



Central Tablelands Water

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BENEFIT REALISATION AND ECONOMIC ANALYSIS OF THE CARAGABAL WATER SUPPLY PROJECT

PREPARED BY BALMORAL GROUP AUSTRALIA FOR
CENTRAL TABLELANDS WATER

December 2023



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EXECUTIVE SUMMARY

This report outlines the benefits of the Caragabal Water Supply Project's preferred option, as identified by Premise Australia's Feasibility Study. It sets the groundwork for benefit tracking within the framework of the NSW Government Benefits Realisation Management Framework. The objective of the benefit realisation study is to ensure that those involved in the project implementation have a common understanding of the expected outcomes of the project. In addition, the document highlights the strategic alignment of the project with wider strategic objectives and provides an in-depth analysis of its benefits.

The project is designed to provide a reliable source of water for potable and stock and domestic uses, serving approximately 40 town properties and 20 rural properties. The project involves a capital expenditure of \$4.13M, with a 160 km pipeline constructed to source water from the Quandialla bore, addressing an anticipated demand of 150kL/day. This upgrade aims to modernise the community's water supply infrastructure, enhance water quality management, and shift away from outdated mechanisms and unregulated rainwater tanks.

Key to the report is a comprehensive Benefits Map and a detailed description of the benefits, emphasising their impact on the community. The analysis expands on the financial assessment from the Feasibility Study, identifying significant non-monetary benefits, notably in water security and public health improvements.

Particular focus is given to the need to understand the scope, impact, and value to stakeholders of non-monetary benefits. These benefits necessitate further exploration through stakeholder consultations, literature reviews, and comparative analyses. This deeper understanding, alongside a rigorous test of underlying assumptions relating to water availability and demand over the expected life of the project's assets, is crucial to quantify the identified benefits.

The next steps involve two main focuses: conducting non-market valuation through stakeholder engagement and further data collection. These steps can assist in acquiring the necessary support and funding for the project. They also build on the foundation for tracking the project's benefits, as established in this document. This ensures that the project effectively meets the community's needs and achieves the intended outcomes on implementation.

1. INTRODUCTION

1.1 OVERVIEW AND PROJECT BACKGROUND

Central Tablelands Water (CTW), in conjunction with the Caragabal community, has been granted funding from the NSW Government to investigate the feasibility of a reliable potable water supply for the Caragabal community, including several possible rural connections depending on the preferred option.

This document aims to outline the benefits associated with the preferred option identified under the Caragabal Water Supply Feasibility Study and establish a foundation for tracking the project's benefits.

Currently, the Caragabal community relies on a non-potable water scheme sourced from Caragabal Creek, predominantly for irrigation and toilet flushing. Residents depend on rainwater tanks or externally sourced water for essential drinking purposes. The existing arrangement of the storage dam and pumping from the creek is depicted in Figure 1.

Figure 1: Storage Dam and Pumping Arrangement in Caragabal Creek



Source: Caragabal Water Supply Feasibility Study

In response to the critical need for a sustainable source of drinking water, the NSW Government, together with CTW and the local community, is committed to finding a viable solution. The Caragabal Water Supply Project represents this commitment, aiming to establish a dependable water supply for both potable and stock and domestic uses, benefiting the Caragabal community and nearby rural properties.

This document forms the cornerstone of a comprehensive benefits process for the proposed project. It identifies the strategic context, outlines the anticipated benefits, and assigns ownership for each benefit within the scope of the preferred option.

1.2 RATIONALE FOR INVESTMENT

The small rural community of Caragabal faces significant challenges regarding its water supply. Predominantly reliant on rainfall and surface water runoff, the community and its surrounding rural properties use this water primarily for domestic and stock purposes. The existing potable water solution, dependent on rainwater tanks at individual properties, presents substantial risks due to lack of quality control. This reliance on inconsistent rainfall and roof runoff, coupled with the option to cart in water, underscores the community's vulnerability, especially during periods of drought.

The current non-potable water system, a community water scheme in Caragabal, is also fraught with reliability issues. Water is extracted from Caragabal Creek into a storage dam, but drought conditions do not guarantee this supply. Moreover, the existing pumping arrangement is outdated and fails to meet modern safety standards, necessitating significant upgrades for continued use.

