 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either

‘Mr Chairperson’ or ‘Madam Chairperson’.

7.3 A councillor is to be addressed as ‘Councillor [surname]’.

7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

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

- 01 Opening meeting and Acknowledgement of Country
- 02 Apologies and applications for a leave of absence or attendance by audio-visual link by councillors
- 03 Confirmation of minutes
- 04 Disclosures of interests
- 05 Mayoral minute(s)
- 06 Reports to council
- 07 Reports of committees
- 08 Notices of motions/Questions with notice
- 09 Confidential matters
- 10 Conclusion of the meeting

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 clauses 10.20–10.30, only the mover of a motion referred to in clause 8.2 may 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 3.9, and
- (b) unless notice of the business has been sent to the councillors in accordance with clause 3.6 in the case of an ordinary meeting or clause 3.8 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) subject to clause 9.9, 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, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.
- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8 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.
- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the

recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

- 9.11 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

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.14 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 3.9 and 3.13.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 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.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

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 3.9 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 3.9 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 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.
- 10.8 Any motion, amendment, or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 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.

- 10.12 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.
- 10.13 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.
- 10.14 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.
- 10.15 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.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 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.

- 10.21 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.
- 10.22 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.
- 10.23 Despite clause 10.22, 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.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, 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.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 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 10.20.
- 10.28 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.
- 10.29 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.
- 10.30 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.

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.

- 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.

Voting at council meetings

- 11.4 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.
- 11.5 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.
- 11.6 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.
- 11.7 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.
- 11.8 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 11.4 of this code.
- 11.9 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.
- 11.10 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.

Note: If clause 11.10 is adopted, clauses 11.5 – 11.8 and clause 11.12 may be omitted.

Voting on planning decisions

- 11.11 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.

- 11.12 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.
- 11.13 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.
- 11.14 Clauses 11.11–11.13 apply also to meetings that are closed to the public.

Note: Clauses 11.11–11.14 reflect section 375A of the Act.

Note: The requirements of clause 11.11 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.

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

- 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.
- 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 in accordance with the requirements of the council's code of conduct.

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, and
- (c) are fully discussed in that advice.

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 3.21 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 Where the matter has been identified in the agenda of the meeting under clause 3.21 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 the approved form. Applications must be received by fifteen (15) minutes prior to the commencement of the meeting before the meeting at which the matter is to be considered.
- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than two (2) speakers are to be permitted to make representations under clause 14.9.

- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than two (2) speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed three (3) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. 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.

Expulsion of non-councillors from meetings closed to the public

- 14.18 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.
- 14.19 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 only such force as is 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.

Obligations of councillors attending meetings by audio-visual link

- 14.20 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.

Information to be disclosed in resolutions closing meetings to the public

- 14.21 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 14.21 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.22 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.
- 14.23 Resolutions passed during a meeting, or a part of a meeting, which is closed to the public must be made public by the chairperson under clause 14.22 during a part of the meeting that is webcast.

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 cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 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

- 15.4 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.
- 15.5 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.

- 15.6 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.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 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.
- 15.9 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.
- 15.10 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

- 15.11 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) insults, makes unfavourable personal remarks about, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation.

- 15.12 The chairperson may require a councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a), (b), or (e), or
 - (b) to withdraw a motion or an amendment referred to in clause 15.11(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 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation.

How disorder at a meeting may be dealt with

- 15.13 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

- 15.14 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.
- 15.15 Clause 15.14 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.
- 15.16 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 15.12. 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 15.16 reflects section 233(2) of the Regulation.

- 15.17 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.
- 15.18 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.
- 15.19 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 only such force as is 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.

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

- 15.20 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.

- 15.21 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

- 15.22 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.
- 15.23 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.
- 15.24 Without limiting clause 15.17, a contravention of clause 15.23 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.17. Any person who contravenes or attempts to contravene clause 15.23, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.25 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 only such force as is 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.

16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may 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 and how the conflict of interest was managed by the person who made the declaration 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 may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary 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.

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.

- 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 under clause 3.9.

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 clause 3.9.

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 3.10 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 seven (7) days after the meeting at which the resolution was adopted.
- 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, and
 - (b) a motion to have the motion considered at the meeting is passed, and
 - (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.
- 17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

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 clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15

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 AFTER THE MEETING

Minutes of meetings

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

Note: Clause 18.1 reflects section 375(1) of the Act.

- 18.2 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.

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

Note: Clause 18.3 reflects section 375(2) of the Act.

- 18.4 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.

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

Note: Clause 18.5 reflects section 375(2) of the Act.

- 18.6 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.

- 18.7 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.

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

- 18.8 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 18.8 reflects section 11(1) of the Act.

- 18.9 Clause 18.8 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 18.9 reflects section 11(2) of the Act.

- 18.10 Clause 18.8 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 18.10 reflects section 11(3) of the Act.

- 18.11 Correspondence or reports to which clauses 18.9 and 18.10 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

- 18.12 The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 18.12 reflects section 335(b) of the Act.

19 COUNCIL COMMITTEES

Application of this Part

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

Council committees whose members are all councillors

- 19.2 The council may, by resolution, establish such committees as it considers necessary.

- 19.3 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.

- 19.4 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

- 19.5 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.

Notice of committee meetings

- 19.6 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.

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

Attendance at committee meetings

- 19.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

- 19.9 Clause 19.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

- 19.10 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

- 19.11 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.

- 19.12 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.
- 19.13 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.
- 19.14 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, but 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

- 19.15 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 unless the council or the committee determines otherwise in accordance with this clause.
- 19.16 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 19.15.
- 19.17 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).

Closure of committee meetings to the public

- 19.18 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.
- 19.19 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.
- 19.20 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 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings

- 19.21 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

- 19.22 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.
- 19.23 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.
- 19.24 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 19.25 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.
- 19.26 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 19.27 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.
- 19.18 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.

20 IRREGULARITIES

- 20.1 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 20.1 reflects section 374 of the Act.

21 DEFINITIONS

| | |
|--------------------------|--|
| the Act | means the <i>Local Government Act 1993</i> |
| act of disorder | means an act of disorder as defined in clause 15.11 of this code |
| 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 19.11 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 19.2 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 | has the same meaning it has in the Model Code of Conduct for Local Councils in NSW |
| 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 |
| foreshadowed amendment | means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment |
| foreshadowed motion | means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion |
| 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 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 |
| the Regulation | means the <i>Local Government (General) Regulation 2021</i> |
| webcast | a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time |
| year | means the period beginning 1 July and ending the following 30 June |

8.12 Endorsement of the DRAFT Community Strategic Plan 2025-2035



Our Leadership - A well run Council acting as the voice of the community

Strategy 10.3 - Ensure the General Manager takes a high level role in implementing the Community Strategic Plan and other Council documents

Author: Director Corporate and Community Services

Introduction

The Community Strategic Plan (CSP) is the highest level of strategic planning undertaken by a council, with all other plans required to support the achievement of the CSP objectives. Bland Shire's new draft CSP document - *Building a Sustainable Community: Empowering People, Promoting Fairness, and Achieving Progress* - (**Attachment One**) is presented to Council for endorsement for further exhibition and feedback from the community. This will commence the process Council is required to follow for preparation of supporting documents ahead of their implementation from 1 July, 2025.

Financial Implications

In accordance with Council's adopted budget, costs associated with the promotion of and engagement on the CSP will be incorporated into operational expenditure through the utilisation of existing communication avenues and platforms.

Summary

Each local government area is to have a Community Strategic Plan that has been developed and endorsed by the council on behalf of its community and the plan is to identify the main priorities and aspirations for the future of the local government area.

Under the Integrated Planning and Reporting Framework, Council must review the Community Strategic Plan before 30 June in the year following an ordinary election of council. The council may endorse the existing plan, or develop and endorse a new Community Strategic Plan, as appropriate, to ensure that the area has a Community Strategic Plan covering at least the next 10 years.

While Council has a statutory obligation to prepare the Community Strategic Plan it is not responsible for delivery on all activities and strategies the plan outlines. To support the work in this space, the document includes a list of those organisation with which Bland Shire currently partners to deliver projects and programs to the community.

In recent years, the Bland Shire Community has been involved in a number of community engagement processes as well as a community survey undertaken in July and August 2024. Council also undertakes regular Community Forums throughout Bland Shire. The information provided through these events has provided insight into the needs of the community.

In recent weeks, input has been provided from community members and councillors into what values should guide the community's development, what the strengths and unique characteristics are of the community as well as what is perceived as challenges currently being faced.

The outcome of these discussions has resulted in the attached Draft document which has been developed on the principles of asset based community development – focussing on the positive elements to help inform future processes. The document is designed to reflect the unique community which is Bland Shire, identify themes and strategies that will resonate with a focus on building a sustainable community for the future.

This is by no means a complete document and further engagement will be undertaken during the coming months to test the content and refine the final document which will be used to shape Council's activities during the current term of Council.

To assist in this engagement, it is proposed that Council extend the consultation period beyond the statutory 42-day period with feedback to be received up to early February prior to a final document being presented to that month's ordinary meeting of Council. In doing so, Council will then be well placed to develop the required Delivery Program, Operational Plan and Resourcing Strategy ahead of the end of 30 June 2025 deadline for those documents.

Recommendation:

That

- 1) Council endorse the Draft Community Strategic Plan 2025-2035 - Building a Sustainable Community: Empowering People, Promoting Fairness, and Achieving Progress and place it on public exhibition from Friday 22 November 2024 until Friday 31 January 2025 for community comment and feedback.
 - 2) following the period of exhibition and submission period to allow for written submissions to be made, any suggested amendments to the plan be made and a further report be presented to Council prior to its formal adoption.
-

8.13 Endorsement of the DRAFT Payment of Expenses and Provision of Facilities to Councillors Policy



Our Leadership - A well run Council acting as the voice of the community

DP10.1 - Ensure Councillors are provided with appropriate support and resources to carry out their civic duty

Author: Director Corporate and Community Services

Introduction

The purpose of this report is to submit the DRAFT Payment of Expenses and Provision of Facilities to Councillors Policy (**Attachment One**) for review and endorsement by Bland Shire Council.

Financial Implications

Nil.

Summary

As part of the ongoing review and updating of Bland Shire Council's policy documentation and with the recent election of a new Council, the DRAFT Payment of Expenses and Provision of Facilities to Councillors policy has been reviewed in accordance with the requirements of the *Local Government Act 1993, Sections 248-254A* and Clause 403 of the *Local Government Regulation 2021*.

The Act requires Council to give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions. This is required even if the Council intends to adopt a policy that is the same as its existing policy.

Recommendation:

That

- 1) Council endorses the DRAFT Payment of Expenses and Provision of Facilities to Councillors Policy and places it on public exhibition for a period of 28 days from Friday 20 November 2024 for community comment.
 - 2) following the period of exhibition and a minimum period of 14 days following be permitted to allow for written submissions to be made, a further report be presented to Council prior to the formal adoption of the Policy.
-

ATTACHMENT ONE



POLICY STATEMENT

PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS POLICY

AUTHORISATION

| | |
|---|---|
| POLICY TYPE: <i>(Council or Operational)</i> | Council |
| POLICY LOCATION: <i>(eg. Corporate, Engineering, etc.)</i> | Governance & Risk |
| RESPONSIBLE OFFICER: <i>(by position title)</i> | Director Corporate and Community Services |
| AUTHORISED BY: <i>(GM or Director Title)</i> | |
| DATE ADOPTED: | |
| ADOPTED BY: <i>(Manex or Council)</i> | Council |
| MINUTE NO: <i>(If required)</i> | |
| REVIEW DUE DATE: <i>(Four years unless statutorily required sooner)</i> | September 2028 |
| REVISION NUMBER: | 15 |
| RELATIONSHIP TO THE COMMUNITY STRATEGIC PLAN | This Policy supports Council's Delivery Program Strategy 10.1 – Ensure Councillors are provided with appropriate support and resources to carry out their civic duty. |

DOCUMENT HISTORY

| VERSION NO. | DATE | DESCRIPTION OF AMENDMENTS <i>Include names of former policies that this policy will replace if applicable</i> | AMENDED BY <i>(Where required)</i> |
|--------------------|-------------|---|--|
| 14 | 17 May 2022 | Update to Claim Form | DCCS |
| | | | |
| | | | |

REVIEW OF THIS POLICY

This Policy will be reviewed within 12 months from the date of the Local Government elections in accordance with Section 252 of the Local Government Act or as required in the event of legislative changes. The Policy may also be changed as a result of other amendment that are to the advantage of Council and in the spirit of this Policy. Any amendment to the Policy must be by way of a Council Resolution.

1. Purpose:

To ensure that there is accountability and transparency in the reimbursement of expenses incurred, or to be incurred by the Mayor and Councillors, and that the facilities provided to assist the Mayor and Councillors to carry out their civic duties are reasonable.

This policy is made and adopted in accordance with the requirements of the *Local Government Act 1993, Sections 248-254A* and Clause 403 of the *Local Government Regulation 2021*.

2. Scope:

This policy applies to all elected representatives of Bland Shire Council.

3. Outcomes:

To provide for the fair and equitable payment and reimbursement of certain expenses not considered to be included in the annual fees payable to Mayor and Councillors, where such expenses are incurred by the Mayor and Councillors in discharging the functions of civic office. To provide adequate facilities for use by the Mayor and Councillors to enable them to discharge the functions of civic office.

Reporting Requirements

Section 252 of the Local Government Act 1993 and requirements under the Integrated Planning and Reporting guidelines, necessitates Council to include details of the Mayoral and Councillor fees, expenses and facilities. The public is entitled to inspect the Council's Policy free of charge, and may obtain a copy on payment of copying charges as set within Council's revenue policy.

PAYMENT OF FEES AND EXPENSES

1. Allowances and Expenses

No allowance other than those expressly contained in this policy are payable to the Mayor, Deputy Mayor or Councillors.

| Expense Type | Recipient | Detail | Authorisation |
|-----------------------------|-------------------------------------|---|--------------------|
| Fees payable to Councillors | Mayor, Deputy Mayor and Councillors | An annual fee is to be paid monthly in arrears. The fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal. Such payment shall be subject to Section 404 of the Local Government (General) Regulations 2021 and any specific resolution of the Council under Section 254A of the Act. The fee will be effective from 1 July each year. | Council Resolution |
| Fees payable to the Mayor | Mayor | An annual fee to be paid to the Mayor monthly in arrears. The fee shall be within the range for the Council determined annually by the Local | Council Resolution |

| Expense Type | Recipient | Detail | Authorisation |
|------------------------------------|--|--|--|
| | | Government Remuneration Tribunal. The fee will be effective from 1 July each year. | |
| Fees payable to the Deputy Mayor | Deputy Mayor | The Deputy Mayor shall be paid a daily pro-rata fee equivalent to the daily Mayoral fee adopted by Council resolution for the periods of time when the Mayor advises they will be prevented by absence, illness or otherwise from acting in, or when the Mayor requests the Deputy to act in the office of Mayor. The amount of the fee so paid to the Deputy Mayor shall be deducted from the Mayor's annual fee. | General Manager or the General Manager's delegate to authorise the claim for expense |
| Seminars, Conferences and Training | Mayor, Deputy Mayor and Councillors | Council will arrange and pay for all bookings and reservations associated with Councillors' attendance at approved seminars, conferences and training. | Attendees for multi-day event by way of Council Resolution Mayor or Deputy Mayor and General Manager jointly where the seminar, conference or training is held for one day or less and does not involve an overnight stay. General Manager or the General Manager's delegate to authorise the claim for expenses |
| Seminars, Conferences and Training | Spouse, partner or accompanying person | If the Mayor or Councillor chooses to take a spouse, partner or accompanying person, any expenses related to the conference or seminar, travel, additional accommodation costs and any personal tours shall be the personal responsibility of the individual Mayor, Councillor or accompanying person | |
| Committees | Mayor, Deputy Mayor and Councillors | Council will arrange and pay for all bookings and reservations associated with Councillors' attendance at a committee | Council resolution to appoint delegates |

| Expense Type | Recipient | Detail | Authorisation |
|---------------------------|---|--|--|
| | Spouse, partner or accompanying person | meeting of which they are the delegated representative. If the Mayor or Councillor chooses to take a spouse, partner or accompanying person, any expenses related to the attendance at the committee meeting, travel, additional accommodation costs and any personal tours shall be the personal responsibility of the individual Mayor, Councillor or accompanying person | General Manager or the General Managers delegate to authorise the claim for expense |
| Travel Expenses | Mayor, Deputy Mayor and Councillors Spouse, partner or accompanying person | Council will cover reasonable travel expenses to allow the Councillor to attend any Council meeting, Advisory Committee Meeting or a Council workshop (as defined in the Code of Meeting Practice). Detail is provided within the Travel Arrangements table. If the Mayor or Councillor chooses to take a spouse, partner or accompanying person, any expenses related to their attendance shall be the personal responsibility of the individual Mayor, Councillor or accompanying person | Council resolution to appoint delegates General Manager or the General Managers delegate to authorise the claim for expense |
| Care and related Expenses | Mayor, Deputy Mayor and Councillors | Council will reimburse a Councillor's costs to a maximum of \$80 to cover a four hour engagement of a "baby-sitter" or carer where required for other potential dependents including people with disabilities and the elderly to allow the Councillor to attend any Council meeting, Advisory Committee Meeting or a Council workshop (as defined in the Code of Meeting Practice). The four hour period shall include the period of 30 minutes prior to and after the conclusion of the meeting or workshop. | Council adoption of this policy General Manager or the General Managers delegate to authorise the claim for expense |

| Expense Type | Recipient | Detail | Authorisation |
|------------------------------------|-------------------------------------|---|---|
| | | <p>An additional hourly rate of up to \$15 per hour will be paid for meetings and workshops that go beyond the 4 hours engagement period referred to above.</p> <p>Reimbursement claims under this clause must be supported by receipts. In the event that receipts are not available, claimants must provide a Statutory Declaration to support the claim.</p> | |
| Insurance Expenses and Obligations | Mayor, Deputy Mayor and Councillors | The Mayor and Councillors will receive the benefit of insurance cover as provided by Council while undertaking civic duties. | <p>Council adoption of this policy</p> <p>General Manager or the General Managers delegate to authorise the claim for expense</p> |
| Legal Assistance | Mayor, Deputy Mayor and Councillors | <p>Legal assistance will be provided in the event of an enquiry, investigation or hearing, into the conduct of a Councillor provided the subject of the proceedings arises from the performance in good faith of a function under the Act (with the exception of defamation proceedings) and the Court, Tribunal or investigating body makes a finding substantially in favour of the Councillor.</p> <p>Council, by resolution, may reimburse the Mayor and such Councillor, after the conclusion of the enquiry, investigation, hearing or proceeding, for all legal expenses properly and reasonably incurred, given the nature of the enquiry, investigation, hearing or proceeding, on a solicitor/client basis.</p> <p>Legal assistance reimbursement will only be provided upon resolution of the Council</p> <p>Any reimbursement for legal proceedings shall be reduced by</p> | <p>Council Resolution</p> <p>General Manager or the General Managers delegate to authorise the claim for expense</p> |

| Expense Type | Recipient | Detail | Authorisation |
|---------------------|-------------------------------------|--|---|
| | | <p>the amount of any moneys that may be or are recouped by the Mayor or Councillor on any basis</p> <p>The enquiry, investigation, hearing or proceeding results in a finding in favour of the Mayor or Councillor</p> <p>The amount of such reimbursement is limited to the equivalent of the fees being charged by Council's Solicitors.</p> <p>For all limitations on coverage, refer to the Office of Local government.</p> | |
| Incidental Expenses | Mayor, Deputy Mayor and Councillors | <p>Council will reimburse reasonable incidental expenses associated with attending official Council functions, conferences, seminars or training.</p> <p>These expenses include telephone calls and faxes relating to Council business, reasonable lunches, dinners and other meals incurred while travelling (except for alcohol), parking, taxi fares, motorway or bridge tolls or other incidental expense.</p> <p>Councillors must support the expense claim with details of the event or meeting and the receipt or a tax invoice. In the event that receipts are not available, claimants must provide a Statutory Declaration to support the claim.</p> | <p>Council adoption of this policy</p> <p>General Manager or the General Managers delegate to authorise the claim for expense</p> |

2. No deduction from Mayoral or Councillor Fees

The payment or reimbursement of expenses and facilities which may be provided under this policy, shall be provided without reduction from the annual fees payable to the Mayor and Councillors.

3. Reimbursement of Expenses

Councillors must submit claims for the reimbursement of expenses within three months of the expense occurring. Councillors must produce appropriate receipts and/or tax invoice for all expenses. In the event that receipts are not available, claimants MUST provide a Statutory Declaration to support the claim. A claim form

must be completed.

4. Establishment of Monetary Limits and Standards

Monetary limits or standards of facilities/services where applicable are specified in this policy.

5. Substitute Attendee

By the adoption of this policy, authority is hereby delegated to the Mayor or Deputy Mayor and General Manager jointly to nominate and authorise a substitute Councillor to attend any conference in lieu of the Mayor or a nominated and authorised Councillor. Such substitution is only to be made in the event that the nominated and authorised Councillor advises of their inability to attend the event.

6. Payment in Advance

Councillors may request payment in advance for expenses they expect to incur when attending conferences, meetings, seminars or training away from home. A cash advance or use of a pre-paid credit card can be made available, however all expenses must be properly accounted for and reconciled, with receipts, within one month after the expense has been incurred.

PROVISION OF FACILITIES

Councillors should not generally obtain private benefit from the provision of equipment and facilities and payment of expenses. Council acknowledges that incidental use of equipment and facilities may occur from time to time. Such incidental use is not subject to compensatory payment.

| Facility | Recipient | Detail | Authorisation |
|-------------------------------|-------------------------------------|---|---|
| Administrative Support | Mayor, Deputy Mayor and Councillors | Council will provide the Mayor with shared Executive Assistance and administrative support to assist with the provision of civic duties. Councillors will receive Administration service to facilitate the discharge of civic function. | Council adoption of this policy General Manager or the General Manager's delegate to approve |
| Telephone Expenses | Mayor | Council will provide the Mayor with a mobile phone for use in order to carry out the Mayoral civic functions and responsibilities. Council will meet the capital, maintenance, and mobile phone plan charges. | Council adoption of this policy |
| Computer or electronic device | Mayor, Deputy Mayor and Councillors | Council will provide a tablet to all elected Councillors to assist with the provision of their civic duty. Council will also meet the capital, maintenance and data plan charges associated with the devices. | Council adoption of this policy |
| Meals and refreshments | Mayor, Deputy Mayor and Councillors | Reasonable refreshments associated with Council and Council Committee meetings | Council adoption of this policy |

| | | | |
|--------------------------|-------------------------------------|---|--|
| | | or Workshops, as well as meetings of the Mayor or Councillors with Parliamentary representatives, visiting dignitaries and other delegations. | |
| Councillor Name Badge | Mayor, Deputy Mayor and Councillors | Council will provide a name badge indicating the wearer's position. | Council adoption of this policy |
| Email Address | Mayor, Deputy Mayor and Councillors | Council will provide all Councillors with an email address to be used for all official Council business. The address will conform to council's email standards. | Council adoption of this policy |
| Mayor Office | Mayor | Council will provide a furnished office in the Council Chambers. | Council adoption of this policy |
| Professional development | Mayor, Deputy Mayor and Councillors | Councillors are, in accordance with Section 232(g) of the Act and 185 (4) of the Regulations, to undertake relevant professional development to build upon existing skills and knowledge that will assist them to carry out their civic duty. For expenses associated with professional development, refer to payment of Fees and Expenses table and Travel Arrangements table of this policy. | Council adoption of this policy General Manager or the General Managers delegate to authorise the expense |

7. Acquisition and Return of Equipment and Facilities by Councillors

All equipment provided under this policy shall always remain in the possession of the Mayor, Deputy Mayor or Councillor during their term of Council, and shall remain the property of the Council and be returned to the Council in good operational order and condition upon ceasing to hold the position of Mayor, Deputy Mayor or Councillor.

TRAVEL ARRANGEMENTS

When travelling to complete civic duties, Council will arrange or reimburse Councillors in the following manner.

| Facility | Recipient | Detail | Authorisation |
|---------------|-------------------------------------|---|--|
| Accommodation | Mayor, Deputy Mayor and Councillors | Council will arrange and pay for accommodation in an appropriate location at an appropriate standard. | Council adoption of this policy General Manager or the General Managers delegate to authorise the expense |

| Facility | Recipient | Detail | Authorisation |
|-------------------------------------|-------------------------------------|--|--|
| Air Travel | Mayor, Deputy Mayor and Councillors | Council will arrange and pay for economy class airfares. | Council adoption of this policy General Manager or the General Managers delegate to authorise the expense |
| Car Hire | Mayor, Deputy Mayor and Councillors | Council will arrange and pay for a mid-size sedan hire car | Council adoption of this policy General Manager or the General Managers delegate to authorise the expense |
| Kilometres – use of private Vehicle | Mayor, Deputy Mayor and Councillors | <p>Where a council vehicle is not available and a Councillor utilises their own vehicle, the Councillor may claim a kilometre allowance for use of a private vehicle in travelling:</p> <ul style="list-style-type: none"> • To and from the meetings of Council, or the meetings of any Committee of the Council. • Upon inspections, provided such inspections are undertaken in compliance with resolutions of the Council or authorised by the Mayor or General Manager. • To attend conferences, official engagements and functions where the Councillor has been authorised by the Council to do so or is deputising for the Mayor. <p>Kilometre rates for use of a private vehicle under this Policy will be paid at the rate set by the Local Government (State) Award, as at the date of travel.</p> <p>Payment is subject to a claim on the prescribed claim form being lodged and made no later than three months after the travel occurred. Claims lodged for travel occurring more than three months before the claim is lodged shall not be paid.</p> | Council adoption of this policy General Manager or the General Managers delegate to authorise the expense |

| Facility | Recipient | Detail | Authorisation |
|--|-------------------------------------|---|--|
| Rail travel | Mayor, Deputy Mayor and Councillors | Council will arrange and pay for a first class rail fare (if applicable). | Council adoption of this policy General Manager or the General Managers delegate to authorise the expense |
| Taxi, Public Transport, Parking and Toll Charges | Mayor, Deputy Mayor and Councillors | Council will reimburse costs of taxis, public transport, parking and tolls when travelling to and from venues for Council business. If available, Council will provide an Opal Card for public transport travel. | Council adoption of this policy General Manager or the General Managers delegate to authorise the expense |

8. Travel

Where travel is by motor vehicle it is preferable that a Council vehicle be utilised when available. Travel by a private vehicle is subject to prior approval jointly by the Mayor and General Manager and will require provision of relevant comprehensive vehicle insurance documentation for the vehicle.

Councillor Payment of Expenses for a Spouse, Partner or Accompanying Person

Council recognises that in the majority of cases it is easier to arrange for travel and accommodation for Councillors and accompanying persons at the same time. If a councillor chooses to bring someone on Council arranged travel, the Councillor must make the appropriate payments to reimburse the costs upon confirmation of arrangements.

4. Definitions:

The Act shall mean the Local Government Act 1993

The Regulation shall mean the Local Government (General) Regulation 2005

5. Roles and Responsibilities:

All authorisations under this policy shall be made by resolutions of the Council or jointly by the Mayor, or Deputy Mayor and the General Manager or as stated in the policy.

6. Legislation and Supporting Documents:

- Local Government Act 1993
- Local Government General Regulation 2021
- Office of Local Government Guidelines for payment of expenses and provision of facilities
- Model Code of Conduct
- ICAC publications

7. Attachment:

CLAIM FORM - EXPENSES FOR COUNCILLORS



| CLAIMANT DETAILS | | | |
|------------------|--|--|----------|
| Name: | | | |
| Address: | | | State |
| | | | Postcode |

The following expenses are claimed in accordance with Council's policy on the *Payment of Expenses and Provision of Facilities to Councillors*.

| PARTICULARS | AMOUNT |
|-------------|--------|
|-------------|--------|

MONTHLY FEE Councillor Mayor
 Councillor - \$1,126.67
 Mayor - \$2,458.33

TRAVELLING

- Motor Vehicle as per LG State Award 2023

| | 1/7/24 | 1/7/25 |
|---|----------|----------|
| Int. Combustion Vehicle - 2.5 litres and over | 0.95c/km | 0.98c/km |
| Int Combustion Vehicle - Under 2.5 litres | 0.81c/km | 0.83c/km |
| Hybrid Vehicle | 0.62c/km | 0.64c/km |
| Electric Vehicle | 0.43c/km | 0.44c/km |

- Ordinary Council Meeting:
 - Month _____ Distance Travelled _____ km
- Extra Ordinary Council Meeting:
 - Month _____ Distance Travelled _____ km
- Committee Meeting/s:
 - Meeting _____ Distance Travelled _____ km
 - Meeting _____ Distance Travelled _____ km
 - Meeting _____ Distance Travelled _____ km

REIMBURSEMENT/S

- Other: _____

TOTAL _____ \$ _____

| SIGNATURE | |
|-----------|--|
| Claimant: | |
| Date: | |

I hereby certify that:

- The computation/s of this account are correct.
- The charges are, so far as I am able to ascertain, fair and reasonable.

General Manager _____

BUSINESS PAPER FOR THE ORDINARY MEETING OF THE COUNCIL OF BLAND HELD IN THE COUNCIL CHAMBERS WEST WYALONG ON 19 NOVEMBER 2024

8.14 Strengthening Communities Application – Naradhan P&C Association



Our People - A Strong, healthy, connected and inclusive community

DP3 -Provide cultural activities and community programs that foster social development and community wellbeing.

Author: Director Corporate and Community Services

Introduction

Council has received an application under the Strengthening Communities Fund (SCF) from the Naradhan P&C Association for funds to instal lighting on the school's basketball courts.

Financial Implications

The amount requested from Council's SCF is \$1,969 for lighting to be installed at Naradhan Public School in Kooba St, Naradhan.

Summary

The application states that the project would benefit not only the school community but the wider Naradhan community, through participation of the local fitness group on a weekly basis. A copy of the application form is attached for the information of Councillors.

At its May 2024 meeting, Council considered a request from Naradhan P&C Association for funding to aid in the purchase of a defibrillator. At that time, Council resolved as follows:

10052024 RESOLVED that Council approve the application for funding of the Naradhan Public School under the Strengthening Communities Fund in the amount of \$1,000 to go towards the purchase of a defibrillator.

Funnell/Moore CARRIED

(Unanimously: Crs Crowe, Funnell, Keatley, Lord, McGlynn, Monaghan and Moore voting for)

Under the Strengthening Communities Grant Guidelines. each organisation is limited to one Council Grant or Donation per financial year and, as such, this application can be funded.

The current balance of the Strengthening Communities Fund is \$40 000.

Recommendation:

That Council approve the application for funding of the Naradhan P&C Association under the Strengthening Communities Fund in the amount of \$1,969.

Bland Shire Council Grant Application Form

| | |
|----------------------|---------------------------|
| Submitted on | 27 September 2024, 5:21PM |
| Receipt number | 32 |
| Related form version | 0 |

Type of Application

Strengthening Communities Grant

Applicant Information

| | |
|---|------------------------------------|
| Organisation/Applicant Name | Naradhan P&C Association |
| Contact Person | Kerrie Johnston |
| Position in Organisation | Project Manager |
| Organisation/Applicant Address | Longlands, 2208 Rankins Springs Rd |
| Contact Phone Number | 0428661335 |
| Email | akjohnston@esat.net.au |
| Are you registered for GST | No |
| Does your organisation have ABN? (If you do not have an ABN you must be auspiced by another organisation) | Yes |
| If Yes, please provide your ABN below | 85142281124 |
| Is your organisation not for profit | Yes |
| Does your organisation have insurance, including public liability cover? | Yes |
| Is your organisation incorporated? | Yes |

Project/Event Information

| | |
|--|---|
| Project/Event Title | Basket Ball Court Lighting |
| Provide a General Description of the Project/Event | We are wanting to install lights on the existing walkway at the Naradhan Public School to light up the basketball court to enable local fitness groups and the wider community to utilise this school asset out of school hours.s |

| | |
|---|--|
| Grant Funding Sought | 1969 |
| Where and when will the Project/Event take place (please provide location, date and time) | The lighting will be installed at the Naradhan Public School, Kooba St, Naradhan as soon as funding is approved. |
| Will the Project/Event be completed in the next 12 months | Yes |
| What benefits will the Project/Event bring to the Bland Shire (please state the expected number of participants if relevant)? | The project will benefit not only the school community but the wider Naradhan community also through participation in the local fitness group on a weekly basis. Brad Hart from Hart Rate Fitness conducts a fitness group each Monday night at 6.30pm for 1.5 hrs and is held at on the basketball court at Naradhan Public School during the summer months and at the Naradhan Public Hall during the winter months. The Naradhan Public Hall is significantly smaller than the basketball court at the School and faces regular challenges in accommodating fitness participants. As there is currently no outdoor lighting at the school, this means that the basketball court cannot be used in the winter months due to the lack of natural lighting. Currently approximately 12 people, which can expand up to 15 people, attend these weekly fitness sessions. When the outdoor lighting is installed this will open up the possibility of the P&C Assoc holding twilight outdoor markets as a fundraising event in the future along with other social events that will benefit the wider community. The Naradhan Public School doesn't charge Hart Rate Fitness any fee for the use of their facilities and there is no remuneration for the Naradhan P&C Association either and sees this activity as one that promotes active and social cohesion which strengthens the Naradhan community. |

| | |
|---|----|
| Has your organisation previously received any funding from Council? | No |
| If yes, please specify when you received it and how much? | |
| If yes, have you submitted an acquittal form to Council? | No |

Budget

| | |
|----------------------|--|
| Project/Event Budget | LCES Quote.pdf HRF LOS.pdf NPS LOS.pdf |
|----------------------|--|

Applicants Signature

The information contained in this application is true and correct to the best of my knowledge



[Link to signature](#)

8.15 Strengthening Communities Application – West Wyalong Hospital Auxiliary



Our People - A Strong, healthy, connected and inclusive community

DP3 -Provide cultural activities and community programs that foster social development and community wellbeing.

Author: Director Corporate and Community Services

Introduction

Council has received an application under the Strengthening Communities Fund (SCF) from the West Wyalong Hospital Auxiliary to assist with the Carols by Candlelight event at Barnado Park on Sunday, 15 December 2024.

Financial Implications

The amount requested from Council's SCF is \$968 with the funds to be used to cover the provision of audio and advertising to enhance the community event.

Summary

The application requests amounts of \$500 for the sound engineer's services and \$468 for the two advertisements to promote the event. A copy of the application form is attached for the information of Councillors.

To encourage and promote sustainability, grants and donations for all recurrent community events and programs will reduce on a sliding scale of at least 25 per cent per annum or funding application, to a maximum of 10 per cent of the initial funding level for the life of the project/event.

The Hospital Auxiliary received \$500 from the SCF for the 2022 event with the funds used to pay for the sound engineer. A request for funding from the SCF last year for the sound engineer and to purchase flameless candles in the amount of \$1,224 was refused by Council. However, a one-off amount of \$1500 was provided to the organisation from Council's Christmas Decorations budget.

Under the guidelines for the Strengthening Communities Fund, this application can be funded. However, requests in future years under the current guidelines could be subject to reductions in grant amounts.

The current balance of the Strengthening Communities Fund is \$40 000.

Recommendation:

That Council approve the application for funding of the West Wyalong Hospital Auxiliary under the Strengthening Communities Fund in the amount of \$968.

Bland Shire Council Grant Application Form

| | |
|----------------------|--------------------------|
| Submitted on | 6 November 2024, 12:46PM |
| Receipt number | 33 |
| Related form version | 0 |

Type of Application

Strengthening Communities Grant

Applicant Information

| | |
|-----------------------------|---------------------------------|
| Organisation/Applicant Name | West Wyalong Hospital Auxiliary |
|-----------------------------|---------------------------------|

| | |
|----------------|----------------|
| Contact Person | Glenys Haworth |
|----------------|----------------|

| | |
|--------------------------|-----------|
| Position in Organisation | Treasurer |
|--------------------------|-----------|

| | |
|--------------------------------|------------|
| Organisation/Applicant Address | PO Box 155 |
|--------------------------------|------------|

| | |
|----------------------|------------|
| Contact Phone Number | 0404720623 |
|----------------------|------------|

| | |
|-------|----------------------|
| Email | haworth1@bigpond.com |
|-------|----------------------|

| | |
|----------------------------|----|
| Are you registered for GST | No |
|----------------------------|----|

| | |
|---|-----|
| Does your organisation have ABN? (If you do not have an ABN you must be auspiced by another organisation) | Yes |
|---|-----|

| | |
|---------------------------------------|-------------|
| If Yes, please provide your ABN below | 99199738396 |
|---------------------------------------|-------------|

| | |
|-------------------------------------|-----|
| Is your organisation not for profit | Yes |
|-------------------------------------|-----|

| | |
|--|-----|
| Does your organisation have insurance, including public liability cover? | Yes |
|--|-----|

| | |
|------------------------------------|----|
| Is your organisation incorporated? | No |
|------------------------------------|----|

Project/Event Information

| | |
|---------------------|-----------------------|
| Project/Event Title | Carols by Candlelight |
|---------------------|-----------------------|

| | |
|--|---|
| Provide a General Description of the Project/Event | Provision of sound (microphones etc) and advertising to enhance the community Carols by Candlelight event |
|--|---|

| | |
|---|--|
| Grant Funding Sought | 968 |
| Where and when will the Project/Event take place (please provide location, date and time) | Barnardo Park on Sunday, 15th December at 6 pm or in the S & C Club if weather is inclement |
| Will the Project/Event be completed in the next 12 months | Yes |
| What benefits will the Project/Event bring to the Bland Shire (please state the expected number of participants if relevant)? | All the local schools are involved which brings family and friends to the event. Potentially 200 participants with the band and choir as well. |
| Has your organisation previously received any funding from Council? | Yes |
| If yes, please specify when you received it and how much? | Two years ago, \$500 towards the Sound Engineer, last year some funding was sourced from a different pool when application was rejected |
| If yes, have you submitted an acquittal form to Council? | Yes |

Budget

Project/Event Budget [Carols by Candlelight Budget.docx](#)

Applicants Signature

The information contained in this application is true and correct to the best of my knowledge

Glennys Hawthth

[Link to signature](#)

Section 2 – Executive Services

8.16 Monthly Status Report – Council Meeting Actions: August 2024



Our Leadership - A well run Council acting as the voice of the community

DP13.2 Develop, implement and promote best practice governance policies and procedures

Author: Executive Assistant

Introduction

The General Manager is responsible for ensuring that Council's policies, decisions and priorities are implemented in a timely and efficient manner, consistent with the goals and objectives of Council. The General Manager provides the management oversight in relation to all information progressing from appropriate staff to Council for consideration via the Business Paper.

After a Council meeting, each resolution is allocated to the General Manager or responsible officer to action in accordance with the intent of the Council decision. Directors then provide feedback to the General Manager as to the progress of these resolutions on a monthly basis through the Manex meeting.

Financial Implications

Nil

Summary

The Monthly Status Report - Council Meeting Actions includes Council Resolutions up to and including the previous Council Meeting. A note in the status section has been completed by the relevant responsible officer with a reason if available.

Recommendation:

That Council receive and note the Monthly Status Report - Council Meeting Actions: October 2024.

Monthly Status Report – Council Meeting Actions

| Resolution | Responsible Person | Progress Update |
|---|-----------------------------------|--|
| <p>Additional Permitted Use, West Wyalong Airport Planning Proposal - Drag Strip Project 15102023 RESOLVED that Council:</p> <ol style="list-style-type: none"> 1) endorse the Additional Permitted Use, West Wyalong Airport Planning Proposal for referral to the Department of Planning and Environment for Gateway Determination; 2) delegate the General Manager to make changes to the Planning Proposal if required by the Department of Planning and Environment so long as the objectives of the proposal are achieved; and 3) delegate the General Manager to commence public exhibition of the Planning Proposal if required by the Department of Planning and Environment. | Director Technical Services | <p>7/11: Planning Proposal has received a gateway determination from Dept of Planning. Council is working through the next steps 31/7/2024 Planning Proposal currently with Department of Planning – Biodiversity, Conservation and Science for comment. Expected completion end of July. This will enable Exhibition of proposal to both the public and statutory authorities. Planning advice indicates with the successful modification to the LEP through the Planning Proposal, the works can undertaken as exempt development meaning that a Development Application will not be required. This means that Council will need to develop a detailed REF, which is underway. To support the REF noise studies were undertaken as well as the Biodiversity studies. These are completed and will be incorporated into the document along with the Contamination study which was required for the Planning Proposal. In the background, Council staff will commence preparation of tender documentation to go to market enabling construction to begin in early 2025. State of Environmental Effects – COMPLETED Development Application development underway</p> |
| MARCH 2024 | | |
| <p>Proposed Road Closure – Gordons Lane RESOLVED that Council:</p> <ol style="list-style-type: none"> 1. endorse the closure of the public road known as Gordons Lane between Clear Ridge Road and Blands Lane 2. that the closure be subject to all parties along the road agreeing to the closure and funding Council's road closure application fees and all other associated fees including, advertising, survey, legal and land purchasing costs 3. receive a further report to consider any submissions lodged during the notification period to determine the approval for the proposal 4. receive a further report to consider the property valuers report and determination of any sale price. | Director Technical Services | <p>Letters sent to adjoining landowners.</p> |

Monthly Status Report – Council Meeting Actions

| Resolution | Responsible Person | Progress Update |
|--|---|--|
| JULY 2024 | | |
| Barmedman Community Section 355 Committee | | |
| 06072024 RESOLVED that Council: | | |
| a) Disband the Barmedman Community Committee – a Section 355 Committee of Council. | Director Corporate & Community Services | 29/7/24: Committee members advised of Council decision to disband Section 355 Committee. Meeting held with Barmedman Community Centre Inc on maintenance and funding options with Memorandum of Understanding to be finalised for signing. |
| b) Endorse the negotiations with the Barmedman Community Centre Incorporated. | | |
| c) Determine that the Funds remaining within the Barmedman Community Committee account be utilised to undertake improvement works within the village of Barmedman. | | |
| Draft Contaminated Land Policy | | |
| 09072024 RESOLVED: | | |
| 1. That Council endorse the Draft Contaminated Land Policy and place the policy on public exhibition for a period of 28 days from 17 July 2024. | Director Technical Services | 31/7/2024: On display. COMPLETE |
| 2. Should there be comments received from the community on the draft Contaminated Land Policy, a further report be prepared and presented to Council. | | |
| 3. Should there be no comment from the community within the 42-day commentary period, Council formally adopt the Draft Contaminated Land Policy | | |
| AUGUST 2024 | | |
| Endorsement of Revised Revenue Policy 2024/25 - Stadium Fees | | |
| 08082024 RESOLVED that Council: | | |
| 1. Endorses the amended fees and charges as part of the Revenue Policy 2024/25 and place it on public exhibition for a period of 28 days commencing 14 August 2024. | Manager Customer & Financial Services | 25/10/2024: No comments received during the commentary period, Revenue Policy 2024/25 updated and revised document placed on Council's website and intranet page. COMPLETE |
| 2. Should there be comments received from the community on the proposed amendment to the Bland Shire Council Revenue Policy 2024/25, a further report be prepared and presented to Council | | |
| 3. Should there be no comment from the community within the 42-day commentary period, Council formally adopt the amendment to the Bland Shire Council Revenue Policy 2024/25 | | |
| Sealing Central Road – Funding Contribution | | |
| 13082024 RESOLVED that Council: | | |
| 1. Accept the contribution of \$100,000 (inc GST) from Graincorp towards the sealing of Boundary Street from the Graincorp exit to Compton Road. | Director Technical Services | Design work to commence in 2025. |
| 2. That Council fund the remainder of the works from the Roads to Recover allocation in the 2025/2026 financial year. | | |

Monthly Status Report – Council Meeting Actions

| Resolution | Responsible Person | Progress Update |
|---|--|--|
| <p>Endorsement of Revised Revenue Policy 2024/25 - Gravel Pit Royalties 14082024 RESOLVED that Council:</p> <ol style="list-style-type: none"> Propose an amended royalty payment for gravel pit extraction of \$0.80 per cubic metre within Council's Revenue Policy and place on public exhibition for a period of 28 days commencing 14 August 2024. Should there be comments received from the community on the proposed amendment to the Bland Shire Council Revenue Policy 2024/25, a further report be prepared and presented to Council Should there be no comment from the community within the 42-day commentary period, Council formally adopt the amendment to the Bland Shire Council Revenue Policy 2024/25 | <p>Director Technical Services</p> | <p>On display No submissions received therefore council formally adopted the amended Bland Shire Council Revenue Policy.</p> |
| <p>Access Incentive Scheme Grant – 194 Main Street, West Wyalong 16082024 RESOLVED that Council approve the Access Incentive Scheme Grant application for Micson Constructions Pty Ltd at 194 Main Street, West Wyalong for \$5,000 to install accessible toilet and ramps to increase accessibility to and within the premises.</p> | <p>Manager Development & Regulatory Services</p> | <p>Grant Approved and Applicant advised. Pending invoice for payment.</p> |
| <p>RFT Tender Girral Road Surface Upgrade 17082024 RESOLVED that Council:</p> <ol style="list-style-type: none"> Reject current offers based on the significant, additional costs associated with likely variations and additions to scope. Not invite fresh tenders. Pursuant to Clause 178 (3) (e) of the Local Government (General) Regulation 2021 enter negotiations with suitable contractors for the Girral Road Surface Upgrade. Authorises the General Manager to award the contract after the completion of the negotiation process. That any extra funds required to complete the project be sourced from a suitable external funding option. | <p>Manager Operations</p> | <p>Subsequent to the aforementioned negotiations, Council as the Principal has accepted the Tender dated 01 August 2024, subject to negotiated adjustments dated 03 September 2024, and awards the Tender: VP4 15577 for the Girral Road Major Upgrade to Fulton Hogan Industries Pty Ltd.</p> |
| <p>Strengthening Communities Grant Policy 19082024 RESOLVED that Council:</p> <ol style="list-style-type: none"> Review the strengthening community grant policy to include a maximum per annum funding of \$5000 per group. Any in kind support be included in this allocation. Any joint ventures be approved by a majority of Councillors. Any funding greater than that allowed in the strengthening community fund must be included in the approved budget set for the year. | <p>Director Corporate & Community Services</p> | <p>30/9/24 - Further discussions and review of the policy to be undertaken with new Council to determine a consistent approach to requests for funding.</p> |

Monthly Status Report – Council Meeting Actions

| Resolution | Responsible Person | Progress Update |
|--|-----------------------------|---|
| SEPTEMBER 2024 | | |
| Tivoli Theatre – Sewer System Update | | |
| 02092024 RESOLVED that Council contribute up to \$25,500 (including GST) to the West Wyalong Community Theatre for the expenses incurred in the repair of the sewer connection from the revised sewer maintenance budget, payable on presentation of invoice. | Director Technical Services | Invoice received and paid COMPLETED |
| OCTOBER 2024 | | |
| Election of Deputy Mayor | | |
| 02102024 RESOLVED: 1. That Council elect a Deputy Mayor for the same term of office as the Mayor. 2. That Council accept the nominations for Deputy Mayor, and that the method of voting is by ordinary ballot. | General Manager | Notifications sent 25/10 for Mayoral and Deputy Mayoral appointments COMPLETED |
| Goldenfields Water County Council | | |
| 03102024 RESOLVED that Council accept the nominations for position of Delegate to Goldenfields Water County Council, and that the method of voting is by ordinary ballot. | General Manager | Representation of Cr Crowe confirmed and notified on 21/10. COMPLETE |
| Countback to fill casual vacancies | | |
| 05102024 RESOLVED that pursuant to section 291A(1)(b) of the Local Government Act 1993 (the Act) Bland Shire Council declares that casual vacancies occurring in the office of a Councillor within 18 months after the last ordinary election of Councillors for the Council on 14 September 2024 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the General Manager to notify the NSW Electoral Commission of the Council's decision within 7 days of the decision. | General Manager | NSWEC advised 25/10. COMPLETE |
| Audit, Risk and Improvement Committee (ARIC) | | |
| 06102024 RESOLVED that Council appoints Cr Minogue as the non-voting Councillor to attend the Audit, Risk and Improvement Committee. | General Manager | Representation confirmed and notified on 21/10. COMPLETE |
| Australia Day Awards Committee | | |
| 07102024 RESOLVED that Council confirm the Bland Shire Australia Day Awards Committee membership in accordance with the current Terms of Reference. | General Manager | Nominations invited and committee meeting scheduled. COMPLETE |
| Bland Shire Local Traffic Committee | | |
| 08102024 RESOLVED that Council appoint Cr Funnell as delegate and Cr Crowe as alternate to the Bland Shire Local Traffic Committee. | General Manager | Representation confirmed and notified on 21/10. COMPLETE |