Approximately 40 connections currently exist within this volunteer-run system, with each property contributing \$240 annually for its operation and maintenance. However, this setup is not sustainable or reliable in the long term, particularly given the increasing unpredictability of weather patterns and the growing demand for safe, potable water.

Considering these factors, the proposed Caragabal Water Supply Project is a vital investment for Caragabal. It addresses the critical need for a sustainable and reliable potable water source, ensuring the community's and surrounding rural areas' safety and well-being.

1.3 PROJECT OBJECTIVES AND REQUIRED CHANGES

The Caragabal Water Supply Project has the following objectives:

1. To provide Caragabal and nearby rural properties with a dependable source of potable water, reducing reliance on rainwater tanks and inconsistent rainfall.
2. To modernise the current water extraction and distribution system, ensuring it meets contemporary safety and operational standards.
3. To implement measures for controlling and monitoring drinking water quality, thereby safeguarding public health.
4. To increase the community's resilience against droughts and water scarcity by diversifying and securing water sources.
5. To strengthen the overall viability of both the township of Caragabal and the surrounding rural properties by providing them with reliable water access, thus contributing to the region's sustainable development.
6. To extend the project's benefits to rural properties, acknowledging their role in enhancing the scheme's overall viability and addressing their specific water supply needs.

The necessary changes and the practices that need to be discontinued for the successful implementation of the project are outlined in Table 1.

Table 1: Required Changes and Discontinuation of Practices for the Caragabal Water Supply Project

Area of Change	Required Changes	Practices to Discontinue
Infrastructure Upgrades	Modernise water supply infrastructure with efficient, safe technology	Cease use of outdated and unsafe water supply mechanisms
Water Quality Management	Implement systematic water quality management and monitoring	Move away from reliance on unregulated rainwater tanks for drinking water
Community Water Scheme Management	Professionalise the management of the community water scheme	The transition from volunteer-run operations to formal management
Water Distribution Network	Upgrade the water distribution network, including pipeline replacement	Abandon the use of aged and deteriorating pipeline infrastructure
Water Supply Strategy	Develop a comprehensive, sustainable, and climate-resilient water strategy.	Move away from ad-hoc and reactive water supply solutions.
Community Engagement and Education	Intensify community engagement and education on water-related issues	Shift from a lesser-engaged community approach to a more involved participation
Financial Model for Water Supply	Establish a new financial model for sustainable water supply funding	Rethink the current fixed annual fee system to a more sustainable model

Source: BGA Work Product

1.4 STRATEGIC ALIGNMENT

This project aligns with the NSW Government's strategic goals of rural development and environmental sustainability, as outlined in the Draft Regional Water Strategy for Lachlan¹. This strategy plans to meet the region's water needs for the next 20-40 years. By providing Caragabal with reliable potable water, the project enhances residents' quality of life and supports the government's objectives of improving rural infrastructure and sustainable resource management.

Additionally, it complements the South West Slopes Regional Economic Growth Development Strategy – 2023 Update, which recognises agriculture as a key growth driver and emphasises the importance of water security for the sector. The project also aligns with the Weddin Shire Local Strategic Planning Statement 2020-2040, furthering local initiatives to bolster water security.