Monthly Status Report – Council Meeting Actions

| Resolution | Responsible Person | Progress Update |
|--|--------------------|---|
| <p>Cowal Gold Project Community Environmental Monitoring & Consultative Committee 09102024 RESOLVED that Council appoint Cr Brooks as delegate and Cr Crowe as alternate to the Cowal Gold Project Community Environmental Monitoring & Consultative Committee.</p> | General Manager | Representation confirmed and notified on 21/10. COMPLETE |
| <p>Mining and Energy Related Councils NSW 10102024 RESOLVED that Council appoint Crs Lord and Henderson as delegates to the Mining and Energy Related Councils.</p> | General Manager | Representation confirmed and notified on 21/10. COMPLETE |
| <p>Newell Highway Taskforce 11102024 RESOLVED that Council accept the nominations for delegate to the Newell Highway Taskforce and that the method of voting is by ordinary ballot.</p> | General Manager | Representation of Cr Henderson as delegate and Cr Lord as alternate confirmed and notified on 21/10. COMPLETE |
| <p>NSW Public Libraries Association 12102024 RESOLVED that Council:- 1. appoint Cr Brooks as delegate and Cr Funnell as alternate to the NSW Public Libraries Association; and, 2. confirm the Library Services Coordinator as Bland Shire Council's observer.</p> | General Manager | Representation confirmed and notified on 21/10. COMPLETE |
| <p>Riverina Regional Library 13102024 RESOLVED that Council:- 1. appoint Cr Brooks as delegate as alternate to the Riverina Regional Library Advisory Committee; and, 2. confirm the Director Corporate and Community Service as Bland Shire Council's second delegate.</p> | General Manager | Representation confirmed and notified on 21/10. COMPLETE |
| <p>NSW Rural Fire Service Bland Temora Zone Bushfire Management and Liaison Committees 14102024 RESOLVED that Council appoint Cr Carnegie as delegate to the NSW Rural Fire Service Bland Temora Zone Bushfire Management and Liaison Committees.</p> | General Manager | Representation confirmed and notified on 21/10. COMPLETE |
| <p>LGNWS Annual Conference 2024 – Confirmation of Attendees 15102024 RESOLVED that:- 1. Crs Henderson and Minogue attend the LGNSW Annual Conference being held in Tamworth from 17 – 19 November 2024; and 2. the Mayor be nominated as Council's voting delegate.</p> | General Manager | Registrations updated and arrangements finalised. COMPLETE |

Monthly Status Report – Council Meeting Actions

| Resolution | Responsible Person | Progress Update |
|---|---|--|
| <p>Councillor Workshops and Ordinary Council Meetings 16102024 RESOLVED that Council confirm the Councillor Workshops and Council Meetings cycle including the commencement time of 6:00pm for the Councillor Workshops.</p> | General Manager | Workshop cycle noted. COMPLETE |
| <p>Part Day Public Holiday Application – West Wyalong Show 2025-2026 21102024 RESOLVED that Council make application for a local part day public holiday between the hours of 12noon and 6.00pm for the purpose of the West Wyalong Show on Wednesday 3 September 2025 and Wednesday 2 September 2026 covering the whole of the Bland Shire area.</p> | Director Corporate & Community Services | |
| <p>Planning Proposal (PP-2023-2372) – Additional Permitted Use – Recreational Facility (Outdoor) at the West Wyalong Airport – 13510 Newell Highway, West Wyalong 22102024 RESOLVED: 1. That Council authorise the General Manager to proceed to finalise and implement Planning Proposal (PP-2023-2372) for an additional permitted use for recreational facility (outdoor) at West Wyalong Aerodrome, 13510 Newell Highway, West Wyalong, under delegated plan making authority. 2. The Minister be requested to endorse the revised Planning Proposal and determine that further community consultation is not required.</p> | Manager Development & Regulatory Services | All required documents have been uploaded to the NSW Planning Portal, pending a map. The PP is with the NSW Department of Planning for finalisation. |
| <p>Endorsement of Revised Revenue Policy 2024/25 - Underground Petroleum Storage Systems (UPSS) 23102024 RESOLVED that Council:- 1. endorse the new charge of \$280 per Underground Petroleum Storage System inspection to be included in Councils Revenue Policy 2024/25 and place it on public exhibition for a period of 28 days commencing 16 October 2024 2. should there be comments received from the community on the proposed amendment to the Bland Shire Revenue Policy 2024/25, a further report be prepared and presented to Council 3. Should there be no comment from the community within the 42-day commentary period, Council formally adopt the amendment to the Bland Shire Council Revenue Policy 2024/25</p> | Manager Development & Regulatory Services | On display until 18/11/2024. Commentary period concludes 02 December 2024. |

8.17 Submission – Councillor Conduct and Meeting Practices



Our Leadership - A well run Council acting as the voice of the community

DP10.1 Councillors are provided with appropriate support and resources to carry out their civic duty.

Author: General Manager

Introduction

This report is to seek endorsement of Council's draft submission to the discussion paper entitled *Councillor conduct and meeting practices – A new framework*, to the NSW Office of Local Government.

Risk Considerations

There are no legislative or policy implications associated with this report.

Financial Implications

There are no unbudgeted financial implications associated with the recommendation in this report.

Summary

The NSW Office of Local Government (OLG) released Council Circular 24-17 in September 2024 informing councils of the following:-

- The Councillor Conduct Framework is under review with the aim to facilitate and support local decision making.
- The Councillor conduct and meeting practices – A new framework discussion paper (**attached**) has been prepared to seek the views of the community, key stakeholders, and the local government sector about the proposed changes.

The OLG published a closing date for submissions of 15 November.

There were suggestions that the timeframe for submissions would be extended however, this has not eventuated. A direct request by Bland Shire for an extension has been granted to 29 November, in order that the draft submission can be presented to the November Council meeting.

A draft submission (**attached**) has been prepared for Council's consideration and is attached to this report. Whilst it is intended that the submission reflect the beliefs and intentions of the Council in general terms, it may be that Councillors may wish to amend some of the feedback. Should amendments be proposed, they will need to be incorporated into the attached draft thus enabling lodgement of the submission.

Various discussion forums have been attended by the General Manager and Director of Corporate and Community Services including REROC and LGNSW.

It is anticipated that both these organisations will be making a submission based upon feedback from discussions.

Recommendation:

That Council endorse the draft submission to the NSW Office of Local Government discussion paper on the new framework for the councillor conduct and meeting practices.

Submission

New Framework – Councillor conduct and meeting practices

Council notes the NSW Office of Local Government issued a Discussion Paper regarding “Councillor conduct and meeting practices – A new framework”, dated 5 September, with submissions to be made by 15 November 2024.

The following submission has been prepared to align with the headings and questions provided within the discussion paper and will be provided for consideration at the ordinary meeting of Bland Shire Council on 19 November 2024.

A. Weakness of existing frameworks

The discussion paper identified weakness within the current framework as:-

1. *The councillor conduct framework distracts from, rather than enhances, robust democratic debate. Complaints are weaponised for political reasons, or to silence dissent from other elected representatives.*

Council Response: Council would agree that the framework has the potential to distract from the democratic debate, however is unable to agree or disagree on weaponisation, as it has not been the experience of Bland Shire.

2. *Councillors and community members report dissatisfaction with the process for resolving code of conduct complaints – being expensive, overly legal, prone to political sparring and not timely, with average timeframes exceeding 12 months and more than 24 months if they are then referred to OLG for further investigation.*

Council Response: Agreed

3. *Issues are not being addressed and resolved at the local level – instead complaints are escalated unnecessarily to the State Government to resolve because of the view that public censure from the local council is not a ‘strong enough’ punishment.*

Council Response: Agreed

4. *Communities and councillors report that council decision making is not transparent – with decisions being seen as made behind closed doors, information not being provided or withheld, too much use of closed to the public briefings or councils going into closed sessions for no adequate rationale.*

Council Response: Reference is made at point 1 above to processes being weaponised. Council is unable to agree or disagree with this, as it does not have any evidence to rely upon.

Based upon experience well run briefings/workshops for Councillors enables an environment where information can be shared and explained in a less formal environment, that suits Councillors and provides opportunity to ask questions and “listen to understand” rather than “listen to respond” that may not be possible in a public forum.

Briefings/workshops are also considered a valuable opportunity for staff development, through attendance and allowing them to build confidence through providing presentations.

If some councils are “pushing the boundaries” resulting in what may be considered as a decision-making forum, then they should be provided with training or subject to performance improvement orders. This would then target the “non-conformance” directly rather than applying a system/framework broad brush approach that may be detrimental to the sector in general and potentially result in poor decision-making outcomes.

Section 10A(2) of the Local Government Act 1993 is very clear on what matters are to be considered in a closed session and those Councils that abuse this section should be suitably sanctioned rather than, again, penalising other Councils who use the provisions wisely and sparingly.

5. *Bad councillor behaviour is not considered to have been addressed quickly enough and when sanctions are imposed it is too late or of little consequence.*

Council Response: Agreed. However, investigation into why there is a delay would be more beneficial to the sector to provide for a suitable solution to the issue. Increasing the authority of the Mayor to manage issues that arise is a positive start providing all Mayors are suitably equipped to enable this to occur.

6. *There is a lack of clarity around OLG’s role as the sector regulator – taking too long to resolve matters and not focussing on the important financial and government concerns in the sector, instead spending time focussed on individual councillor behaviour.*

Council Response: Agreed. With improved resourcing would the OLG be better placed to oversee the administration of significant breaches of councillor conduct?

7. *OLG reports challenges in relying on the reports of council conduct reviewers – investigations into councillors need to be done afresh, the process is cumbersome with multiple feedback loops and serious sanctions can only come from suspensions handed down by NCAT.*

Council Response: Agree. The current framework makes Council responsible for engaging a panel of conduct reviewers. Each reviewer then having their own approach lends itself to a lack of consistency. The OLG must then address this when matters are escalated for its consideration/resolution.

B. Options for a better approach

The discussion paper provides an overview of the proposed new approach as:-

1. *Make OLG directly responsible for dealing with pecuniary interest and significant non-pecuniary conflicts of interest, with sanctions (suspensions and loss of pay) being determined by an appropriate tribunal or body.*

Council Response: Agree with the intent, as General Managers are conflicted in dealing with such matters. However would there not be some level of potential conflict, that then requires those on the panel to properly manage? Would an alternate solution be similar to the judicial system, where all Councillors can be randomly called upon to hear complaints rather than appointing a panel? Additionally should a mechanism be enabled allowing the “defending” councillor the opportunity to present a case demonstrating how a panel member may have a conflict?

2. *Refer behavioural based concerns about councillor conduct to a State-wide panel of experienced councillors to judge their peers.*

Council Response: Agreed

3. *Reset the code of conduct to be similar to Parliamentary Codes, making it clear the expected patterns of councillor behaviour.*

Council Response: Agreed, however the timely resolution of breaches is a key issue and must be addressed.

4. *Ensure the community can observe local democratic processes by banning closed to the public briefing sessions, while at the same time restoring the dignity and prestige of the council chamber.*

Council Response: Agree that “decision making” must be made in open Council meetings, subject to the provisions of section 10 (A) (2). The exchange of information for awareness and better understanding, generally makes for more informed and considered decision making when the matter is later considered at a Council meeting.

Banning of workshops would have the negative effect of stifling robust and engaged discussion because less confident councillors may not raise enquiring questions, as is provided for in a “safe” workshop environment. This ultimately will result in poor decisions making, as councillors will not be adequately informed.

Also agree that the dignity and prestige of the council chamber should be respected and protected and of high priority to all councillors.

C. Principles of Change

The Discussion Paper provided the following principles that had guided discussion:-

- *Council leadership and decision making is paramount.*
- *Freedom of speech*
- *Transparency and accountability*
- *Significant penalties should only be imposed by a judicial or quasi-judicial body.*
- *A strong and proportionate local government regulator*
- *Subsidiarity*
- *Justice is timely and proportionate.*

Question: *Are we missing anything in the principles of change?*

Council Response: The principles are generally supported, however council references Sections A (4) and B (4) in its response, as it seeks to enable informed decision making by facilitating quality information exchange.

D. Potential changes to the Code

Council supports the general intent to reform the behavioral framework and encourage appropriate behavior of councillors through an “aspirational” Code of Conduct”.

It is submitted that perhaps the revised Code elevate the higher level positive behavioral standards expected that will encourage aspirational behaviors that align with those expected of Members of the NSW Parliament.

Should the aspirational behaviours be established, guidance documentation should also be developed similar to those listed in the Parliamentary Code. Eg:-

- The Legislative Assembly Members' Guide;
- The Legislative Council Members' Guide;
- The Department of Parliamentary Services Members' Entitlements Handbook; and
- The Parliamentary Remuneration Tribunal's Annual Report and Determination of Additional Entitlements for Members of the Parliament of New South Wales.

The Discussion Paper (p8 para 6) states "...not restraining the ability of a councillor to speak publicly...". As discussed above, will the modelling of an aspirational Local Government code extend to allow for the concept of "parliamentary privilege" similar to that provided to a Member of the NSW Parliament?

Some councillors speak out against Council decisions which may conflict with a Councils media spokesperson policy (where it exists). Once a decision of council has been determined (subject to a rescission) it is final and all should get behind it or remain silent.

Whilst in general the majority of councillors seek to represent their communities in a positive manner and behave as society expects, there appears to be a small cohort that exhibit poor and undesirable behaviors, that would suggest they will continue to exploit and/or weaponise the code, irrespective of the positive changes being explored.

Question: What are the key elements of an aspirational Code of Conduct that should be enshrined?

Council Response: The following points are considered important by Council

- The code should be succinct and aspirational.
- Positive behaviours should be identified within the code.
- Misbehaviour should be defined in a separate document.
- Reference to the NSW Members of Parliament should be made, in order to highlight the higher order "aspirational" aspects being sought.

Question: What are your views about aligning the Oath of Office to the revamped Code of Conduct?

Council Response: Support the alignment of the Oath within a revised Code of Conduct. Unfortunately the Oath is only in focus at the first meeting of a new term of Council, and little attention is paid to it for the remainder of the term. By aligning the two may help reinforce the expectations of councillors and remind them of expectations of their behaviour.

The current wording of the Oath and Affirmation makes no reference to respect and commitment to service nor does it provide an acknowledgement of acceptance of dissenting views or decisions. Inclusion of such wording would be a useful lever for those charged with managing complaints, particularly in the eventuality that Councillors were openly critical of decisions taken in the Chamber. Section 232(f) of the Local Government Act 1993 covers the role a Councillor has to "*uphold and represent accurately the policies and decisions of the government body*". This

requirement could well be interpreted as an expectation that Council's decisions, whether agree to or not, are publicly supported by all Councillors.

E. Potential changes to the definitions and assessment of councillor misbehaviour

Question: *Is the proposed pecuniary interest framework appropriate? Is anything missing?*

Council Response: Alignment of the definition of a pecuniary interest with that utilised and defined for NSW Members of Parliament would appear appropriate, as it will reflect and support the link being sought between the aspirational codes to apply to NSW Parliament and Local Government.

The proposed framework must ensure that the scope of the existing code is maintained. The sector has benefited from consistency of minimum standards in dealing with gifts (part 6) access to information, relationships between officials (part 7) and access to information/resources (part 8).

Question: *Do you agree with the principles of what constitutes a significant or major non-pecuniary interest?*

Council Response: Support the principles of what constitutes a significant or major non-pecuniary interest and agree that the test is whether a reasonable and informed person would perceive that the Councillor could be influenced by a private interest when carrying out their official duties.

It is therefore submitted that the test should be incorporated into the aspirational code of conduct.

Question: *Are there any other specific features that should be included to address concerns about councillors undertaking real estate and development business activities?*

Council Response: This issue (be it perceived or actual) has been and remains a long-term concern for jurisdictions across Australia. It is acknowledged that there have been historical cases that have shown that individuals (councillor or staff) may have had influence that has benefitted themselves, or the interest(s) of others.

Legislation may seek to address the concerns surrounding councillors and their real estate/development activities however it will not address perceptions which may exist, particularly within smaller communities. This is simply human nature.

If the NSW Government intends to address the community concerns regarding personal benefit and transparency, then the amendments to disclosure obligations by Councillors and designated persons should require additional detail on property transactions (acquisition and disposal) within the LGA by family members and close associates. Additionally, acquisition or disposal by Councillors of property interests should appropriately require additional information to be disclosed, such as price and the name of vendor/purchaser and be accompanied by a declaration that they have not unduly utilised information or other privileges from their role as a Councillor in the transaction. Consideration should be given to clarify the scope of the disclosure requirements to include whenever a person has an interest in a property, including when it is purchased through a trust, superannuation or other means.

For several years, the annual returns for Councillors under the current Model Code has been operated with varying levels of transparency amongst the State. This review presents an opportunity to clarify what Councils must publish as open access material and what information must be disclosed to Council but not published. It is noted that residential and other property addresses is a key point of interest in the returns with minimal guidance provided by the OLG or IPC on exactly what must be published open access.

Question: *Is this the appropriate threshold to face a Privileges Committee?*

Council Response: The intention of establishing a Privileges Committee is a positive step. By removing General Managers or other staff from the process and having a statewide panel to consider alleged misbehaviour complaints, will provide for a more consistent approach. However, the process for the committee needs to be completely transparent and without bias to maintain the integrity of its role. It is therefore suggested that rather than limit its make-up to a select few members that the adoption of selection processes similar to that of a jury panel would remove any perceived bias and make for a truly independent and non-partisan panel.

The consideration of inclusion of any councillor to the committee must ensure that the candidate holds a “clean” record with no matters such as censures or misconduct findings against them.

Question: *How else can complaints be minimised?*

Council Response: Local Government has seen improvements as a result of the inclusion of Code of Conduct principles into the Local Government Act 1993 and the Model Code of Conduct in 2004.

The aspirational code of conduct framework being linked to the principles applying to NSW Members of Parliament is considered a positive step and time will then tell once the changes commence. This process would be supported with appropriate guidance documentation similar to that made available to those covered by the Parliamentary Code.

Question: *What key features should be included in lobbying guidelines and a model policy?*

Council Response: The introduction of lobbying guidelines and model policy will be a positive step providing guidance on councillor behaviours, however the reporting mechanism must be maintained through OLG, including a standardised approach across NSW, and should not be through the General Manager or other staff. The results of such will only become apparent once changes commence.

F. Dispute resolution and penalty framework

Question: *What level of PIN is appropriate?*

Council Response: The appropriateness of a PIN is a subjective assessment irrespective of the regulatory authority. The determination of a value is also difficult to assess.

Question: *Are the penalties proposed appropriate, and are there any further penalties that should be considered?*

Council Response: The potential penalties:-

- Censure of the councillor
- Warning of the councillor
- Where referred following misbehaviour in a council meeting, a potential loss of sitting fees. Consideration should also be given to how a loss of sitting fees would be addressed with a misbehaving councillor who is also a delegate to a County Council and benefits from those additional fees also.
- Referral to an appropriate tribunal or body for more serious sanction, including suspension or disallowance

that could be imposed by the Privileges Committee would appear appropriate.

Question: Are the existing sanctions available under the Local Government Act sufficient?

Council Response: The existing sanctions are considered sufficient.

Question: Should decisions on sanctions for councillors be made by the Departmental Chief Executive or a formal tribunal with independent arbitrators and a hearing structure?

Council Response: The “separation of powers” of the investigation, and the determination by an appropriate tribunal with appropriate arbitrators is supported.

G. Restoring dignity to council meetings

Question: Are there any other powers that need to be granted to the mayor or chair of the relevant meeting to deal with disorderly behaviour?

Council Response: The powers of the Mayor to deal with disorderly behaviour in council meetings are considered appropriate. The difficulty can lie in enforcing the consequences that arise from disorderly behaviour.

The outlined reforms would appear to take the Mayor’s powers to an appropriate level, providing them with the power to act on the consequences that arise from disorderly behaviour.

Whilst the proposed reforms to expand the grounds for mayors to expel members of the public from the chamber for acts of disorder are commendable including issuing of a PIN in certain circumstances, is this achievable?

It is also suggested that these provisions will require significant education/awareness within communities to avoid unnecessary conflict.

Question: Are there any other measures needed to improve transparency in councillor deliberations and decision making?

Council Response: Further reference is made to the commentary on the banning of briefing/workshops and Councils submission (Section A (4) and B (4)).

The importance of these sessions should not be underestimated, and from experience they are common practice, chaired by the General Manager, in a manner that has helped facilitate the clear exchange of information, and have not acted as a decision-making forum. This has then enabled informed debate in the council

meeting and resulted in good decisions making and appropriate community outcomes.

Council cannot emphasise the importance of such briefings/workshops enough. Perhaps a mechanism by which such sessions are recorded and subject to public scrutiny through the application of the Government Information (Public Access) Act 2009 (GIPA Act) would be an appropriate means of retaining the briefings/workshops.

Given the processing timeframes of the GIPA Act, this would mitigate the number of requests under this piece of legislation as decisions taken would have proceeded within the public domain before such time as an application had been determined.

DRAFT

Councillor conduct and meeting practices

A new framework



Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Councillor conduct and meeting practices

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More information

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Contents

| | |
|---|-----------|
| The need for change – returning local democracy to councils | 4 |
| The weaknesses of existing frameworks | 5 |
| Options for a better approach | 6 |
| Seeking your views | 6 |
| What are the principles of change? | 7 |
| Potential changes to the code of conduct and oath of office | 8 |
| Potential changes to the definitions and assessment of councillor misbehaviour | 9 |
| Conflicts of interest | 9 |
| Councillor misbehaviour in public office | 12 |
| Addressing inappropriate lobbying | 13 |
| Dispute resolution and penalty framework | 14 |
| Abolishing the ‘two step process’ | 14 |
| Giving OLG the power to issue penalty infringement notices | 15 |
| NSW Local Government Privileges Committee | 15 |
| Referral of significant sanctions to appropriate tribunal or body | 16 |
| Restoring dignity to council meetings | 17 |
| Proposed reforms to the Model Code of Meeting Practice | 17 |
| Banning briefing sessions | 18 |
| How to provide feedback? | 19 |
| Next Steps | 19 |

The need for change – returning local democracy to councils

Strong and thriving communities need effective local government. No other level of government is as close to the issues and people.

Effective local government comes when councillors are visibly in control of their councils. How councillors act and how appropriately and transparently decisions are made at meetings is critical in demonstrating to the community that their elected representatives understand the consequences of their decisions, and then make the best possible decisions they can for their community as a whole.

Unfortunately, the existing councillor conduct framework is not delivering on the need for transparency or the necessary degree of respect in the community for the role that councillors have.

Closed council briefing sessions are being used to make decisions away from the public view. Council debates on issues are too often personal slanging matches, rather than forums for robust but respectful discussions on what is best for the community.

Similarly, we have seen a growth in the number of complaints, often over trivial issues. Data from the Office of Local Government (OLG) has shown there has been 4289 complaints over the last 3 years (2020/21 to 2022/23) through the code of conduct process. Overall:

- 420 were referred for preliminary enquiries and then discontinued
- 136 were investigated as potential pecuniary interest matters
- 102 were investigated as potential misconduct (not pecuniary interest)
- 36 related to public interest disclosures, and
- 2 related to political donations

But of these thousands of complaints, in the years since 2020/21 OLG has:

- taken action against 14 councillors by way of a suspension or reprimand
- referred 4 councillors to the NSW Civil and Administrative Tribunal (NCAT) for misconduct, and
- disqualified and dismissed one councillor on the basis of Independent Commission Against Corruption (ICAC) recommendations

The volume of frivolous complaints is crowding out the ability of the OLG and the sector to adequately deal with councillors who abuse their office or cause serious governance problems. It is critical the framework that governs both the behaviour and meeting practices of councillors ensures the community can observe and comment on the behaviour of councillors, instead of inhibiting the operation and function of local democracy.

The weaknesses of existing frameworks

The simple, but compelling premise is local councils should be accountable to their community with council staff being accountable to their councillors, through the General Manager. The best way to achieve this aim is for councils to provide strong and effective representation, leadership, planning and decision making. Unfortunately, this simple concept has been lost.

How councillors behave, how they deliberate and the responsibilities they hold should be modelled on how members of Parliament are expected to behave and act. As the governing body, councillors should act fairly, ethically and without bias in the interests of the local community, and they should be responsible employers and provide a consultative and supportive working environment for staff. A criticism made about the current framework for councillor conduct or meeting practices is that they do not reflect local government's status as an independent third tier of government: it allows an unelected State Government official to determine penalties and guilt thus undermining the status of local government.

While most local councils and local councillors do the right thing with the best intent, there are some councillors who are not so motivated. In these cases, the current councillor behavioural framework, as implemented in NSW, does not facilitate the best outcomes or resolve issues.

In relation to complaint management, it is not considered acceptable to create better complaint management pathways for the processing of code of conduct complaints. The current code of conduct simply enables too many complaints about councillors, all too often for political or vexatious reasons.

It is for this reason that the Government has embarked upon a new approach that refocuses the limited resources of the State on those concerns that matter most: serious misbehaviours and attempts by councillors to enrich themselves through their office.

Weaknesses of the current framework include:

- The councillor conduct framework distracts from, rather than enhances, robust democratic debate. Complaints are weaponised for political reasons, or to silence dissent from other elected representatives.
- Councillors and community members report dissatisfaction with the process for resolving code of conduct complaints – being expensive, overly legal, prone to political sparring and not timely, with average timeframes exceeding 12 months and more than 24 months if they are then referred to OLG for further investigation.
- Issues are not being addressed and resolved at the local level – instead complaints are escalated unnecessarily to the State Government to resolve because of the view that public censure from the local council is not a ‘strong enough’ punishment.
- Communities and councillors report that council decision making is not transparent – with decisions being seen as made behind closed doors, information not being provided or withheld, too much use of closed to the public briefings or councils going into closed sessions for no adequate rationale.
- Bad councillor behaviour is not considered to have been addressed quickly enough and when sanctions are imposed it is too late or of little consequence.
- There is a lack of clarity around OLG's role as the sector regulator – taking too long to resolve matters and not focussing on the important financial and government concerns in the sector, instead spending time focussed on individual councillor behaviour.
- OLG reports challenges in relying on the reports of council conduct reviewers – investigations into councillors need to be done afresh, the process is cumbersome with multiple feedback loops and serious sanctions can only come from suspensions handed down by NCAT.

With so much focus on the bad behaviour of a limited number of councillors there is not enough attention given to the good work that councillors do. The role of a councillor is a noble public service, and the local government behavioural framework should support those who seek to do the right thing and punish those that are not so motivated.

Options for a better approach

Improving the councillor conduct framework and the meeting practices of councils can be achieved but will require changes to the Local Government Act 1993 (the Local Government Act), as well as updating the various regulations, codes and policies that apply. Some of the work to update the regulations and codes can be done quickly, while others requiring legislative change will take some time.

This paper provides an overview of the proposed new approach to both the councillor conduct framework and meeting practices. The proposals are to:

- Make OLG directly responsible for dealing with pecuniary interest and significant non-pecuniary conflicts of interest, with sanctions (suspensions and loss of pay) being determined by an appropriate tribunal or body,
- Refer behavioural based concerns about councillor conduct to a State-wide panel of experienced councillors to judge their peers,
- Reset the code of conduct to be similar to Parliamentary Codes, making it clear the expected patterns of councillor behaviour,
- Ensure the community can observe local democratic processes by banning closed to the public briefing sessions, while at the same time restoring the dignity and prestige of the council chamber.

These changes are only proposed for councillors and there is no change proposed for the code of conduct for Local Government staff. Feedback from stakeholders is that the existing code of conduct of staff remains fit for purpose and is largely effective.

Seeking your views

This discussion paper has been prepared to seek the views of the community, key stakeholders and the local government sector about the proposed changes.

Submissions will be accepted to **COB Friday 15 November 2024**.

All input received through this consultation process **may be made publicly available**. Please let us know in your submission if you **do not want** your name and personal details published.

As part of the consultation process, we may need to share your information with people outside OLG, including other public authorities and government agencies. We may also use your email to send you notifications about further feedback opportunities or the outcome of the consultation.

There may also be circumstances when OLG is required by law to release information (for example, in accordance with the requirements of the Government Information (Public Access) Act 2009). There is a privacy policy located on OLG's website that explains how some data is automatically collected (such as your internet protocol (IP) address) whenever you visit OLG's website. The link to that policy is <https://www.olg.nsw.gov.au/about-us/privacy-policy/>.

Further information about how to make a submission is provided at section 7 of this paper.

What are the principles of change?

In preparing the proposed reforms the following principles have guided the discussion and the intent of the changes:

- **Council leadership and decision making is paramount** – it is critical that the sector, as the third tier of government, is given independence to make decisions in the best interests of the community
- **Freedom of speech** – as elected officials, councillors have the constitutional right and democratic responsibility to speak freely about issues affecting their local community and to advocate for the interests of that community
- **Transparency and accountability** – as a democracy councils need to hear, consider and debate issues in an open manner
- **Significant penalties should only be imposed by a judicial or quasi-judicial body** – to ensure procedural fairness and thorough testing of allegations, significant penalties should be given by bodies such as the NSW Civil and Administrative Tribunal
- **A strong and proportionate local government regulator** – the role of OLG should be to create the framework for local government, ensure councils, joint organisations (JOs), and county councils have the capacity to operate within the framework so that the regulator intervenes as rarely as needed
- **Subsidiarity** – decisions are made at the level closest to those impacted by those decisions
- **Justice is timely and proportionate** – where allegations are made, they should be heard, tested and dealt with as quickly as possible.

Question

Are we missing anything in the principles of change?

Potential changes to the code of conduct and oath of office

The key proposed reform for the councillor behavioural framework is to move to a streamlined, aspirational Code of Conduct. This is equivalent to the Code of Conduct framework for NSW Members of Parliament available [here](#) and [here](#).

The aspirational Code of Conduct would clearly and succinctly outline the behavioural expectations of local councillors (approximately 2-3 pages) in easy-to-understand language. It would then be supported by a clearer framework and definitions for misbehaviour of elected officials.

The aspirational Code of Conduct would not set out the definitions of misbehaviour as these would be legislated as explained in later sections of this discussion paper.

Separating the behavioural expectations in a Code of Conduct from definitions of misbehaviour reflects a positive approach to councillor behaviour. The separation also recognises that the majority of councillors want to do the right thing and they should have easy access to the standards expected of them.

The revamped Code of Conduct could also be aligned to the Oath of Office for local councillors ensuring that the behavioural standards and expectations are clear and understood when a councillor takes office. The existing framework can make it difficult to understand the behavioural expectations and standards upon councillors.

Importantly, the revamped Code of Conduct will not seek to restrain the ability of a councillor to speak publicly on matters pertaining to their council, even when that councillor is disagreeing with, or being critical of, the decisions of the majority.

It is proposed to make the new Code of Conduct an aspirational code of expected behaviours instead of enforceable for local councillors.

Question

What are the key elements of an aspirational Code of Conduct that should be enshrined?

Question

What are your views about aligning the Oath of Office to the revamped Code of Conduct?

Potential changes to the definitions and assessment of councillor misbehaviour

The current Local Government Act defines councillor misconduct as a breach of the Local Government Act or other regulatory provisions, which includes the Code of Conduct. This means that it is difficult for the average person to understand the definition of misconduct as they need to reference several other regulatory instruments and policy documents to determine what constitutes.

It is proposed in the revised framework that misbehaviour will be more clearly defined and articulated within the Local Government Act, with the reference to regulations and other statutory instruments only for further enunciation or explanation.

These definitions, which are described in later sections would cover:

- Pecuniary conflicts of interests, (for example decisions that financially benefit the councillor or a close associate),
- Significant non-pecuniary conflicts of interests (for example where a councillor participates in a decision and a direct advantage/disadvantage is created for a person or company the councillor is friendly with or associated with), and
- Councillor misbehaviour in public office (for example, poor conduct in meetings leading to exclusion by the Mayor or Chair of the Committee).

This will make clearer to all participants in the local government sector what is considered misbehaviour by a local councillor.

The definitions of misbehaviour do not change the other legislative requirements. Communities, residents, workers and fellow councillors expect their elected officials to act in an appropriate and ethical way, including observing workplace health and safety, environmental and criminal laws. If there is an offence or complaint under these other laws, people should

seek redress from the appropriate regulator including SafeWork, Independent Commission Against Corruption or the NSW Police.

The behavioural standards in the revamped Code of Conduct will reinforce the expectation that councillors are community leaders and therefore exemplars of good behaviour. As community leaders it is also expected councillors will meet legislative obligations. Therefore, misbehaviour only needs to be defined as those issues which go to the nature of councillors as elected officials, being conflicts of interest or misbehaviour in public office.

These are the expectations that are upon councillors because of the public trust that is placed in them as elected officials. In this way it more closely reflects, with appropriate adjustments the framework that applies to other elected officials in other levels of Government.

Conflicts of interest

The first proposed limb of the revised misbehaviour definition is a councillor's failure to manage a conflict of interest.

Management of conflicts of interest is important to ensure that councillors act and are seen to act in the public good, not for private benefit or personal gain. Conflicts of interest arise when there is a conflict, perception or potential of a conflict between an official's private interests and public duty.

The test for pecuniary interests is quite clear as it is an objective test; would a councillor or one of their close associates (spouse, family members), receive a financial benefit as a result of a decision. However, testing whether there is a non-pecuniary conflict of interest is more challenging.

Pecuniary interests

It is proposed to align the definition of pecuniary interests for NSW councillors with those that are utilised and defined for NSW members of parliament, requiring disclosure of the following interests:

- Real property – property in which councillors have an ‘interest’
- Sources of income – all income over \$500 other than salary of office
- Gifts – all gifts of cumulative value of more than \$500
- Contributions to travel – of value of more than \$250 (including flight upgrades)
- Interests and positions in corporations – eg stocks and shares, directorships
- Positions in unions and professional or business organisations
- Debts – of cumulative value of more than \$500, excluding home loans or debts for goods and services disposed of within a year
- Dispositions of property
- Engagement to provide a service involving use of a councillor’s position and
- Discretionary disclosures.

It is proposed that the interests for disclosure by the councillor are similarly extended to the interest of a spouse or de facto partner, relative, or partner or employer, or a company or other body of which the councillor, or their nominee, partner or employer, is a shareholder or member. This extends only to the extent the councillor is aware or should be aware of such interests.

It is proposed there remains an absolute prohibition on a councillor being involved in any matter before council where a pecuniary conflict of interest exists, unless otherwise determined via regulation.

It is also proposed to give extended investigation powers to OLG to investigate and request information on corporate structures such as trust or companies to

determine underlying beneficial ownership and interests.

OLG, as the agency responsible for investigating alleged breaches of pecuniary interests, needs clear powers to compel the production of information and/or records, to ensure that pecuniary interest returns are provided and made publicly available. If there is non-compliance with an OLG direction, which may include the requirement to make a declaration, remedies such as penalty infringement notices (PIN) should be available to ensure cooperation with investigative processes.

Question

Is the proposed pecuniary interest framework appropriate? Is anything missing?

Non-pecuniary interests

A conflict of interest does not necessarily have to be financial in nature. It could also arise from familial or personal relationships, affiliations or memberships. It is equally important that such conflicts are managed appropriately to ensure that decision making is seen to be transparent and remains in the public interest.

An interested and informed observer should be confident a decision made by a councillor is free from bias or a reasonable apprehension of bias. This means that any concerns about a potentially significant conflict of interest should be declared and appropriately managed.

The nature and breadth of non-pecuniary interests naturally means that the framework for management of such interests is more nuanced, with the management approach often dependent upon the individual circumstances of the case.

It is also important to recognise that councillors, as representatives of their community, reside within their community, so memberships of clubs, congregational

memberships etc should not automatically be seen as conflicts of interest.

If a decision of a councillor directly advantages (or disadvantages) a particular individual or organisation the councillor is friendly with or associates with, then that can be a conflict that should be publicly declared, if the councillor considered it of minor consequence, it wasn't controversial, or the councillor did not hold the casting vote.

Alternatively, if a decision of a councillor directly advantages (or disadvantages) a particular individual or organisation the councillor is friendly with or associates with, then that can be a conflict requiring the councillor to recuse themselves from being involved in the decision-making process if there was a major advantage or disadvantage (or potential for), if it was controversial or the vote of the councillor was critical.

The appropriate test for whether a non-pecuniary interest should be declared is based on an objective test, not in the mind of the individual who is subject to the conflict of interest. The test is whether a reasonable and informed person would perceive that the councillor could be influenced by a private interest when carrying out their official functions in relation to a matter.

Whether the councillor abstains themselves from a decision, or decides to participate, the continued and timely disclosure of interests is critical. Disclosure ensures the community is aware of any potential conflicts and how the councillor is managing and responding to the issue.

Councillors should remain as vigilant about disclosure of non-pecuniary interests as they are about pecuniary interests.

Question

Do you agree with the principles of what constitutes a significant or major non-pecuniary interest?

Property developers and real estate agents

The NSW Government has made a commitment to ensure the conflicts of interest that exist between a councillors' public duties to make decisions on behalf of communities and the private interests that exist in securing a profit as a developer or real estate agent are addressed. A simple change to ban developers or real estate agents from being councillors is not possible as it infringes the right to political free speech implied by the Australian Constitution.

Ordinarily conflicts of interest are managed through declarations and withdrawing from decision making. However, in the case of property development and real estate interests, where so much of what a council does is related to land and the potential for speculation in the changes of land value arising from planning, development and infrastructure decisions, it can be impossible to isolate the precise interests that would drive a councillor's decision.

Without some way of managing these conflicts, the community confidence that planning, development and infrastructure decisions are taken transparently in the public interest will erode. Given the importance of planning, development and infrastructure decisions to resolving the housing crisis, driving the move to net zero through the electrification of the economy and building community resilience to disasters, it is critical to restore confidence.

To address this concern, an alternative means of managing the inherent conflict of councillors undertaking real estate and development business activity is being considered which involves requiring councillors to divest themselves from real estate or development business activities and contractual obligations.

Legislation is being drafted that will:

- identify how developers and real estate agents are identified,
- create the obligation to divest and not enter into real estate or development business arrangements through contracts,
- establish the penalties, including disqualification, where a councillor engages in contractual arrangements with real estate agents or developers,
- ensure there are exemptions so councillors can buy and sell their own property using a real estate agent, and
- create transitional arrangements for the introduction of the new obligations.

Question

Are there any other specific features that should be included to address concerns about councillors undertaking real estate and development business activities?

Councillor misbehaviour in public office

The third proposed component of a revised definition of misconduct is misbehaviour in public office.

Misbehaviour in public office would cover behaviour which is inconsistent or outside of the norms of behaviour expected from a councillor, particularly given their role as a community leader. Given the discussion is about behaviour rather than action, there is a much greater degree of interpretation, and it is appropriate that councillors judge their fellow councillors on whether they could be considered to have misbehaved.

There would be three limbs to this proposed misbehaviour definition being conduct that:

- Is unbecoming of a councillor
- Brings council into disrepute; and/or
- Is assessed as being outside the norms and expectations of a sitting councillor.

The first two tests of this framework are established legal concepts with existing case law and precedents.

Unbecoming conduct means behaviour more serious than slight, and of a material and pronounced character. It means conduct morally unfitting and unworthy, rather than merely inappropriate or unsuitable, misbehaviour which is more than opposed to good taste or propriety. Conduct unbecoming refers to the conduct that is contrary to the public interests, or which harms his/her standing of the profession in the eyes of the public. Examples can be referenced in *Oei v The Australian Golf Club [2016] NSWSC 846*.

To bring something into disrepute is to lower the reputation of the profession or organisation in the eyes of ordinary members of the public to a significant extent. It is a higher threshold than the test of bringing an individual into disrepute - (*Zubkov v FINA (2007) CAS 2007/A/1291*).

The third limb of the misbehaviour definition allows consideration of behaviours and actions of a sitting councillor which are considered egregious or problematic that are otherwise not captured by the other elements of the definitions.

As this is a test of appropriate behaviour, the determination of whether the misbehaviour occurred would be undertaken by the peers of the councillor. This would involve the formation of an 'Local Government Privileges Committee' (Privileges Committee) of senior and experienced mayors and ex-mayors from across NSW to meet and assess the complaints made against councillors. The Privileges Committee would be supported by OLG, but decisions would be made by the mayors or ex-mayors on the Privileges Committee who would draw on their expertise as mayors, as well as having served at least two council terms as a councillor.

There would also be an opportunity to apply these principles to poor behaviour in meetings, particularly where a councillor has failed to comply with the directions given by the mayor or Privileges Committee Chair.

Question

Is this the appropriate threshold to face a Privileges Committee?

Question

How else can complaints be minimised?

Addressing inappropriate lobbying

A number of investigations by the Independent Commission Against Corruption (ICAC) has led to recommendations to put in place measures to address concerns about lobbying of councillors. ICAC has been concerned about councillors having relationships with development applicants that pose a conflict of interest, concerns with councillors meeting with development applicants in private settings to discuss their applications, and concerns about councillors receiving gifts and inducements as part of lobbying activities to improperly influence council decision-making.

Lobbying is an important feature of democratic representative government, and all councillors get lobbied by residents, businesses and community groups. However, inappropriate lobbying that isn't declared presents certain risks and can lead to corrupt behaviour or improper decision-making. On the recommendation of ICAC to address these risks, OLG is developing lobbying guidelines and a model policy on lobbying for councils to adopt that will:

- address how professional lobbyists are identified and the obligations on councils and councillors if they met a professional lobbyist,
- set out inappropriate behaviours when being lobbied,
- identify steps to be taken to ensure transparency,
- require council officials to report inappropriate or corrupt lobbying behaviours to the councils general manager.

The development of lobbying guidelines and a model policy on lobbying will ensure councillors and councils understand these risks and have effective controls in place to address them.

Question

What key features should be included in lobbying guidelines and a model policy?

Dispute resolution and penalty framework

Consistent with the principles outlined earlier, it is proposed that there be a significant change to the dispute resolution and penalties framework for misbehaviour.

While the overall intent is to reduce the weaponisation of the complaints process and reduce the number of complaints, there is also a need for more timely resolution of matters and ensure that the limited investigation and regulator resources are directed to the more significant misbehaviour matters.

There is also an opportunity to bring the dispute resolution framework more into line with that used in other levels of government.

The approach being proposed is to create clear separation between the process for consideration of conflicts of interest and the processes for consideration of misbehaviour. This has the benefit of removing general managers from being central to the complaint process.

Under the reforms, the investigation of serious conflicts of interest would be put entirely into the hands of OLG. The approach also removes the existing 'two step' process of referrals to conduct reviewers and then OLG.

There would be no investigations of misbehaviour, instead councillors would be required to demonstrate to their peers why their actions, which may have led to the complaint, were appropriate to the circumstances.

To implement these new approaches, changes to the systems and structures of investigation and complaints handling are needed.

Abolishing the 'two step process'

The existing process for complaints is set out in the Procedures for the Administration of the Model Code of Conduct.

In simple terms, the complaint process involves the general manager or the mayor receiving a complaint, determining whether the complaint is valid and referring the matter to a complaints coordinator within the council, who will in turn appoint an external conduct reviewer. Once the conduct reviewer investigates the issue, interviews the complainant and the subject of the complaint, as well as any other relevant people, provides a report to the council and the council makes a decision, many months can pass.

As it currently stands, if OLG, receives a referral following the council consideration of a complaint, they are then expected to rely on the investigation report of the conduct reviewer to make an assessment. However, investigation reports prepared by conduct reviewers may satisfy the evidentiary standard required for a councillor to be censured but may not satisfy the higher evidentiary standard required to support disciplinary action under the misbehaviour provisions under the Local Government Act, such as suspension or disqualification. OLG's experience is that rarely can it rely on these reports and must instead recommence an investigation process if it decides to pursue the matter.

Instead of this existing two-step process:

- Complaints about conflict of interest matters would be made directly to OLG, and
- Complaints about misbehaviour would be made directly to the Local Government Privileges Committee via a dedicated webform.

Under the proposed approach, there would be no role for privately hired investigators to determine whether the Code of Conduct has been breached.

Giving OLG the power to issue penalty infringement notices

In order to ensure information is provided to OLG more effectively, it is proposed to enable OLG the discretion to issue penalty infringement notices (PINs) for minor or insignificant breaches of the conflicts of interest declarations. The PINs would be primarily utilised in circumstances where the breach is considered minor or administrative in nature – for example an inadvertent failure to lodge a return of interests.

This change to PINs is designed to allow a quick process for dealing with minor matters to free up limited regulatory resources while still ensuring that sanction for important matters is provided.

Like all other PIN provisions in other NSW legislations there would be the ability for the PIN to be appealed or special circumstances to be considered. Where the breach was considered more serious in nature then it can be referred to an appropriate tribunal or body for more significant punishment.

Question

What level of PIN is appropriate?

NSW Local Government Privileges Committee

Along with the PIN framework, it is also proposed to create a Local Government Privileges Committee (Privileges Committee) to examine all allegations of misbehaviour in public office. This would replace the existing code of conduct review framework and instead aim to provide a speedy process for resolution and assessment of behavioural complaints against councillors. It also allows for the sector to better govern itself. The Privileges Committee would only examine issues of misbehaviour, not conflicts of interest.

The Privileges Committee would be made up by a group of experienced mayors and ex-mayors from across NSW to ensure that a variety of perspectives and experiences are considered. The Privileges Committee would be supported by a small Secretariat from OLG who could be delegated the power by the Privileges Committee to dismiss matters that are vexatious, trivial, where the Privileges Committee lacks jurisdiction, or where there is an alternative remedy available.

The Privileges Committee process would be paid for by either individual councillors or their councils, dependent on the outcome.

Penalties that could be imposed by the Privileges Committee are as follows:

- Censure of the councillor
- Warning of the councillor
- Where referred following misbehaviour in a council meeting, a potential loss of sitting fees
- Referral to an appropriate tribunal or body for more serious sanction, including suspension or disallowance.

As noted above if the breach is deemed serious then the Privileges Committee would have the power to refer a matter to the OLG for preparation of a brief for an appropriate tribunal or body.

Question

Are the penalties proposed appropriate, and are there any further penalties that should be considered?

Referral of significant sanctions to appropriate tribunal or body

Under the existing processes for consideration of complaints, OLG, in particular the Departmental Chief Executive (or their delegate), can suspend a councillor for between 1-3 months with a consequential loss of sitting fees. This creates the situation where a public servant is sitting in judgement on an elected official. Where a greater suspension is appropriate, the Departmental Chief Executive may refer the matter to an appropriate tribunal or body.

To remedy the concerns about whether it is appropriate for an unelected official to stand in judgment on an elected councillor, it is proposed that any significant sanction, such as suspension, significant fine or disqualification from office, can only be undertaken by an appropriate tribunal or body.

This reduces the existing power of the Departmental Chief Executive to impose penalties. It reflects the principle that significant sanctions, including suspension, should only be imposed by a judicial or quasi-judicial body. It also removes the dual roles of the head of OLG, meaning OLG's focus is on preparing the brief of evidence for consideration by the appropriate tribunal or body.

The role of the appropriate tribunal or body would therefore be to look at all serious misconduct matters that have either been referred by the Privileges Committee, appeals from PINs or referrals of conflict of interest matters from the OLG.

Question

Are the existing sanctions available under the Local Government Act sufficient?

Question

Should decisions on sanctions for councillors be made by the Departmental Chief Executive or a formal tribunal with independent arbitrators and a hearing structure?

Restoring dignity to council meetings

A council chamber is a chamber of democracy, and the mayor as figurehead represents the authority of that council.

Unfortunately, many council meetings are conducted without the appropriate level of dignity or reverence for tradition that suggests the importance of the debate and the need for civility. Councillors are not expected to agree with each other, in fact debate is encouraged, but the debate should be fair and respectful.

A council meeting, and the council chamber itself, should see meetings conducted with dignity. Unfortunately, there are too many examples where the dignity of council meetings has been lost, either because councillors are not appropriately reverential and respectful, or the manner of debate is lowered by inappropriate chamber design or meeting practices.

Proposed reforms to the Model Code of Meeting Practice

To restore the prestige and dignity of the council chamber reforms to the meeting code of practice are being developed to support the mayor in exercising their statutory responsibility to preside at meetings and to ensure meetings are conducted in an orderly and dignified manner.

The proposed reforms will confer the power on mayors to expel councillors for acts of disorder and to remove the councillor's entitlement to receive a fee for the month in which they have been expelled from a meeting.

As a further deterrent against disorderly conduct, councillors will also be required to apologise for an act of disorder at the meeting at which it occurs and, if they fail to comply at that meeting, at each subsequent meeting until they comply. Each failure to apologise becomes an act of misbehaviour and will see the councillor lose their entitlement to receive their fee for a further month.

To provide a check against misuse of the power of expulsion and subsequent loss of entitlement of a fee, councillors will be entitled to a right of review.

Councillors will also be expected to stand, where able to do so, when addressing a meeting and when the mayor enters the chamber.

The proposed reforms will also expand the grounds for mayors to expel members of the public from the chamber for acts of disorder and enable the issuing of a PIN where members of the public refuse to leave a meeting after being expelled.

Question

Are there any other powers that need to be granted to the mayor or chair of the relevant meeting to deal with disorderly behaviour?

Banning briefing sessions

A practice has recently developed in local government where councillors receive briefings from staff that are closed to the public.

As an example, development applications should be considered in the public domain. However, councillors receive private briefings from the council planners before they are dealt with in the public forum of a council or committee meeting. Consequently, members of the public impacted by the council's decision have no idea what the councillors have been told or what has been discussed.

To promote transparency and address the corruption risks identified by the Independent Commission Against Corruption (ICAC) that can arise from a lack of transparency, it is proposed that councils will no longer be permitted to hold pre-meeting briefing sessions in the absence of the public.

Any material provided to councillors, other than the mayor, that will affect or impact or be taken into account by councillors in their deliberations or decisions made on behalf of the community must be provided to them in either a committee meeting or council meeting. This restriction will not apply to mayors. As the leader of the organisation, the mayor needs to have candid conversations with the general manager outside of formal meetings.

To further promote transparency, the proposed reforms will also extend the period that recordings of council and committee meetings must be maintained on a council's website.

Question

Are there any other measures needed to improve transparency in councillor deliberations and decision making?

How to provide feedback?

This discussion paper has been released through the Office of Local Government's communication channels and on the Government's Have your Say Website.

You can make submissions on this proposed framework by **COB Friday 15 November 2024**. Further information is available on OLG website at <https://www.olg.nsw.gov.au/councils/misconduct-and-intervention/councillor-conduct-framework/>.

Submissions can be made online here - <https://www.olg.nsw.gov.au/councils/misconduct-and-intervention/councillor-conduct-framework/>

OR

in writing to: councillorconduct@olg.nsw.gov.au

OR

Locked Bag 3015 NOWRA NSW 2541

Submissions must be clearly labelled "Councillor Conduct Framework Review"

Please direct any inquiries to the OLG's Strategic Policy Unit at councillorconduct@olg.nsw.gov.au or on (02) 4428 4100.

Next Steps

Feedback from this consultation process will be carefully analysed and incorporated to finalise the revised councillor conduct framework.

OLG will then look to finalise necessary draft legislation, regulations and materials for implementation of the revised model over the coming year. Consultation will continue with the local government on the implementation of the revised framework.

Information about the progress of the Councillor Conduct Framework Review will be available on the [OLG website](#).

8.18 Bland Shire Australia Day Awards Committee



Our People - A Strong, healthy, connected and inclusive community

DP4.1. Facilitate Council events to build social capital and a sense of belonging within the community

Author: General Manager

Introduction

The Australia Day Awards Committee meeting was held at the Bland Shire Council Chambers on Tuesday 12 November.

As a result of Local Government elections in September 2024, an initial meeting of the new Committee was required to consider the Terms of Reference of the Australia Day Award Committee, the Bland Shire Ambassador Guidelines, award nomination progress, and provide an update on planning for the 2025 Australia Day celebrations.

The next meeting of the Australia Day Awards Committee will be held on 3 December 2024.

Financial Implications

Australia Day Awards are funded from within existing budgetary allocations and Australia Day Council grant funding.

Summary

The Committee noted updates on planning for the 2025 event and has requested a review of the Bland Shire Ambassador Guidelines be undertaken.

Recommendation:

That the minutes of the Australia Day Awards Committee meeting held on 12 November 2024, be received and

Australia Day Awards Committee Bland Shire Council Chambers Tuesday 12 November 2024

Meeting Open: 6.00 pm

1. Present

Crs, Holly Brooks, Mal Carnegie, Jill Funnell, Emma Henderson, Tony Lord, Liz McGlynn, Lisa Minogue,.

Grant Baker (General Manager), and Mrs Amanda Stitt (2024 Citizen of the Year).

Apologies

Crs Brian Monaghan (Mayor), Rodney Crowe.

In the absence of the Mayor, Cr Minogue took the Chair

2. Disclosures of Interest

Nil

3. Confirmation of Minutes of Meeting

The Minutes of the Meeting held 23 April 2024 were confirmed as a correct record of proceedings.

Funnell/McGlynn

4. Terms of Reference

A review of the current Terms of Reference was completed by the Committee, with no amendments proposed.

ACTION: The Australia Day Awards booklet to be shared with the Committee.

It was noted the first 2025 edition of the West Wyalong Advocate is scheduled for 17 January.

5. Bland Shire Ambassador Guidelines

Discussions were held about the Guidelines and concerns were raised that the Bland Shire Ambassador(s) was not utilised enough by Council.

It was also noted that the Citizen of the Year is under utilised.

ACTIONS: Invite Ambassador(s) to Mayoral Reception on evening prior to Australia Day.
Council to look at functions/events to invite/request Ambassador(s) to attend and remind staff to utilise opportunities for Ambassador(s) to attend.
The Guideline is to be reviewed and provided to the Committee for future discussion.

6. 2025 Preparations Update

The Committee noted the update on preparations for 2025 Australia Day events.

7. Promotions Update

The Committee noted the update on promotional activities for 2025.

8. Next Meeting

The next meeting is scheduled for 3 December 2024.

Meeting Close: 6:54 pm

8.19 Annual Report 2023/2024



Our Leadership - A well run Council acting as the voice of the community

DP10.3 The General Manager takes on a high level role in implementing the Community Strategic Plan and other Council documents

Author: Executive Assistant

Introduction

The Annual Report outlines Council's activities in accordance with the statutory reporting requirements of the Local Government Act and Integrated Planning and Reporting Framework for the 2023/24 financial year and includes additional information to provide Councillors and the community with a greater snapshot of Council's achievements over this 12-month period.

The Annual Report document is included in the Attachments to this business paper for Councillors. It will be lodged with the Office of Local Government and made available online by the prescribed deadline of 30 November 2024.

Financial Implications

The preparation and compilation of the Annual Report is undertaken by Council staff within existing budget allocations.

Summary

The report meets the statutory reporting requirements under the Local Government Act s.428 and is provided for the information of Councillors and the community.

Recommendation:

That

- 1) Council receives and notes the Bland Shire Council Annual Report for the year 2023/24.
 - 2) the 2023/24 Bland Shire Council Annual Report be published on Council's website.
 - 3) the NSW Office of Local Government be advised accordingly.
-

Section 3 – Technical Services

8.20 Retail Energy Tender Small Sites



Our Leadership - A well run Council acting as the voice of the community

DP10.4 The long term financial sustainability of Council is supported through effective and prudent financial management

Author: Director Technical Services

Introduction

This report seeks Council's approval to participate in a joint retail energy tender process with Riverina Eastern Regional Organisation of Councils (REROC) for small tariff sites (< 100MWh) per annum, and delegate authority to execute the contract for the supply of electricity to the General Manager to facilitate efficient turnaround of tender responses.

In 2022 the REROC together with the Central NSW Joint Organisation (CNSWJO) facilitated a retail energy tender for large contract sites (> 100 MWh per annum). Councils participating in the arrangement secured a Power Purchase Agreement (PPA) with Iberdrola for a period of 8 years.

The tender did not include small sites and as part of the process, the ROC and JO explored other ways of securing lower energy costs for small tariff sites, many of which were in the REROC Region. Working with consultants Presync (who were provided to us by the Joint Organisation Net Zero Acceleration (JONZA) program) REROC identified that Shell Energy had a small sites electricity contract that provided the most competitive arrangements. In addition, the Shell Energy contract was already an approved contract under NSW Buy and its terms and conditions permitted councils to exit at any time without penalty.

The councils that were part of the PPA (Bland, Coolamon, Cootamundra-Gundagai, Greater Hume and Temora), also agreed to enter into the Shell Energy small sites contract.

REROC, working with CNSWJO and Southern Lights monitors both contracts. Although the Shell Energy contract is for a period of 10 years, pricing was only secured for the first 3 years (until 30 June 2025).

REROC has recently become aware that the pricing for the energy component of the bill will more than double from 1 July 2025. Shell Energy has also advised that the environmental charges have not yet been negotiated and therefore won't be known until early 2025. Further the network charges (passed through from Essential Energy) have also increased from 1 July 2024 with another increase expected from 1 July 2025.

REROC and CNSWJO along with the other members of Southern Lights agreed that this is an issue for their member councils, who will now face a significant increase in the retail energy price for their small sites. It was further agreed that we should go out to market to test whether or not better pricing could be achieved with another retailer post 30 June 2025.

There were some issues with the last Group Tender that REROC undertook for the PPA due to so many councils being involved, which led to inefficiencies in the process because it was too hard to manage a tender that required such a swift turnaround. Energy tenders need to be executed quickly because energy is purchased on a highly volatile spot market; the more players there are in the tender the harder it is to meet short, hard deadlines.

Consequently, the group also agreed that rather than preparing one large, aggregated tender across all the Southern Lights councils that we would instead work collaboratively on the preparation of the documentation but tender as individual ROCs or JOs with the possibility of co-ordinating the time that we went to market.

At the August REROC Board meeting it was agreed to explore this approach with CNSWJO and subsequently REROC has been working with CNSWJO to develop the documentation required for the tender.

As stated above, this is a volatile, demand-driven market so timing is everything. REROC has made a decision to try to get a tender out to market by mid-November 2024 in order to capture the pre-summer wholesale market. If we do not go out now, then we will need to wait to March or April 2025 when prices are likely to drop. If we can manage to release the tender this month, and if the pricing is not particularly good, we could choose to **not accept** any of the pricing and re-tender in March or April 2025. So, by moving now there is the added benefit of having “two bites at the cherry”.

Procurement Process

The procurement will be for the purchase of retail energy for either 2 or 3 years and the process will be as follows:

1. Data consolidation confirmation and sign-off for small market loads – data is being obtained by the JONZA Project Officer, who has access to council data. Based on the data; REROC will be making some forecasts that councils will need to review.
2. Preparation of the tender documents
3. Draft tender sent to participating councils for approval.
4. Incorporation of amendments into tender documentation.
5. Releasing of RFX for a 3-week response.
6. Providing technical support for retailer questions.
7. Analysing responses from received proposals or quotations.
8. Evaluation of the supplier and contractual offers by the Evaluation Committee
9. Provision report comparing pricing, contractual terms and addressing of mandatory and/or preferred requirements.
10. If required, the response will be referred to an energy consultant for a second opinion.
11. REROC and its member councils will individually decide whether or not to proceed on the basis of the recommendation, and if comfortable, accept the pricing offer. Councils would then be provided with individual contracts to sign.
12. A formal report summarising the process, recommendation and outcomes will be supplied.

The evaluation panel will be formed with representatives from each of the Member Councils, the REROC CEO and JONZA project officer, in addition the CNSWJO JONZA officer, is also expected to participate.

Decision-making

Once a recommendation is made by the Evaluation Panel, each council will be formally advised of the offer and sent a pro-forma acceptance letter for the General Manager (GM) to execute. Due to the limited time offer provided by suppliers and the unlikely opportunity to present offers

to each council meeting. It is requested that each participating council delegate authority for the GM to agree to the pricing.

The recommended supplier will also be advised of the decision, so that they know to hold the wholesale electricity, so that councils can execute their agreements.

Councils can choose to accept or reject the recommended supplier, there is no obligation to accept the recommendation and the tender documentation will reflect this fact, stating that REROc “provides no warranty or guarantee that any or all councils will enter into a contract with the supplier.”

Once the letters are executed by the councils that are accepting the offer, they will be sent to the successful supplier. This needs to happen quickly even though the contract does not commence until 1 July 2025, because the supplier will be holding the wholesale electricity purchase waiting for council acceptances. Normally the supplier can only hold the wholesale price for a matter of days before the tranche of electricity they have the price for expires.

Finalisation

Councils will enter into an individual contract with the successful supplier, there is no contract between the supplier and REROc.

Risk Considerations

The volatility in the electrical market poses a financial risk to Council; by seeking to go to tender early gives Council some surety moving forward.

The procurement of electricity is complex and challenging for Councils, for example the short timeframes to accept prices offered by retailers is typically 2 business days which is outside the Council meeting timeframes for even an extraordinary meeting. Reasons around the short timeframe are that retail offers are based on a fast-moving futures market

If Councils were to seek a longer timeframe for the acceptance of offers, a large risk component is likely to be added to the price by the retailer.

Financial Implications

The current small sites contract with Shell Energy under NSW State Government Contract 3062 is due to expire in June 2025, with the volatility with expectations that pricing for the energy component of the bill will more than double from 1 July 2025. Shell Energy has also advised that the environmental charges have also not yet been negotiated. It is felt that it is in Council's best interests financially to go back to the market and seek the best possible option for Council.

Recommendation:

That Council

- 1) participates in the joint REROc small sites' electricity tender,
 - 2) acknowledge that there are extenuating circumstances surrounding the procurement of electricity due to the short validity period of offers (approx. 2-3 days) from electricity retailers where anything longer than this is likely to include a price risk component and as such Council should be excused from the tendering requirements under S55(3)(i) of the LG Act for the procurement of electricity for small tariff sites,
 - 3) delegates the authority to accept or reject the recommended retailer to the General Manager.
-

8.21 Wyalong/West Wyalong Floodplain Committee



Our Leadership - A well run Council acting as the voice of the community

DP10.6 Regular consultation with key industry, business and stakeholders is undertaken

Author: Director Technical Services

Introduction

This report is to appoint a Bland Shire Council Councillor as delegate and an alternate to the Wyalong / West Wyalong Floodplain Committee.

Council is currently undertaking the Floodplain Risk Management study for the Wyalong and West Wyalong townships. This study follows on from the Flood Study that was concluded and adopted in February 2023.

The committee's role is to provide a forum for the discussion of technical, social, economic environmental and cultural issues related to floodplain management that assist council in the development and implementation of the Floodplain Risk Management Study and Plan for the townships of Wyalong and West Wyalong.

Meetings are currently held on an as needed basis.

Committee members include:

- 1 Councillor representative (and 1 alternate)
- 1 State Emergency Services Representative
- Up to 8 community members

The Chair of the Committee will be determined at the first meeting.

Council provides administrative and secretarial support to this Committee, the minutes of which are presented to Council for adoption or otherwise.

Financial Implications

Councillors travel expenses in undertaking their duties, roles and responsibilities include representing Council are addressed in Council's Payment of Expenses and Provisions of facilities to Mayors and Councillors Policy.

Recommendation:

That Council

- 1) determine to appoint a Councillor and their alternate as delegates to the Wyalong/West Wyalong Floodplain Committee.
 - 2) advertise for community representatives for the Wyalong/West Wyalong Floodplain Committee
-

8.22 DA2024/0039 – Waste or Resource Management Facility – Addition of Waste Disposal Facility (private ancillary landfill) to existing Resource Recovery Facility (scrap metal recycling facility)



Our Prosperity - Growing our population and jobs

Dp14.2 Attract a diverse range of visitors to the Shire

Author: Planning & Compliance Officer

Introduction

Bland Shire Council (Council) received Development Application, DA2024/0039, on behalf of owners and operators Access Trading Company Pty Ltd, seeking consent for Waste or Resource Management Facility – Addition of Waste Disposal Facility (private ancillary landfill) to existing Resource Recovery Facility (scrap metal recycling facility) operating as Access Trading Company Pty Ltd (Access Trading) at 68 Mandamah Road, Barmedman (the subject site).

The subject site comprises Lots 65, 81, 82, 83, 84, 85, 86, 87 & 88, DP 750607, covering an area of approximately 58.2ha. The subject site is located immediately south of the village of Barmedman with access via a sealed section of Mandamah Road.

The existing approved scrap metal recycling facility is approved to process up to 28,000t of material per year producing up to 7,000t of non-recoverable material known as ‘shredder floc’, depending on the type of material processed. Currently, Access Trading maintains an agreement with Council for the disposal of shredder floc in Council owned waste disposal facilities.

Access Trading is proposing to establish a private ancillary landfill as part of the scrap metal recycling facility and within the site that is wholly dependent on and subservient to the existing and approved operations. Operation of the proposed private ancillary landfill would be wholly integrated into the existing operation of the scrap metal recycling facility, and as such would not require any additional infrastructure and/or services that are not already required for or provided by existing and approved operations, not requiring the use of any additional public roads or infrastructure.

The proposed landfill area would include the following key components:

- Two landfill cells, with nominal dimensions of approximately 120m long, 25m wide, and up to 5m deep. Each cell would be developed sequentially and on a staged basis, depending on operational requirements.
- An amenity bund constructed using excavated material with a maximum height of 5m.
- A cover material emplacement area for excess excavated material for use in closure of the completed landfill cells.
- A leachate evaporation pond for management of any leachate produced while the landfill is operational.

No other waste sources or types that are not already approved to be received for processing at the scrap metal recycling facility would be permitted to be disposed of within the private ancillary landfill. The on-site disposal shall reduce the disposal of shredder floc in Council owned facilities.

The design includes the use of modern synthetic liners and leachate management systems designed by specialist landfill engineering consultants. Upon closure of the operation, the landfill area of the site is proposed to be rehabilitated to create a free-draining final landform that is suitable for agricultural activities such as grazing.

Access Trading is also a significant employer in the Bland Local Government Area (Bland LGA), currently employing up to 60 persons on a full-time equivalent basis, employing 44 people, or 83% of the Applicant's workforce, in Barmedman.

The proposed development would facilitate the ongoing employment of its current staff. Also, as part of existing and approved operations, disposal of Shredder Floc requires use of publicly owned infrastructure, including the local road network and Council-owned and operated waste disposal facilities. The proposed development shall reduce reliance on publicly owned infrastructure and services over the life of the development.

Therefore, it is considered that the proposed development would result in positive impacts to the local community.

Reference is made to Schedule 3 - Designated Development, Section 49 Ancillary Development of the *Environmental Planning and Assessment Regulation 2021*. The proposed development is considered ancillary to the existing approved operations being carried out on site, it's not proposed to be carried out independently to the other development and is not a development of a kind excluded under the schedule.

Therefore, the proposed development is not considered designated development and can be determined by Council as delegated authority.

Further to the above, the proposed development is classified as Integrated Development in accordance with Section 4.46 of the *Environmental Planning and Assessment Act 1979* as the proposed development requires an amendment to existing Environment Protection Licence (EPL) 13229.

Concurrence and referral were sought from the NSW Environment Protection Authority (EPA). Should Council approve the proposed development, EPA have provided recommended conditions to be incorporated into the development consent, including the preparation of a closure plan.

Financial Implications

Council has received payment of Development Application fees totalling \$3,270.96.

If the proposed development was to be approved, Developer contributions would be payable by the applicant under Council's Section 94A Development Contributions Plan (7.12 levy), totalling \$10,339.23

Summary

The proposed development aims to supplement the existing and approved scrap metal recycling facility through the development of an ancillary landfill. The proposed development shall reduce reliance on and extend the operational life of public and community owned infrastructure and services including roads and our Council owned facilities. It would also support the ongoing employment of its current staff.

Recommendation:

That Council Approve DA2024/0039 - Waste or Resource Management Facility – Addition of Waste Disposal Facility (private ancillary landfill) to existing Resource Recovery Facility (scrap metal recycling facility) at 68 Mandamah Road, Barmedman subject to Conditions of Consent.

CONDITIONS OF CONSENT

PART A – ADMINISTRATIVE CONDITIONS

General

1. This consent relates to **Waste or Resource Management Facility – Addition of Waste Disposal Facility to existing Resource Recovery Facility (Scrap Metal Recycling Facility)** as illustrated on the plans, specifications and supporting documentation stamped with reference to this consent, as modified by the following conditions. The development shall be carried out in accordance with this consent.

Notes:

- *Any alteration to the plans and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act, or a fresh development application. No works, **other than those approved under this consent**, shall be carried out without the prior approval of Council.*
- *Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions shall prevail to the extent of that inconsistency.*
- **The Waste or Resource Management Facility – Addition of Waste Disposal Facility to existing Resource Recovery Facility (Scrap Metal Recycling Facility)** shall not be occupied or the use shall not commence until all relevant conditions of development consent have been met or unless other satisfactory arrangements have been made with Council (i.e. a security).

Building Code of Australia

2. All building work must be carried out in accordance with the requirements of the Building Code of Australia.

Note: *This condition is prescribed under the Environmental Planning and Assessment Regulation 2021.*

Erection of signs

3. A sign must be erected in a prominent position on any site on which building work, is being carried out:
 - a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and

- c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

PART B - REQUIREMENTS PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Payment of Development Contributions

4. Pursuant to section 4.17(1) of the *Environmental Planning and Assessment Act 1979*, and the Bland Section 94A Development Contributions Plan 2011, a contribution of **\$10,339.23** shall be paid to Council.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of the Bland Section 94A Development Contributions Plan. The contribution is to be paid before a Construction Certificate is issued.

PART C - REQUIREMENTS PRIOR TO COMMENCEMENT OF WORK

Notice of Commencement

5. Notice of commencement (at least 48 hours' prior) is to be given to Council in writing.

Erosion and Sediment Control

6. Erosion and sediment control measures shall be installed and maintained until all disturbed areas have revegetated in accordance with the Bland Development Control Plan 2012.

Note: *On the spot fines may be imposed for non-compliance with this condition.*

Temporary Onsite Toilet

7. A temporary on-site toilet is to be provided and must remain throughout the project or until an alternative facility meeting Council's requirements is available on-site.

Damage to Public Assets

8. The developer or their agent must undertake a site inspection of the adjacent kerbs, gutters, footpaths, walkways, carriageway, reserves and the like, prior to commencement of work and document evidence of any damage to existing assets.

Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the applicant's expense.

PART D - REQUIREMENTS DURING WORKS

Approved Hours of Construction

9. Construction work may only be undertaken in accordance with the provisions of the Environmental Protection Authority – Neighbourhood Noise Guidelines for Construction Noise as identified below:

| DAY | HOURS |
|--------------------------|------------------|
| Monday to Friday | 7:00am to 6:00pm |
| Saturday | 8:00am to 1:00pm |
| Sunday & Public Holidays | Nil |

Building Waste

10. The provision of a metal waste skip with self-closing lid or secure covering on-site for the duration of the construction to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site.

Note: On the spot fines may be imposed by Council for Pollution incidents.

Building Materials, Plant and Equipment

11. All building materials, plant and equipment are to be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and also so that the road reserve is not damaged.

Note: On the spot fines may be imposed for non-compliance with this condition.

Soil and Water Management

12. All practical measures must be taken to ensure erosion and subsequent sediment movement off-site does not occur.

In particular, a silt fence or equivalent must be provided downhill from the cut and fill area (or any other disturbed area). The fence must be regularly inspected and cleaned out and/or repaired as necessary and all collected silt must be disposed of to the satisfaction of the Principal Certifying Authority (PCA).

Unnecessary disturbance of the site (e.g. excessive vehicular access) must not occur.

All cuts and fills must be stabilised or revegetated as soon as possible after the completion of site earthworks.

Advertising Signs

13. No additional advertising sign and/or structure other than that approved by Council or that listed as being exempt development in Part 2 Division 2 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, is to be erected as part of the approved development.

For signage that does not form part of this consent or meet the development standards listed in Part 2 Division 2 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, a separate application must be submitted to Council and approval obtained prior to any installation.

Uncovering relics or Aboriginal objects

14. While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- “relic” means any deposit, artefact, object or material evidence that:
 - a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - b) is of State or local heritage significance; and
- “Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

Dust Suppression

15. Where works involve excavation, filling or grading of land, or removal of vegetation, including ground cover, dust is to be suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport. Where excessive dust generation is occurring due to high winds and/or dry conditions it may be necessary to temporarily cease operations.

Public Roads Maintained Clean

16. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated “spoil” material.

PART E - REQUIREMENTS PRIOR TO OCCUPATION CERTIFICATE

Nil

PART F - OPERATIONAL REQUIREMENTS

Hours of Operation

17. The approved hours of operation are:

| DAY | HOURS |
|--------------------------|--------------------|
| Monday to Friday | 7.00 am to 6.00 pm |
| Saturday | 7.00 am to 6.00 pm |
| Sunday & Public Holidays | 7.00 am to 6.00 pm |

Maintenance of internal vehicular manoeuvring aisles, parking areas and loading bays

18. Internal vehicular manoeuvring aisles, parking areas and loading bays shall be maintained clear of obstruction and used exclusively for the purposes of vehicle access, parking and loading and unloading respectively. This is to provide for the ease of circulation of vehicles within the development site. Under no circumstances shall these areas be used for the storage of goods or waste receptacles or any other purpose.

Amenity

19. The development is to be conducted in a manner that will not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, dust, wastewater, waste products and/or oil.

Clean and Tidy

20. The premises are to be maintained in a clean and tidy condition at all times.

Landfill Management Plan

21. A Landfill Management Plan shall be prepared and implemented for the development including management and mitigation measures for the construction, operation and closure of the development.

Final Landform, Rehabilitation and Closure

22. A Landfill Closure Management Plan shall be prepared and implemented for the development detailing the final landform, rehabilitation and closure plan for the development.

PART G – NSW ENVIRONMENTAL PROTECTION AUTHORITY CONDITIONS

Administrative conditions

A1. Information *supplied to the EPA*

A1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- The Development Application DA2024/0039 submitted to Bland Shire Council on 29 January 2024;
- The Statement of Environmental Effects titled 'Access Recycling Barmedman Landfill', prepared by R.W.Corkery & Co Pty Ltd and dated January 2024;
- All additional documents supplied to the EPA in relation to the development, including the letter titled 'Re: NSW EPA request for information - Development Application DA2024/0039' prepared by R.W.Corkery & Co and dated 30 April 2024, the letter titled 'Re: Access Recycling Barmedman - Proposed Ancillary Landfill' prepared by R.W.Corkery & Co and dated 17 June 2024 and the letter titled 'Re: Access Recycling Barmedman - Proposed Ancillary Landfill' prepared by R.W.Corkery & Co and dated 19 June 2024.

A2. Fit and Proper Person

A2.1 The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the *Protection of the Environment Operations Act 1997*, having regard to the matters in s.83 of that Act.

Discharges to Air and Water and Application to Land

P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table are identified in the licence for the purposes of the monitoring and/or setting of limits for discharges of pollutants to water from the point.

Water and land

| EPA Identification | Type of Monitoring Point | Type of Discharge Point | Location Description |
|---------------------------|---------------------------------|--------------------------------|---|
| Points 1 - 6 | Groundwater quality monitoring | | Six piezometers - exact locations to be negotiated with the EPA |
| Point 7 | Leachate quality monitoring | | Leachate storage dam - exact location to be negotiated with the EPA |

Limit conditions

L1. Pollution of waters

L.1.1 Except as may be expressly provided by a licence under the *Protection of the Environment Operations Act 1997* in relation to the development, section 120 of the *Protection of the Environment Operations Act 1997* must be complied with in and in connection with the carrying out of the development.

L2. Waste

L2.1 The licensee must not cause, permit or allow any waste generated outside the premises, except the wastes expressly referred to in the column titled 'Waste' and meeting the definition, if any, in the column titled 'Description' in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled 'Activity' in the table below.

This condition does not limit any other conditions in this licence.

| Code | Waste | Description | Activity | Other Limits |
|------|---------------------------------------|---|--------------------------------------|--|
| NA | General Solid Waste (non-putrescible) | Shredded Floc - as generated at the Premises as part of the approved Resource Recovery Activities | Waste Disposal (application to land) | The total quantity of waste disposed at the premises must not exceed 7000 tonnes per annum |

L3. Noise limits

L3.1 Noise generated at the premises must not exceed the noise limits at the times and locations in the table below. The locations referred to in the table below are indicated by the Noise Impact Assessment for the Access Recycling - Barmedman - Ancillary Landfill, prepared by RWDI Australia Pty Ltd and dated 13 December 2023 and shown on Figure 2.1.

| Location | Noise Limits in dB(A) / Day / LAeq(15 minute) |
|----------|---|
| R2 | 40 |
| R3 | 40 |
| R4 | 40 |

L3.2 For the purposes of condition L3.1:

- a. Day means the period from 7am to 6pm Monday to Friday and 8am to 1pm Saturday.

L3.3 Noise-enhancing meteorological conditions

| Assessment Period | Meteorological Conditions |
|-------------------|--|
| Day | Stability Categories A, B, C, D and E with wind speeds up to and including 3 metres per second (m/s) at 10 metres above ground level |

L3.4 For the purposes of condition L3.3:

- a. The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as Bureau of Meteorology AWS at West Wyalong, NSW,
- b. Stability category shall be determined using the following method from Fact Sheet D of the *Noise Policy for Industry* (NSW EPA, 2017):
 - i. Pasquill-Gifford stability classification scheme (section D1.3.1).

L3.5 To assess compliance:

- a. with the $L_{Aeq}(15 \text{ minute})$ noise limits in condition L3.1 and L3.2, the noise measurement equipment must be located:
 - i. approximately on the property boundary, where any residence is situated 30 metres or less from the property boundary closest to the premises; or where applicable,
 - ii. in an area within 30 metres of a residence facade, but not closer than 3 metres where any residence on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable,
 - iii. in an area within 50 metres of the boundary of a National Park or Nature Reserve,
 - iv. at any other location identified in condition L3.1
- b. with the $L_{Aeq}(15 \text{ minute})$ noise limits in condition L3.1 and L3.3, the noise measurement equipment must be located:
 - i. at the reasonably most affected point at a location where there is no residence at the location; or
 - ii. at the reasonably most affected point within an area at a location prescribed by condition L3.5(a).

L3.6 A non-compliance of condition L3.1 and L3.3 will still occur where noise generated from the premises is measured in excess of the noise limit at a point other than the reasonably most affected point at the locations referred to in conditions L3.5 (a) or L3.5(b).

NOTE to L3.5 and L3.6: The reasonably most affected point is a point at a location or within an area at a location experiencing or expected to experience the highest sound pressure level from the premises.

L3.7 For the purpose of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the *Noise Policy for Industry* (NSW EPA, 2017) may be applied, if appropriate, to the noise measurements by the noise monitoring equipment.

L3.8 Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

L4 Hours of operation

L4.1 All construction work at the premises must only be conducted between 7:00am and 6:00pm Monday to Friday and 8:00 to 1:00pm Saturday with no construction activities carried out on Sundays or Public Holidays.

L4.2 Activities at the premises, other than construction work, may only be carried on between 8:00am and 6:00pm with no operations on weekends or Public Holidays.

L4.3 This condition does not apply to the delivery of material outside the hours of operation permitted by condition L4.1 or L4.2, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

L4.4 The hours of operation specified in conditions L4.1 and L4.2 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

Operating conditions

O1. Odor

O1.1 The licensee must not cause or permit the emission of offensive odor beyond the boundary of the premises.

Section 129 of the *Protection of the Environment Operations Act 1997*, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

O1.2 No condition in this licence identifies a potentially offensive odour for the purposes of Section 129 of the *Protection of the Environment Operations Act 1997*.

O2. Dust

O2.1 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

O2.2 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

O3. Stormwater/sediment control - Construction Phase

O3.1 An Erosion and Sediment Control Plan (ESCP) must be prepared and implemented. The plan must describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities.

The ESCP should be prepared in accordance with the requirements for such plans outlined in *Managing Urban Stormwater: Soils and Construction* (available from the Department of Housing).

O4. Stormwater/sediment control - Operation Phase

O4.1 A Stormwater Management Scheme must be prepared for the development and must be implemented. Implementation of the Scheme must mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities. The Scheme should be consistent with the Stormwater Management Plan for the catchment. Where a Stormwater Management Plan has not yet been prepared the Scheme should be consistent with the guidance contained in *Managing Urban Stormwater: Council Handbook* (available from the EPA).

O5 Waste Management

O5.1 Cover material must be applied in accordance with the following requirements unless otherwise approved by the EPA:

- a. Daily Cover - cover material must be applied to a minimum depth of 15 centimetres over the exposed landfilled waste prior to ceasing operations at the end of the day.
- b. Intermediate Cover - cover material must be applied to a depth of 30 centimetres over surfaces of the landfilled waste at the premises which are to be exposed for more than 90 days.
- c. Cover material stockpiled - at least 2 weeks cover material must be available at the premises under all weather conditions.

O5.2 The proponent must prepare and submit to the EPA within 12 months prior to the last load of waste being landfilled at the premises a closure plan prepared in accordance with section 76 of the *Protection of the Environment Operations Act 1997*.

O5.3 There must be no incineration or burning of waste at the premises.

O5.4 The proponent must minimise the tracking of waste and mud by vehicles.

O5.5 The proponent must have in place and implement procedures to identify and prevent the disposal of any waste not permitted by this licence to be disposed of at the premises.

O6 Leachate Management

O6.1 Water which contacts waste, other than virgin excavated natural material, must be managed as leachate.

O6.2 Leachate must only be disposed of by:

- a. Evaporation
- b. Irrigation within the active cell of the landfill; or
- c. Disposal at a facility licensed to accept such waste.

O6.3 Irrigation of leachate within the active cell must only be undertaken:

- a. During dry weather; and
- b. Such that ponding or run off within the active cell does not occur, and if the

active tipping face is enclosed by a 300mm high earthen bund.

O6.4 Use of leachate as a dust suppressant outside the active cell is prohibited.

M1 Monitoring records

M1.1 The results of any monitoring required to be conducted by the EPA’s general terms of approval, or a licence under the *Protection of the Environment Operations Act 1997*, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions M1.2 and M1.3.

M1.2 All records required to be kept by the licence must be:

in a legible form, or in a form that can readily be reduced to a legible form;

kept for at least 4 years after the monitoring or event to which they relate took place;

and produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.3 The following records must be kept in respect of any samples required to be collected:

- the date(s) on which the sample was taken;
- the time(s) at which the sample was collected;
- the point at which the sample was taken;
- and the name of the person who collected the sample.

M2. Requirement to monitor concentration of pollutants discharged

M2.1 For each monitoring/ discharge point or utilisation area specified below (by a point number), the applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The applicant must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

Point 1-6 Groundwater Quality

| Pollutant | Units of measure | Frequency | Sampling Method |
|---------------------------------------|------------------------------|------------------|------------------------|
| Alkalinity (as calcium carbonate) | Milligrams per litre | 6 Monthly | Grab Sample |
| Calcium | Milligrams per litre | 6 Monthly | Grab Sample |
| Chlorine | Milligrams per litre | 6 Monthly | Grab Sample |
| Conductivity | Milli-siemens per centimetre | 6 Monthly | Grab Sample |
| Nitrate + Nitrite (oxidised nitrogen) | Milligrams per litre | 6 Monthly | Grab Sample |
| Nitrogen (ammonia) | Milligrams per litre | 6 Monthly | Grab Sample |
| pH | pH | 6 Monthly | Grab Sample |
| Potassium | Milligrams per litre | 6 Monthly | Grab Sample |
| Sodium | Milligrams per litre | 6 Monthly | Grab Sample |
| Standing Water Level | metres | 6 Monthly | Grab Sample |
| Sulphate | Milligrams per litre | 6 Monthly | Grab Sample |

| | | | |
|------------------------|----------------------|-----------|-------------|
| Total dissolved solids | Milligrams per litre | 6 Monthly | Grab Sample |
| Total organic carbon | Milligrams per litre | 6 Monthly | Grab Sample |
| Total Phenolics | Milligrams per litre | 6 Monthly | Grab Sample |

Point 7 - Leachate Quality Monitoring

| Pollutant | Units of measure | Frequency | Sampling Method |
|---------------------------------------|------------------------------|-----------|-----------------|
| Alkalinity (as calcium carbonate) | Milligrams per litre | 6 Monthly | Grab Sample |
| Calcium | Milligrams per litre | 6 Monthly | Grab Sample |
| Chloride | Milligrams per litre | 6 Monthly | Grab Sample |
| Conductivity | Milli-siemens per centimetre | 6 Monthly | Grab Sample |
| Fluoride | Milligrams per litre | Yearly | Grab Sample |
| Lead | Milligrams per litre | Yearly | Grab Sample |
| Magnesium | Milligrams per litre | 6 Monthly | Grab Sample |
| Manganese | Milligrams per litre | Yearly | Grab Sample |
| Nitrate + Nitrite (oxidised nitrogen) | Milligrams per litre | 6 Monthly | Grab Sample |
| Nitrogen (ammonia) | Milligrams per litre | 6 Monthly | Grab Sample |
| pH | pH | 6 Monthly | Grab Sample |
| Potassium | Milligrams per litre | 6 Monthly | Grab Sample |
| Sodium | Milligrams per litre | 6 Monthly | Grab Sample |
| Sulphate | Milligrams per litre | 6 Monthly | Grab Sample |
| Total dissolved solids | Milligrams per litre | 6 Monthly | Grab Sample |
| Total organic carbon | Milligrams per litre | 6 Monthly | Grab Sample |
| Total Phenolics | Milligrams per litre | 6 Monthly | Grab Sample |

Reporting conditions

R1.1 The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the *Protection of the Environment Operations Act 1997* in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

Special conditions

E1 Cell Detailed Engineering Design and Construction Quality Assurance Plan

E1.1 Prior to the commencement of the construction of any landfill cell the proponent must prepare and submit to the EPA by email at info@epa.nsw.gov.au for approval a Construction Quality Assurance Plan (CQAP) in accordance with Section 11.1 of the 'Environmental Guidelines: Solid Waste Landfills' dated 2016. The CQAP must be produced by an independent and suitability qualified person. The CQAP must include a stability assessment incorporating modes of potential failure.

E2 Cell Design and Construction Quality Assurance Report

E2.1 The proponent must construct the landfill cells in accordance with the approved designs as required by Condition E1.1 and in accordance with any comments provided by the EPA following approval of the designed as required by Condition E1.1.

E2.2 Following construction of each cell, the proponent must submit to the EPA by email at info@epa.nsw.gov.au for approval a Construction Quality Assurance (CQA) Report. The CQA Report must be produced by an independent and suitability qualified person and must contain:

- a. details and evidence of the works installed, the testing conducted, and the quality assurance procedures implemented;
- b. an account of any variations to the approved designs, methods and specifications;
and
- c. an opinion by an appropriately qualified and experienced construction quality assurance practitioner that the works conform to the approved designed, methods and specifications.

E2.3 Waste must not be placed in any landfill cell until written approval is granted by the EPA.

E3 Final Capping

E3.1 The proponent must construct final capping of all landfill cells that includes the following capping layers, from bottom to top:

- a. a seal bearing surface layer 300mm thick;
- b. a sealing layer comprising a geosynthetic clay liner and a polyethylene geomembrane;
- c. a protection geotextile; and
- d. a revegetation layer 1000m thick, including a 200mm thick topsoil layer.

E3.2 At least 6 months prior to construction of the final capping, the proponent must submit to the EPA for approval by email at info@epa.nsw.gov.au, capping designs and a Construction Quality Assurance Plan, Construction must not commence until the EPA has approved these plans in writing.

E3.3 Following construction of the final capping, the proponent must submit a Construction Quality Assurance Report containing:

- a. details and evidence of the works installed, the testing conducted and the quality

- assurance procedures implemented;
- b. an account of any variations to the approved designs, methods and specifications; and
 - c. an opinion by an appropriately qualified and experienced construction quality assurance practitioner that the works conform to the approved designs, methods and specifications.

PART H – NSW ENVIRONMENTAL PROTECTION AUTHORITY MANDATORY CONDITIONS FOR ALL EPA LICENCES

Administrative conditions

Operating conditions

Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner.

This includes:

- a. the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b. the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

Maintenance of plant and equipment

All plant and equipment installed at the premises or used in connection with the licensed activity: must be maintained in a proper and efficient condition; and must be operated in a proper and efficient manner.

Monitoring and recording conditions

Recording of pollution complaints

The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

The record must include details of the following:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;

- the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the licensee, the reasons why no action was taken.

The record of a complaint must be produced to any authorised officer of the EPA who asks to see them and kept for at least 4 years after the complaint was made.

Telephone complaints line

The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

This condition does not apply until 3 months after this condition takes effect.

Reporting conditions

Annual Return documents

What documents must an Annual Return contain?

The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

- d. Statement of Compliance; and
- e. Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

Period covered by Annual Return

An Annual Return must be prepared in respect of each reporting, except as provided below

Note: The term “reporting period” is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

Where this licence is transferred from the licensee to a new licensee,

- a. the transferring licensee must prepare an annual return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b. the new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on

- a. in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b. in relation to the revocation of the licence – the date from which notice revoking the licence operates.

Deadline for Annual Return

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

Notification where actual load can not be calculated

Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date.

The notification must specify:

- a. the assessable pollutants for which the actual load could not be calculated; and
- b. the relevant circumstances that were beyond the control of the licensee.

Licensee must retain copy of Annual Return

The licensee must retain a copy of the annual return supplied to the EPA for a period of at least 4 years after the annual return was due to be supplied to the EPA.

Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary

Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a. the licence holder; or
- b. by a person approved in writing by the EPA to sign on behalf of the licence holder.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Written report

Where an authorised officer of the EPA suspects on reasonable grounds that:

- a. where this licence applies to premises, an event has occurred at the premises; or
- b. where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

The request may require a report which includes any or all of the following information:

- a. the cause, time and duration of the event;
- b. the type, volume and concentration of every pollutant discharged as a result of the event;
- c. the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
- d. the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e. action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f. details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- g. any other relevant matters.

The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

General conditions

Copy of licence kept at the premises or on the vehicle or mobile plant

A copy of this licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies. The licence must be produced to any authorised officer of the EPA who asks to see it.

The licence must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.

PART I – REASONS FOR CONDITIONS

Conditions of consent have been imposed to:

1. Ensure the proposed development:
 - a) achieves the objectives of the *Environmental Planning and Assessment Act 1979*;
 - b) complies with the provisions of all relevant environmental planning instruments;
 - c) is consistent with the aims and objectives of Council's Development Control Plans, Codes and Policies.
2. Ensure that the relevant public authorities and the water supply authority have been consulted and their requirements met or arrangements made for the provision of services to the satisfaction of those authorities.
3. Meet the increased demand for public amenities and services attributable to the development in accordance with Section 7.11 of the *Environmental Planning and Assessment Act 1979*.
4. Ensure the protection of the amenity and character of land adjoining and in the locality of the proposed development.
5. Minimise any potential adverse environmental, social or economic impacts of the proposed development.
6. Ensure that all traffic, carparking and access requirements arising from the development are addressed.
7. Ensure the development does not conflict with the public interest.

PART J – GENERAL ADVICE

ADVISORY NOTE

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets, please contact Before You Dig Australia (BYDA) at www.byda.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW).

If alterations are required to the configuration, size, form or design of the development upon contacting the Before You Dig Australia service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets

on the relevant property via contacting the Before You Dig Australia service in advance of any construction or planning activities.

BOUNDARY ENCROACHMENTS

Consent given to build in close proximity to the allotment boundary is in no way to be construed as permission to build on, or encroach over, the allotment boundary. Your attention is directed to the provisions of the *Dividing Fences Act 1991*, which gives certain rights to adjoining owners, including use of the common boundary. In the absence of the structure standing well clear of the common boundary, it is recommended that you make yourself aware of your legal position. This may necessitate a survey to identify the allotment boundary.

LAPSING OF DEVELOPMENT CONSENT

Development consent does not lapse if the approved use has actually commenced or the proposed work is physically commenced before the consent lapse date, except where a condition specifies a limit to the duration of the consent.

RIGHT OF APPEAL

If you are the applicant:

You can appeal against this decision in the Land and Environment Court within twelve (12) months of the date of this notice (section 8.7 of the *Environmental Planning and Assessment Act 1979*). You cannot appeal, however, if a Commission of Inquiry was held and the development is designated development or state significant development.

REVIEW OF DETERMINATION

An applicant may request the Council to review this determination within one (1) year after the date the applicant received this notice. The prescribed fee must be paid with the request for a review. Once the review is completed the Council may confirm or change the determination.

If there is an appeal, the period of time within which Council may undertake a review is extended up to the time the Court hands down its decision.

Under Division 8.2 Reviews of the *Environmental Planning and Assessment Act 1979*, a determination or decision in connection with an application relating to the following is not subject to review-

- a) a complying development certificate,
- b) designated development,
- c) Crown development (referred to in Division 4.6).

Section 4 – Reports for Information

Recommendation:

That the following reports, provided for information only, be received and noted:

8.23 – Economic Development & Tourism Report

8.24 - Community Development Report

8.25 - Bland Shire Library Monthly Update

8.26 - Children Services October Update

8.27 - Bland Community Care Services Update October 2024

8.28 - Technical Services Report

8.29 - Development Services Activity Report – October 2024

8.23 Economic Development & Tourism Report



Our Prosperity - Growing our population and jobs

DP15.2 Continue ongoing engagement and communication with the Shire's existing industry including support for diversification and alternate industry or business

Economic Development

Bland Shire has been part of the Why Leave Town (WLT) program since November 2017.

During this time 8,974 cards have been loaded in our Region equating to a total value of \$491,769 which has been given as gift cards and spent within the local community.

This EFTPOS-based gift card works like any other gift card, but with one key difference: it can only be spent at participating businesses. This gives cardholders a broad choice in how they spend their card while also supporting local businesses.

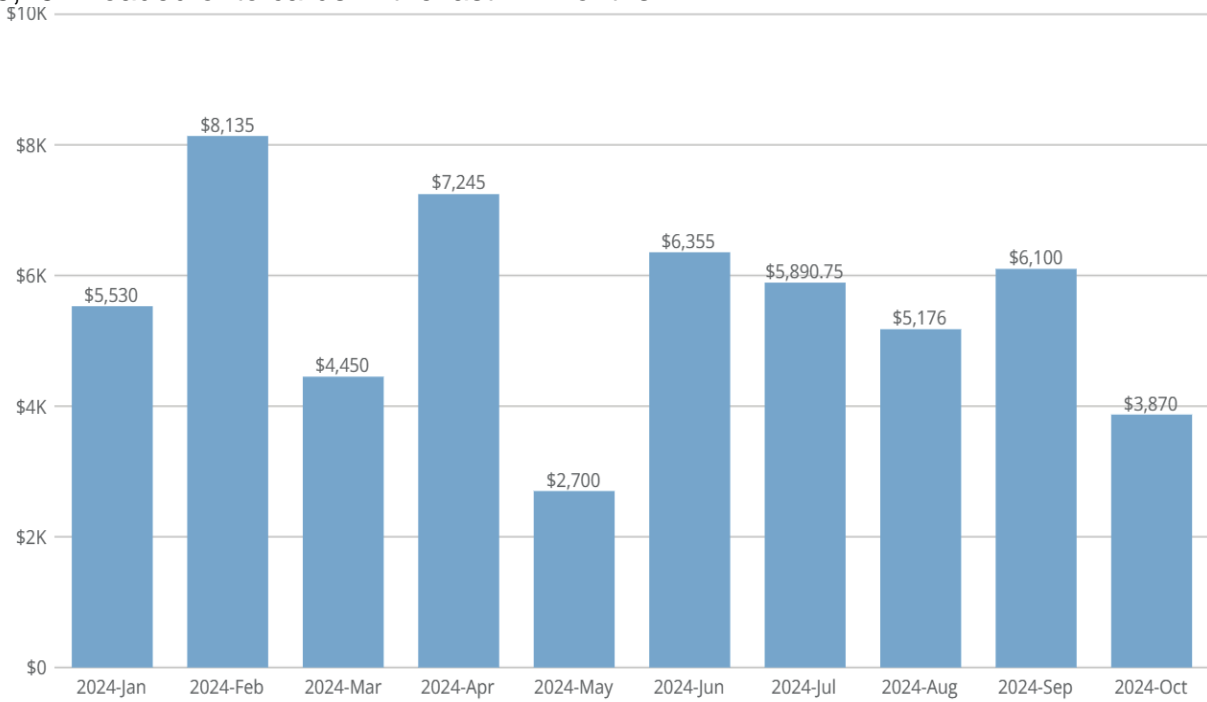
Did you know that when you spend \$100 at a small business that is owned and operated by a local resident, \$71.25* remains in our local economy!

**May 2024, REMPLAN Data*

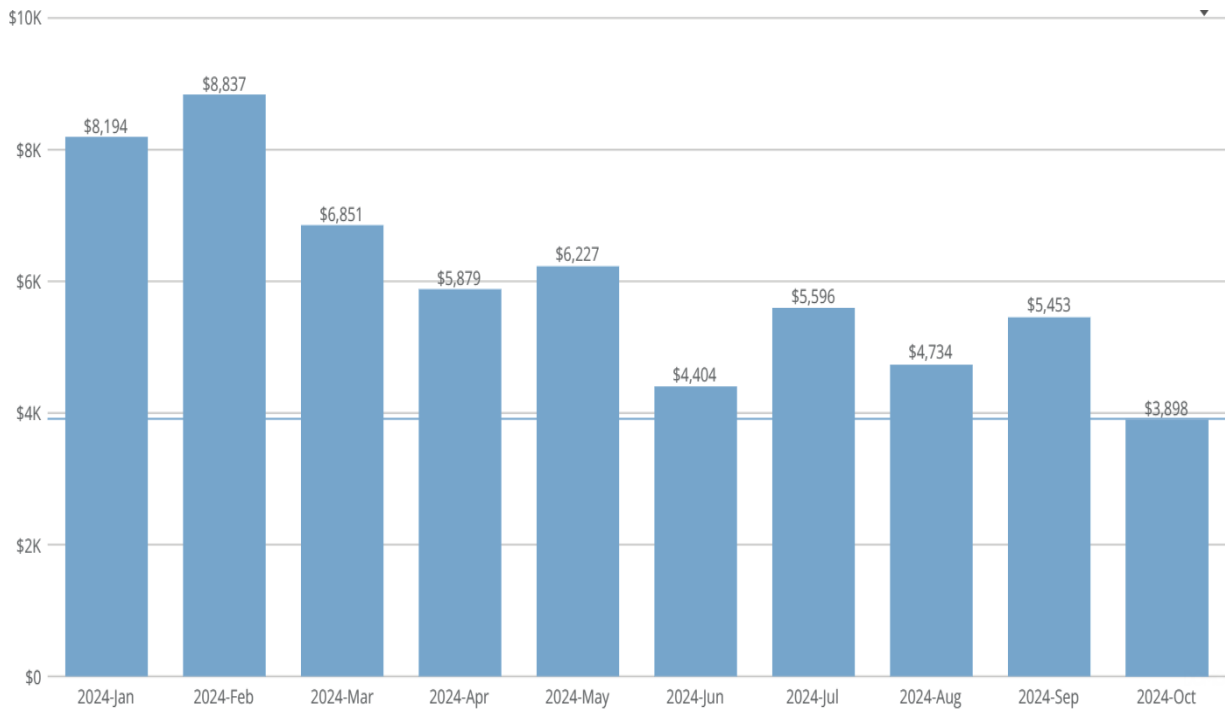
Why Leave Town Statistics – October 2024



\$55,452 Loaded onto cards in the last 12 months



\$60,074 Redeemed in last 12 months



WLT Participating Stores



- | | |
|---|--------------------------------------|
| All Occasions | Royal Hotel |
| Armstrong Toyota | Rise and Grind |
| Bernardi's Marketplace | Shell Westend Service Station *** |
| Bland Shire Council | Splatter Gallery and Art Studio |
| Body, Health & Bowen | <u>Tattersals</u> Hotel West Wyalong |
| Davies Automotive & Industrial *** | The Little Shed |
| Davies Motorcycles *** | The Metropolitan Hotel |
| Discount Dollar | The Old Gum Tree Garden Centre |
| Duncan's Chainsaw and Mower Centre | Tivoli West Wyalong |
| Exclusive Hot Glass | Tony Lord Optometrist |
| Freemans Mitre 10 | Top Town Tavern *** |
| Glow for Beauty | Wendy's Embroidery Service |
| Hair Off Main | West Wyalong Caravan Park |
| <u>Healthsave</u> West Wyalong Pharmacy | West Wyalong Chemist |
| House of Fashion *** | West Wyalong Furniture One |
| Jade Teahouse Restaurant | West Wyalong IGA |
| JJ & DF Pilon General Engineering | West Wyalong Jewellers |
| Kelly's Plumbing Supplies | West Wyalong Landfill |
| <u>Larrys</u> Butchery | West Wyalong S. & C. Club *** |
| <u>Malleetek</u> Pty | West Wyalong Sew and Save |
| Murrays Maxi Taxi | What's <u>Cookin'</u> |
| Paragon Cafe | White Tank Hotel |
| <u>Pilons</u> Press Juice and Health Products | *** indicate Load Up Stores |
| Pink Velvet | |



Tourism

Bland Shire Council attended the Canberra Camping and Caravanning Lifestyle Expo between Friday, 25th to Sunday 27th October 2024 as part of The Riverina Councils.

The expo featured a wide array of local produce from across the Riverina along with Riverina maps and brochures. Visitation and sales at the stall were strong each day, with some products selling out by Saturday afternoon. Daily sales exceeded \$2,000.

This year, the display site was relocated to a more prominent position within the pavilion and expanded to a larger area. This upgrade significantly enhanced exposure and allowed the products to be showcased in a more appealing and inviting manner.

Representatives from various council areas in The Riverina took turns manning the stall, introducing visitors to the region's attractions and events. Many visitors with connections to or who had lived in the region stopped by, as well as those expressing a desire to explore the area.

Overall, it was a very successful event, showcasing the entire Riverina to a large audience.



8.24 Community Development Report



Our People - A Strong, healthy, connected and inclusive community

DP3- Nurture a strong sense of community and enrich the cultural life for the residents of the Bland Shire

Author: Community Development Officer

Mornings, Melodies & Memories

This program remains popular with participation numbers remaining steady.

Old Time Rock 'n Roll Band, Jamie and the Shakers has been booked to entertain at the last session for the year at Toppo Hall commencing at 11am, with morning tea provided. This session will also be free to Seniors of the Bland Shire, with bookings essential.

Below is a list of locations visited and number of attendees at each session:

| Date | Location | Number of participants |
|--------------|----------------------------------|------------------------|
| 8 July | Barmedman | 12 |
| 15 July | Ungarie | 7 |
| 22 July | Weethalle | 9 |
| 5 August | Tallimba | 5 |
| 12 August | Barmedman | 9 |
| 19 August | Ungarie | 7 |
| 26 August | Weethalle | 9 |
| 2 September | Mirrool | 3 |
| 9 September | Barmedman | 14 |
| 16 September | Ungarie | 6 |
| 30 September | Weethalle | 2 |
| 7 October | PUBLIC HOLIDAY – No session held | |
| 14 October | Tallimba | 2 |
| 21 October | Barmedman | 11 |
| 28 October | Ungarie | |



Dates and Locations for Mornings, Melodies and Memories for the remainder of the calendar year include:

| Date | Location |
|-------------|--------------|
| 4 November | Weethalle |
| 11 November | Mirrool |
| 18 November | Barmedman |
| 25 November | Ungarie |
| 2 December | Weethalle |
| 9 December | Tallimba |
| 12 December | West Wyalong |

Australian Skin Cancer Truck

Bland Shire Council has partnered with Evolution Mining Cowal Operations to bring the Australian Skin Cancer Foundation Skin Check Truck to the Bland Shire. This vital service has

been provided free of charge to community members of the Bland Shire. The Skin Check Truck visited Barmedman on Friday 11 October with 90 skin checks performed. The truck was located at Mirrool on Saturday 12 October with 60 skin checks performed. Various biopsies are now required on suspicious lesions.

The Australian Skin Cancer Foundation Skin Check Truck has been booked for the following dates and locations for 2025:

- Friday 2 May 2025 – West Wyalong
- Saturday 3 May 2025 – Weethalle (Weethalle Country Music Muster Weekend)
- Friday 17 October 2025 – Ungarie
- Saturday 18 October 2025 – West Wyalong (Hearts of Gold Festival Weekend).

Bland Shire Interagency

Bland Shire will host its next Interagency at Barmedman Public School on Wednesday 13 November 2024, this meeting will be followed by a 'Mini Expo' at the Barmedman Public School Library, inviting the community to attend the Expo and collect information on services available throughout the Bland Shire.

FOOD BANK

PLUS FREE pop-up vaccination clinic and health checks thanks to Murrumbidgee Primary Health Network

SUPPLYING FREE FRUIT AND VEGGIES FOR PEOPLE IN NEED

Foodbank NSW/ACT is hosting a food relief pop up in West Wyalong to provide access to fresh, healthy, and nutritious produce for people experiencing food insecurity in our community.

Time
Thursday 28th November 2024
From 9.30am - 1pm

Place
McAlister Oval, 73 Park Street
West Wyalong, NSW 2671

What to bring
Everyone must bring their own reusable bags.
There will be no deliveries.

Please do not visit the pop up if you are feeling unwell.

Thank you to the Murrumbidgee Primary Health Network for supporting this initiative.

Funded by **phn** firstHealth
Supported By **BLAND SHIRE COUNCIL**

Pop up Foodbank

Bland Shire Council is supporting Murrumbidgee Primary Health Network to provide a safe space for its mobile Pop up Foodbank which will be in West Wyalong on Thursday 28 November 2024, located at McAlister Oval Car Park from 9.30am unit 1.00pm. The Foodbank will be supplying free fruit and veggies for people in need and also offering a free pop-up vaccination clinic and health checks.

NSW Youth Work Conference 2024

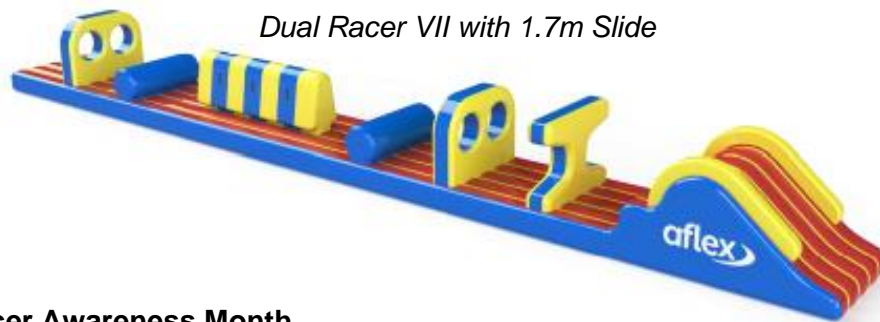
Bland Shire Council's Community Development Office and Youth Services Officer attended the NSW Youth Work Conference in Dubbo on Thursday 31 October and Friday 1 November 2024 hosted by Youth Action. Youth Action is the peak body for young people and youth services in NSW. This conference gave staff the opportunity to learn from knowledgeable experts from the youth sector across panels, workshops and masterclasses.

NRMA Driving Lessons

Bland Shire Council received grant funding from the NSW Government, Department of Communities and Justice to deliver free driving lessons for 'L' Plate drivers throughout the October school holidays. This activity is always popular with spaces booked to capacity with a total of 17 young drivers being provided with a 1-hour lesson, which is equivalent to 3 hours in their log books.

Holland Park Pool Inflatable

Council provided funding in the 2024/2025 operational budget to purchase a new pool inflatable to be located at Holland Park Pool. This was purchased from aflex with consultation with the pool contractor to ensure it was the correct choice for Holland Park Pool.



Breast Cancer Awareness Month

October was National Breast Cancer Awareness Month. Over 20,000 Australians are diagnosed with breast cancer each year and more than 3,000 women and 33 men lose their life. West Wyalong's Main Street was lit up with pink lights for the month of October to shine awareness on Breast Cancer Awareness Month. This was a perfect opportunity to remind everyone to make an appointment and get screened for breast cancer.

For the week commencing Monday 14 October Bland Shire Council staff were encouraged to wear pink to raise awareness for Breast Cancer. A breakfast was held at the Bland Shire Depot followed by a morning tea at the Youth Centre to raise funds for the cause.



Bland Shire Council partnered with Breast Cancer Network Australia to establish a Mini Field of Women which is a display of pink silhouettes that people could purchase and dedicate as a tribute to a loved one affected by breast cancer. The Mini Field of Women was on display at the Youth Centre until the end of October. A total of \$1,101.65 was raised and donated to Breast Cancer Network Australia.



8.25 Bland Shire Library Monthly Update



Our People - A Strong, healthy, connected and inclusive community

DP3.4 Foster a community learning culture optimising our physical and virtual spaces.

Author: Library Services Coordinator

Highly Successful School Holiday Program

The library's October school holiday program drew more than 200 participants, including 100 children and adults who enjoyed the interactive family show Balloon Antics featuring "Bruce Balloonatic" and his white rabbit, Ally Kazam. The school holiday program also offered activities such as kite decorating (with kits provided by Riverina Regional Library), Lego, decorating birdhouses and making birdseed feeders, as well as mosaic flowerpots. All activities had limited spots and were fully booked.

Planning for the 2025 January school holidays is well-underway with the following events already booked.

- Thursday, January 9, 10am. Reptiles on the Go!
- Wednesday, January 29, 1.30pm. My Pet Dinosaur (Just Dream Productions).



Gambling Awareness Session Held October 21

To highlight Gamble Awareness Week, Bland Shire Library hosted an engaging information session led by Claire Thomas, Community Educator for GambleAware, Murrumbidgee, and Gemma Hobbs, a GambleAware Practitioner. The session, aimed at Year 11 students, involved an interactive activity where participants took turns spinning a wheel and reading out gamble-related questions, which were then discussed by the group. The feedback from students was overwhelmingly positive, with most expressing amazement at how much they didn't know about gambling and how much they had learned from the session.

Claire and Gemma also set up an information booth offering handouts about gambling, making resources readily available for residents to access.



Cuppa for Dementia Held October 30

Bland Shire Library hosted a Cuppa for Dementia event, featuring guest speakers Joanne Mayberry, Care Manager at the Royal Freemasons' Benevolent Institute, and local figure Fran Mitchell. Joanne provided an insightful presentation on dementia, while Fran shared a heartfelt and emotional personal story about caring for a loved one with the condition.

The event attracted a large crowd and raised almost \$400 for Dementia Australia. All funds raised will help Dementia Australia meet the increasing demand for services, support, and research.



Christmas Food & Gifts Appeal Launched

The Bland Shire Library Christmas Food and Gifts Appeal, which the library has been running for more than a decade, supports the local St Vincent de Paul Society in providing Christmas hampers and gifts to local families in need, making the festive season a little brighter for those less fortunate.

Bland Shire Library launched the appeal in early November, with donations accepted until 5 pm on Friday, December 13, 2024. Items can also be dropped off at the Bland Children's Services Unit and TAFE West Wyalong.

The library is asking that all donated food be non-perishable, in-date, and preferably in keeping with the Christmas spirit while all gifts be donated unwrapped and suitable for children aged 0 – 15 years.

A highlight of this year's Appeal is the library's knitted Christmas tree, created by the library's resident knitting group, Knit n Knatter.



Santa's Mailbox

Santa's Mailbox has been delivered by the Elves. Letters to Santa will be taken up until 5pm Friday, December 13. Santa's Mailbox is for Bland Shire library members and their immediate families only, with the children receiving a personalised letter from the big man in red. Santa's Mailbox has been a longstanding tradition at the library for near on two decades.

Christmas Activity Book to Support Country Hope

Bland Shire Library has created a Christmas activity book to entertain children over the festive season. The book is available for the minimal fee of a gold coin donation with all proceeds supporting Country Hope.

Age Care Talk Postponed

Marathon House has cancelled its talk on aged care, originally scheduled for Wednesday, November 6, at the library. The event will be rescheduled for the new year.

HSC Lock-in Held November 7

Bland Shire Library hosted its annual HSC Lock-in for Year 12 students sitting the Higher School Certificate in 2025. The after-hours event held Thursday, November 7, featured a presentation by library staff on HSC resources available through the public library network, a talk by Kellie Tillman on healthy eating – the connection between the gut and the brain, and study tips from past students. To lighten the evening, Madelaine Wesierska from the high school took the students through some stress-relief exercises aimed at promoting relaxation.

Organised in collaboration with the West Wyalong High School, the event attracted 20 students, each receiving a bonus gift bag at the conclusion. To end the evening's event, the students dined on pizza, provided by the West Wyalong High School.

US Elections Talk, November 14

The library hosted a talk on the US elections, led by Charles Kingston. Charles is a dual citizen of the United States and actively participates in voting. As a passionate political enthusiast, Charles delivered an insightful talk to a small gathering.

Annual Summer Reading Challenge Launched

Bland Shire Library will launch its annual Summer Reading Club 40-Day Challenge on Wednesday, November 20, 2024. The free incentive-based reading program is for school students aged 5 — 16 years. Their challenge is to read for a minimum of 40 days between December 1, 2024, and January 31, 2025. No matter what their age or level of reading, participants can read as many or as few books as they like. While it is recommended that participants read for at least 10 — 20 minutes per day, this is only a guideline and is not compulsory.

To help participants reach their goal, Bland Shire Library will reward each child for every 10 days that they read, up to 40 days. To receive their reward, participants simply present their reading log at the library and have it stamped or signed by a staff member. All entries in their reading log must be validated — that is, signed by a parent or guardian.

There are additional activities for registered participants to share including a Bingo Challenge, weekly draw, competitions, and special holiday events, with a presentation and finale party to be held in February 2025.

The sponsors for the 2024-25 Summer Reading Challenge include longtime partners: The L & R Group – Holland Park Pool (\$250), West Wyalong French Hot Bread (\$400), and Evolution – Cowal Gold (\$990). Unfortunately, What's Cookin', a valued longtime sponsor, could not participate this year. However, Bland Shire Library is pleased to welcome the Bernardi's Group as new sponsors with an initial donation of \$500.

Registration for the Summer Reading Club 40-Day Challenge will be taken up until 5pm Thursday, December 19, 2024.

Library Services Delegates

Bland Shire Library warmly welcomes the Council's newly appointed delegate for library services, Cr. Brooks, along with the second delegate, Cr. Funnell.

Library Work Placement

Bland Shire Library will host a Year 9 student from Ungarie Central School for a five-day work placement in early December.

The library is currently hosting a Year 11 student from the West Wyalong High School. The student will continue to attend every Tuesday from 9:30 am to 3 pm and every second Monday from 11 am to 2 pm until the end of the school term.

What Else is Happening in December?

- Monday, December 2, from 10.30am. The **Day Book Club** will hold its final meeting of 2024, featuring a festive morning tea for members. Additionally, member registrations and book selections for 2025 will be discussed in preparation for the upcoming year.
- Wednesday, December 4, from 3.30pm. The **LEGO Club** will wrap up its 2024 season.

- Thursday, December 5, from 12.30pm. Bland Shire Library will host a Christmas gathering for the carers and their clients from **Kurrajong Lifestyle Choices**. The group, which visits the library each term, will partake in a light luncheon, followed by festive games, and a Christmas craft activity.
- Friday December 6, from 10.30am. A special **Baby Bounce** session themed around Christmas will be held to conclude the year. The session will include Christmas action songs, Christmas craft, and some festive treats.
- Monday, December 9, from 9.30am. The library's **Home Library Service** will make one final delivery prior to the Christmas shutdown. Clients will receive additional items and an extended loan period. The service will resume Monday January 6, 2025.
- Monday, December 9, from 2pm. The **GOLD Club** will come together for its final session of 2024. A festive afternoon filled with Christmas activities and an afternoon tea has been planned.
- Tuesday, December 10, from 1.30pm. **Knit n Knatter** will wrap up its 2024 season. The group will be treated to a light lunch followed by a festive afternoon of activities.
- Wednesday, December 11, from 3.30pm. Christmas Ornament Craft for children 5 to 14 years. Cost \$5:00. Places are limited so booking is essential.
- Thursday, December 12, from 10.30am. The library's weekly **Storytime** program will conclude with a special visit from Santa.
- Friday, December 13, 4pm - **Kids Monthly Prize Draw**. The draw (a promotional tool to encourage junior membership registrations) and generally held the last Friday of each month, will be held mid-December to ensure that all prizes are collected prior to the Christmas shutdown.
- Friday, December 13, 5pm. The library will announce the winner of a **Christmas Hamper from Thom Dick and Harry's**. To enter, participants must be 18 years, a registered member of Bland Shire Library, and used the library's services between November 1 and December 13, 2024.
- Saturday, December 14. The library will reveal the winner of a **Lolly Guessing Competition**, designed especially for kids! Children can visit the library and guess the number of lollies in the jar. The more visits they make, the greater their chances of winning. The winner will be the child who guesses the correct number or comes closest to it. The competition closes at 12 noon Saturday, December 14.
- Tuesday, December 17, 10am – 12pm. The library will hold a morning tea for **Tech Savvy Seniors** participants to conclude 2024.
- **Ungarie Central School** has booked a visit to the library for their Kinder to Year 4 students on Tuesday, December 17.

'Statistics for October

- The library held 25 program sessions in October, including school holiday activities. It should be noted that several regular programs are not held in the school holidays, for example, Tech Savvy Seniors and Storytime.
- Regular children's programs – 369 participants were recorded.
- Regular adult programs – 78 participants were recorded.
- Special programs for adults and youth – 60 participants were recorded.
- 17 new member registrations, bringing the total number of library members to 1679.
- Customer Service Requests – 374
- Information Requests – 163

- Computer usage – 167
- Wi-Fi Requests – 44
- Virtual Reality Headset – 18
- Visitor Information Requests handled by library staff – 126
- 14 clients received deliveries from the Home Library Service. Clients have the option of a fortnightly or monthly delivery.
- 1033 items were issued.
- 119 items reserved with 105 allocated.

8.26 Children Services October Update



Our People - A Strong, healthy, connected and inclusive community

DP4.2 Provide quality, accredited and affordable Education and Care Services within Bland Shire and surrounds (Bland Preschool, Family Day Care, Mobile Resource Unit, It Takes a Village and Toy Library services)

Author: Children Services Coordinator

Educators and children enjoyed the break during October school holidays. Educators spent the school holidays cleaning, preparing for the following term, attending meetings and with many educators taking leave to recuperate for a busy term 4.

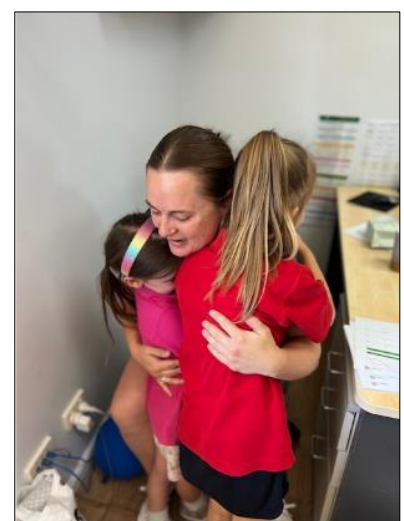
Nine (9) Children Services staff members participated in the SEEK Can Assist spin bike challenge taking up the 6am timeslot and doing their part to support local charities.



The coordinator attended TAFE to meet with the Royal Far West consultant and committee. Royal Far West Services were discussed and fundraising opportunities planned.

With 2025 not far away, the coordinator has participated in webinars about preschool funding and funding to support children with additional needs.

In recognition of World Teachers' Day, preschool staff celebrated and acknowledged the hard work and dedication of all teachers. The day served as an opportunity to highlight the critical role teachers play in shaping the future of children and to celebrate their ongoing contributions to the learning community. Activities and appreciation events were held to express gratitude for the efforts of the entire teaching team.



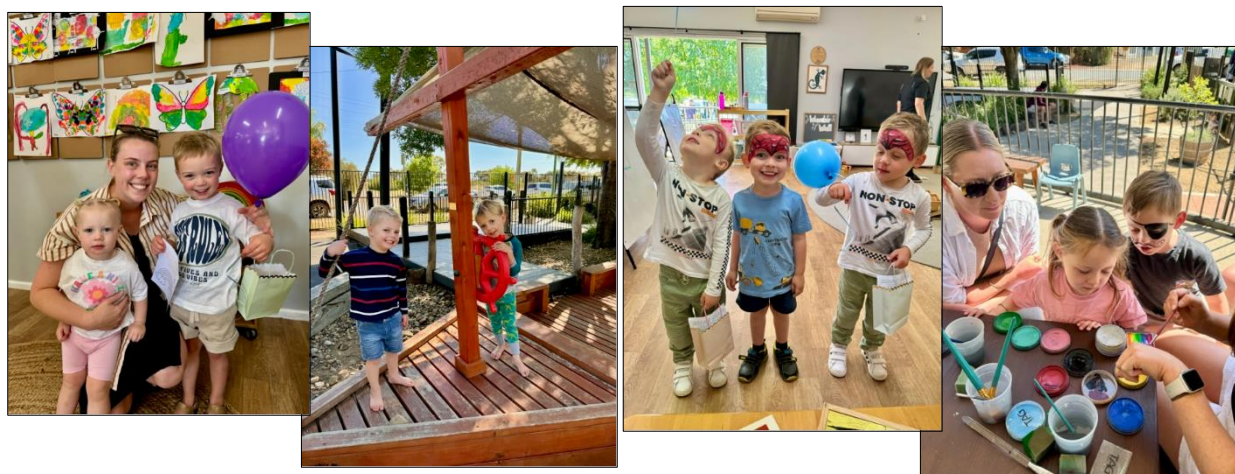
Staffing & Recruitment – The Educational Leader resigned from their position and will finish up at CSU in January 2025. Advertising was completed and three applicants attended interviews. The position was accepted pending medical results.

CSU welcomed a casual educator to the team and were quick to use the educator at the service.

The Coordinator attended the People Leader workshop at Council and contributed to feedback and conversation.

HR Coordinator met with the CSU Educators for their Culture Meeting. Most Educators attended and contributed to the conversation. HR Coordinator provided positive feedback to the CSU Coordinator about the overall culture at CSU.

Preschool Open Day – CSU opened their doors on Saturday 26th October to new and returning families. This allowed children to meet other children, tour the building and get to know their educators. It was a huge success with over 30 families attending. The open day allowed families to purchase uniforms, discuss fee structures and ask any questions in relation to their child's preschool experience.



Bland Preschool – Senior Early Childhood Teacher

In the month of October, preschool teachers completed detailed transition to school statements for each child. These statements outlined the children's individual accomplishments and areas of growth, providing valuable insights for both parents and incoming kindergarten teachers. The assessments focused on key developmental milestones, social skills, and academic readiness to support a seamless transition into formal schooling. Preschool teachers actively engaged with local schools to discuss and plan for the smooth transition of preschoolers into kindergarten. These collaborative meetings allowed teachers to share essential information regarding children's progress and ensure that incoming kindergarten educators were well-prepared to meet the needs of each child. The goal was to establish a strong, supportive platform for children's continued growth and learning as they move into their next educational phase.

In recognition of World Teachers' Day, preschool staff celebrated and acknowledged the hard work and dedication of all teachers. The day served as an opportunity to highlight the critical role teachers play in shaping the future of children and to celebrate their ongoing contributions to the learning community. Activities and appreciation events were held to express gratitude for the efforts of the entire teaching team.

Ungarie Preschool – Room Leader

We successfully transitioned to our summer routine, which was well-received by the children. Upon arriving at preschool, children head straight outside, allowing them to engage in outdoor activities from the start of their day. This change proved beneficial in channelling their energy and encouraging a more dynamic start to the day.

We have been focusing on a variety of sensory activities, including slime, goop, flour play, and shaving foam. These activities were a hit with the children, promoting exploration, creativity, and sensory development.

Our indoor play focus included gardening during group times and hands-on activities in the veggie patch, teaching children responsibility and patience as they care for their growing plants. To celebrate the Halloween season, the children decorated cookies with bright orange icing and lollies and enjoyed created a variety of spooky crafts. These activities allowed them to express their creativity, added a festive touch to the week and fostered excitement.

We announced to families that our Christmas party has been set. The children have been enthusiastically practicing their dance skills in preparation for their Christmas party songs, building their confidence and creativity as they prepare to perform.

On Wednesday, 23rd October, Louise from Inclusion Support visited and spent the day with us. Her visit was instrumental as we continue to explore options for securing additional funding for an extra staff member next year. This support would significantly benefit the preschool, providing enhanced care and attention to all children.



Bland/Temora Family Day Care (FDC) – Service Leader

We have had a quiet month for Family Day Care. Monitoring visits were completed for our Educator in Temora and West Wyalong, with the Support Officer observing some fantastic education and play with the children. Fundamental movement skills were being implemented at one Educators service, with an obstacle course provided and ball throwing skills. The children are very lucky to have such passionate and experienced Educators to provide a program that supports them in all areas of development.

FDC Enrolments

Permanent enrolments – 10 children

Casual enrolments – 3 children

It Takes a Village (ITAV) – Service Leader

Playgroups: Tallimba playgroup only this month due to nil playgroups in between term time and work commitments in other areas of Children Services. A representative from Tallimba called to inquire if ITAV would consider changing Tallimba playgroup location from Tallimba Hall to Tallimba School for the purpose of new families in the area becoming more familiar with the school. In order to discuss further and inspect location, an appointment has been made for a in person visit to the school by ITAV staff following an upcoming Tallimba Playgroup date.

Toy Library: On the final day of October there were 46 toys on loan. During this reporting period the toy library issued 35 loans. 1 current member renewed their membership this month, with 4 new members. New advertisement for Toy Library is currently being created.

Facebook: Bland Shire it Takes a Village: Followers: 317. Bland Toy library video advertisement posted on Bland Shire ITAV & Bland Children Services Unit Face Book page.

Material Aid Packs: Thirty Educational Packs featured as either 'Aussie Animal Pack', 'Craft Packs' or 'Educational Packs' (Educational packs = child specific) were created and given away to families during Term 3 holiday period, using Bland CSU Instagram page to advertise. Many thanks to Preschool Educators for their assistance.

8.27 Bland Community Care Services Update October 2024



Our People - A Strong, healthy, connected, and inclusive community

DP1- Ensure health and support services address the needs of the community.

Author: Community Care Coordinator

General Update

Letters have been sent to all clients to advise of services over the Christmas/New Year period. There will be no services provided to clients on the Public Holidays.

Recruiting for a new Staff member continues with two interviews scheduled.

Last week saw the installation of a new hand wash station in the BCCS kitchen.



Service update

Intakes under Commonwealth Home Support Program (CHSP) have slowed down due to staff restraints. The My Aged Care portal is open for Community Packages – Out of Hospital Care (COMPACKS) and Transitional Aged Care Program (TACP) clients.

The My Aged Care portal is closed for Domestic Assistance, Personal Care, Flexible Respite, Social Support Groups, Goods & Equipment and Yard Maintenance due to the large waitlist. Social Support Individual referrals are now being accepted through the portal onto the waitlist.

Staff are currently working their way through the CHSP Yard Maintenance and Social Support Groups waitlists and are slowly onboarding new clients. The service waitlist is continually growing as clients are inquiring about services directly to us rather than through the My Aged Care portal. All clients on the waitlist are aware of the situation.

Staff Training

All Staff attended mandatory Cultural Workshops “Doing Better” held at the Council Chambers. BCCS Staff feedback from these workshops was positive. BCCS People Leaders continue to attend fortnightly workshops.

BCCS Team Leader attended the 'Accelerate Conference' in Sydney on Thursday 31st October.

Group Updates:

Bland Blokes

Bland Blokes continue to meet on a weekly basis each Tuesdays 9:30am. New members are welcome to attend and join in for Morning Tea and conversation with like-minded people. The Bland Blokes has 5 regular attendees. Members of this group are currently constructing a model Lancaster Bomber plane.

On Tuesday 29th October the group travelled to the TAFE to attend a fundraising morning tea for breast cancer. The group enjoyed the morning chatting with Community members and playing trivia games. Everyone received a pink coffee cup for attending.



Wednesday Activity Group

Wednesday Activity Day continues weekly – Wednesdays 10am. Group numbers remain steady at regular 8 attendees, one of these attends on a fortnightly basis rather than weekly.

October Attendance (excluding our volunteer):

Wednesday 2nd October 2024 – 10 attendees

Wednesday 9th October 2024 – 11 attendees

Wednesday 16th October 2024 – 10 attendees (Excursion)

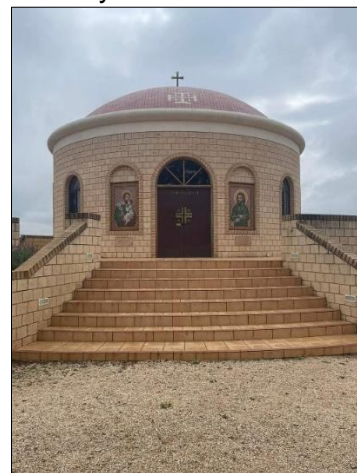
Wednesday 23rd October 2024 – 8 attendees

Wednesday 30th October 2024 – 8 attendees (Excursion)

Clients are provided with morning/afternoon tea and a “home cooked” meal for lunch.

On Wednesday 16th October, our clients enjoyed a bus trip. The first stop was at the Bolo Farm Chapel at Tullibigeal. Clients enjoyed viewing the beautiful artworks in the chapel. The group then moved on to Condobolin where they enjoyed lunch at the ‘Thorpey’s in the Paddock’

situated in the Information Centre. The bus then toured the 'Utes in the Paddock' followed by a drive around the lake. The clients commented on what a wonderful day it was.



On Wednesday 23rd October, the children from Little Wattle Daycare visited the Centre. On Wednesday 30th October, the children from Aspire Daycare also paid a visit. The children sang and danced for the clients. They then completed some craft activities for the clients. The children had Morning Tea with the clients. There was lots of laughter and chatter.



Gentle Exercise Groups

Gentle Exercise Groups are held each Monday 10am & Thursday x 2 groups – 11am & 1.30pm, with participants enjoying the gentle exercise program followed by Morning or Afternoon Tea and chat. The sessions include both seated and standing exercises. Various equipment is used during these sessions such as floor pedals, small weights, balls and pool noodles. Clients also go for a walk around the courtyard during the session.

Feedback Forms were given to clients that attend Exercise Group this month. We have received a lot of positive feedback with clients stating that the group is both beneficial and social. Several clients have observed improved mobility because of attending this group.

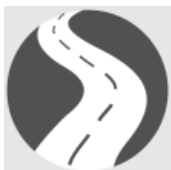
An Aerobic Stepper was purchased this month for Exercise Group. This equipment is beneficial for both balance and stability.



On Thursday 3rd October the Exercise Groups came together to go on an excursion the Temora. Here they attended a concert (Craig Giles) and had lunch at the RSL Club.



8.28 Technical Services Report



Our Places - Maintain & improve the Shire's assets & infrastructure

DP9.1 Responsibly manage asset renewal and maintenance for current and future generations

DP9.4 Maintain parks, ovals and recreational facilities to approved standards

Author: Director – Technical Services

Roads Maintenance Works October 2024

Road maintenance works including pothole patching, gravel patching works and wet grading continue across the network with activity on Youngareen Road, Henleys Lane, Lake Cowal Road, Nobbys Road, Brennans Tank Road, Euratha Road, Harts Lane and Hannan Road.

Gravel resheeting works have continued in the last month on Paynes Road, Brennans Tank Road and Nobbys Road.

Flood Damage works were undertaken on Bushells Lane and Nobbys Road.

Firebreak clearing works were undertaken around the villages of Naradhan, Gubatta, Ungarie, Weethalle, Barmedman and Kikiora.

Works Planned November 2024

Gravel resheeting works programmed for November will include Brennans Tank Road and Bodels Lane

Flood Damage works will be undertaken on Yiddah Road, Kalms Lane and Kalms Lane South.

Biosecurity and Weeds

Biosecurity staff have commenced mosquito trapping for the Department of Health as well as dust monitoring at the West Wyalong Aerodrome.

Biological Control – Biosecurity Staff continue to monitor release sites for cochineal as a biological control agent for Wheel cactus, and Pencil cactus control.

Council's biosecurity officers have undertaken the following inspections

| Property Type | Number of Inspections |
|--|------------------------------|
| Travelling Stock Routes | 0 |
| High Risk Pathway Inspections | 9 |
| Private Property | 0 |
| Public Land Inspection (forests, crown land etc) | 0 |

Biosecurity staff undertook sucker spraying and roadside shoulder spraying at the following locations being Dundas Road, Kikiora Road, Womboyne Road, Blow Clear Road, Bonehams Lane, Clear Ridge Road, West Wyalong – Condobolin Road, Lake Road Mary Gilmore Way East and West, Brolga Road, Merrengreen Road, Crown Camp Road, Bena Road, Williams Crossing Road, Greens Lane, Alleena Road, Bygoo Road, Ariah Park Road, Quandialla Road, Paynes Road, Burrallyang Road, Euroka Road, Wargin Road, Bellarwi Road, Beckom Road and Kolkiberto Road..

Biosecurity staff also undertook mowing at Kolkibertoo Road, Dundas Road, Naradhan Road, Boreamble Road, Kikiora Road, Youngareen Road plus firebreaks around Weethalle Landfill.

Stem Injection of Cactus was undertaken around the West Wyalong Area.

Mexican Poppy control has been undertaken at the Calleen and Ungarie Silos.

St Johns Wort control has been undertaken at Girral Silos and on Dundas Road.

African Boxthorn control has been undertaken on Dundas Road

Spraying has been undertaken around the townships and villages of Barmedman, Ungarie and West Wyalong.

Urban Services

The Urban Services team continues to undertake routine maintenance including mowing, whipper snipping, irrigation system inspections and repairs, and weeding/spraying across Councils sporting fields, parks, and town/village locations.

The Urban Services village maintenance team has been undertaking weekly maintenance activities at the villages including Weethalle, Talimba, Ungarie and Barmedman and a monthly visit to Naradhan. The works undertaken in the villages include mow and whipper snip of parks and sporting fields

Routine inspections continue to be undertaken at West Wyalong Airport, and across the parks, playgrounds and cemeteries.

Council's street sweeper has been around the West Wyalong / Wyalong streets.

Projects

DC3 Refurbishment

The wings have been removed and one has been resprayed, the other wing has been stripped and is ready to be painted. Historic Aircraft Restoration Society (HARS) have donated a replacement cowling. Issues with transport approvals for the main body have been finalised with and the move scheduled to occur on Friday 8 November at 6pm.

When the body has been relocated to the hanger, work will commence on stripping and repainting.

Main Street Revitalisation

The consultant has reviewed the feedback from the public consultation sessions and has commenced some draft outcomes. When these have been received, they will be forwarded to Council for their information and thoughts with another consultation phase to be determined.

Sport and Recreation Masterplan

The consultant has reviewed the feedback received from the public consultation phase and are preparing a draft report. When this has been finalised, it will be presented to Council for their information and feedback so that the consultant can continue and develop the final report.

8.29 Development Services Activity Report – October 2024



Our Leadership - A well run Council acting as the voice of the community.

DP10.2 Ensure Councillors take ownership and a strong leadership role.

Author: Development Services Officer

Planning and Building Activities Update

The following DA applications were approved during October 2024

| Application No | Location | Description | Consent Authority | Approval Date |
|-----------------------|-----------------------------------|--|--------------------------|----------------------|
| DA2024/0061 | 68 Cypress Avenue Weethalle | Farm Building - Construction Machinery Shed | Staff | 09/10/2024 |
| DA2025/0003 | 24 Victory Street West Wyalong | Residential Alterations & Additions - Storage Shed (with amenities) | Staff | 02/10/2024 |
| DA2025/0008 | 10 Welcome Street West Wyalong | Residential Alterations & Additions - Carport | Staff | 03/10/2024 |
| DA2025/0007 | 37 Cassin Street Wyalong | Residential Alterations & Additions - Patio Roof and New Deck | Staff | 16/10/2024 |
| DA2025/0009 | 8 Gelling Street West Wyalong | Residential Alterations & Additions - Storage Shed | Staff | 17/10/2024 |
| DA2025/0014 | 26 Park Street West Wyalong | Residential Alterations & Additions - New Outdoor Area | Staff | 24/10/2024 |
| DA2025/0004 | 48 Wollongough Street Ungarie | Change of Use - Hotel + Share Accommodation to Shops (x2) & Dwelling | Staff | 31/10/2024 |

Other applications approved during October 2024:

- Seven (7) Construction Certificates
- Five (5) *Local Government Act* Applications
- One (1) Complying Development Certificate
- Four (4) Occupation Certificates

The following inspections were carried out during October 2024

| Type | Number |
|-----------------------------|--------|
| Swimming Pool Compliance | 3 |
| Swimming Pool Public Health | |
| Building | 49 |
| On-site Sewer Management | 3 |
| Public Health | |
| Public Health (Mortuary) | 1 |
| Compliance | |
| Food | 1 |
| Overgrown & Untidy Blocks | 31 |

Number of enquiries and meetings during October 2024

| Type | Number |
|-----------------------------|--------|
| Building and Planning | 25 |
| Public Health | 2 |
| Compliance | 4 |
| Food | 5 |
| Swimming Pools | 4 |
| Complaints | 5 |
| Other | 21 |
| Meetings | |
| Pre-Lodgement | 3 |
| Planning Portal Integration | |
| Other | |

Environmental Health Update

Underground Petroleum Storage Systems (UPSS)

Implementation of an inspection and monitoring program of businesses who have underground petroleum storage systems. The program is to review compliance with Protection and the Environment Operations Act 1997 and the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 (the 'UPSS Regulation').

GIS Update

Integrating Maps into Council Website

With the Council website currently undergoing a revitalisation, opportunities are being investigated to integrate mapping and related data for an enhanced customer experience.

Regulatory Activities Update

Dog Attacks = 0

Companion Animal Seizure and Impound Activities October 2024

| Seizure Activities: | Dogs | Cats |
|----------------------------|-------------|-------------|
| Seized | 3 | 5 |
| Returned to Owner | 1 | |

| Impounding Activities: | Dogs | Cats |
|---|-------------|-------------|
| Animals in pound at start of month | 3 | 1 |
| | | |
| Incoming Animals | Dogs | Cats |
| Transferred from Seizure Activities | 3 | 5 |
| Dumped at Pound | 1 | |
| Surrendered | 1 | |
| Total Animals in Pound | 5 | 5 |

| Outgoing Animals | Dogs | Cats |
|---|-------------|-------------|
| Released to Owner | 1 | |
| Euthanised | | |
| Rehoused (Rescued) | 4 | 4 |
| Sold | | |
| Died at Pound | | |
| Stolen | | |
| Escaped | | |
| Total Animals Leaving Pound | 5 | 4 |
| | | |
| Animals in Pound at end of Month | 0 | 1 |

NOTICE OF MOTION - Chambers and Workshops

Author: Cr McGlynn

The following Notice of Motion has been received from Cr McGlynn (attached):

Motion

A. Councillors Seating Arrangement

1. That Councillors seating positions return to the previous arrangements and combinations where all Councillors can see and interact with each other. This would be achieved by creating two-quarter circles.
2. As councillors enter the Chamber they select a number each month that allocates their seat for the meeting.

B. Open the Workshops to the Public

1. That all workshops are open to the Public as soon as possible for transparency. No video, audio recordings or links.

General Manager's Comment

- A. The current arrangements have been on a temporary basis:-
- in order to facilitate the trial of audio visual (AV) technology per the Notice of Motion submitted for consideration at the August 2024 Council meeting.
 - address Councillor concerns about not being able to see the audience during the meeting.

The current layout provides for all Councillors to see the audience and the smart screen AV device. Further enabling remote attendance as may be required by Councillors or staff from time to time.

Neither the Regulation or Code of Meeting Practice require Council to utilise an AV solution and an audio only solution satisfies the requirements.

The use of temporary tables supports the ability for the chambers to be multi functional for different types of activities.

At the first workshop of the new Council, Councillors drew a number from a hat to randomly determine the seating plan for the term of Council.

A fixed Councillor seating plan supports the Chair in running an efficient meeting as they become familiar with the location of each Councillor, without it being changed on a monthly basis, which may create confusion.

It also allows for the Chambers to be suitably prepared prior to the meeting.

- B. As Councillors are aware the NSW Office of Local Government currently has a Discussion Paper regarding "Councillor conduct and meeting practices".

Councils draft submission to the discussion paper is the subject of a separate report to this business paper for Councillor consideration.

As outlined in the submission it is submitted that:-

Based upon experience well run briefings/workshops for Councillors enables an environment where information can be shared and explained in a less formal environment, that suits Councillors and provides opportunity to ask questions and "listen to understand" rather than "listen to respond" that may not be possible in a public forum.

...
...

“decision making” must be made in open Council meetings, subject to the provisions of section 10 (A) (2). The exchange of information for awareness and better understanding, generally makes for more informed and considered decision making when the matter is later considered at a Council meeting.

Banning of workshops would have the negative effect of stifling robust and engaged discussion because less confident councillors may not raise enquiring questions, as is provided for in a “safe” workshop environment. This ultimately will result in poor decision making, as councillors will not be adequately informed.

With the current Discussion Paper out for consideration it is not considered appropriate that pre-emptive changes be made to Council’s current workshop practices until such time as any change in the Code of Meeting Practice is notified by the Office of Local Government.

39 Grenfell Street
West Wyalong NSW 2671
7th November 2024

Bland Shire Council

Notice of Motion for meeting 19th November 2024

A. Councillors Seating arrangement

1. That Councillors seating positions return to the previous arrangements and combinations where all Councillors can see and interact with each other. This would be achieved by creating two-quarter circles
2. As councillors enter the Chamber they select a number each month that allocates their seat for the meeting.

B. Open the Workshops to the Public

1. That all workshops are open to the Public as soon as possible for transparency. No video, audio recordings or links.

Liz McGlynn