1.5 PREFERRED OPTION

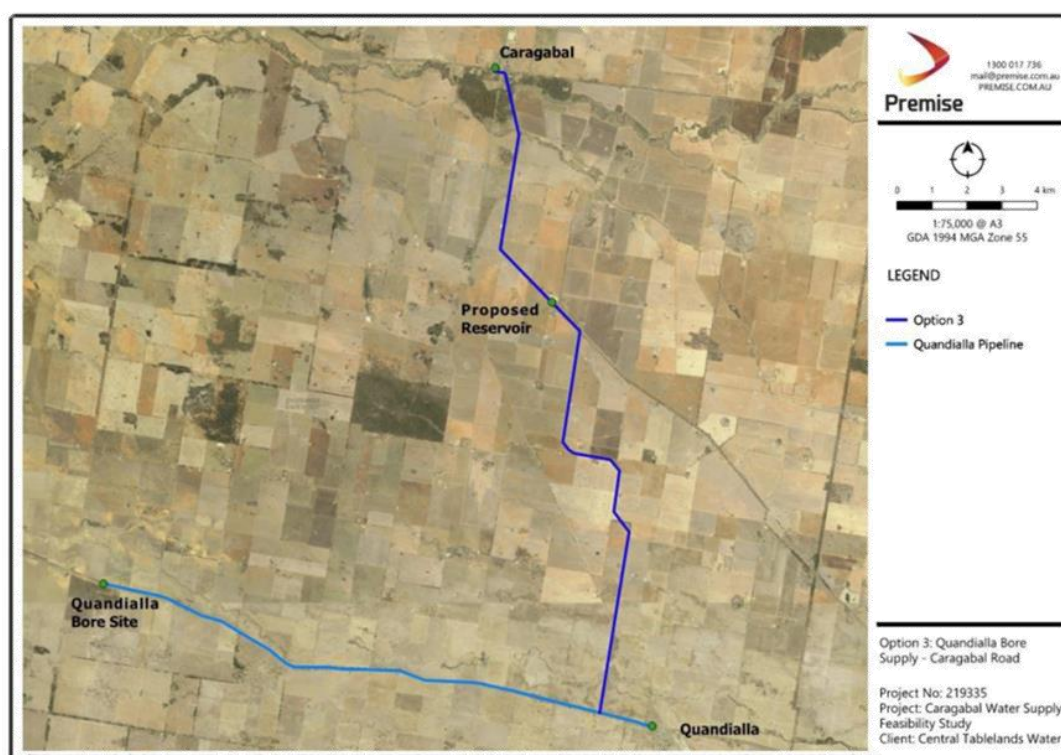
The preferred option (Option 3 in the Feasibility Study) utilises the first 15 km of the Quandialla pipeline. Then it follows Caragabal Road for approximately 13.3 km to where there is a high point on the alignment. A ground-level reservoir is placed at this location, from where the water then gravitates to Caragabal and feeds directly into a new network comprising approximately 4.1 km of distribution pipework. Water would be re-chlorinated at the reservoir outlet and high-level analysis shows that there

¹ Department of Planning and Environment (2023) Draft Regional Water Strategy Lachlan: Shortlisted Actions – Executive Summary. https://water.dppe.nsw.gov.au/_data/assets/pdf_file/0005/582863/lachlan-rws-executive-summary.pdf

would be enough pressure from this elevation to achieve a minimum pressure of 20 m head to the Caragabal network.

Rural properties would connect where possible and each would have its own storage tank at or close to the connection. Water would be metered at the connection point. The water would be allocated as Stock and Domestic water. The alignment provided by this option would allow for provision of rural property connection located in proximity to Caragabal Road. Figure 2 shows the pipeline alignment for this option.

Figure 2: Preferred Option (Option 3) - Quandialla Bore Supply - Caragabal Road



Source: Caragabal Water Supply Feasibility Study

The total potable water demand calculation of 150 kL/day has been shown to be feasible using the pipeline which includes the adoption of a rural connection demand of 5.5 kL/day (110kL/day for all 20 rural properties). The estimated capital cost of this option is \$4.13M and operational expenditure amounts to \$42,091 per year.

The preliminary analysis has determined that Option 3 is the most economically feasible solution. Furthermore, Option 3 aligns with the project's aim to supply long-term potable water to both urban and rural connections in Caragabal. Feedback gathered from a survey during the community consultation session held on 29 October 2020 revealed that Option 3 was the favoured choice, receiving a balanced preference ratio from both resident and rural survey respondents.

2. ANALYSIS OF THE PROPOSAL

2.1 METHODOLOGY AND ASSUMPTIONS

Following lists the components of analysis in this document:

- Benefits map - a visual diagram showcasing how project inputs and activities lead to specific outcomes, emphasising the cause-and-effect relationships.
- Benefit description - detailed explanation of each identified benefit of the project, covering aspects like scope and impact.
- Gap analysis – outline the expected base case and expected costs and benefits that will demonstrate the economic impact of the project. The current state of data for each item will also be assessed and next steps recommended.
- Distributional analysis - examines how the project's benefits are distributed among different stakeholder groups, ensuring equitable allocation and identifying any disparities.

The key assumptions of the analysis are as follows:

- 40 town connections and 20 rural properties will join the scheme
- Preliminary potable water demand of 150 kL/day is calculated based on the following assumptions:
 - 300 L/EP (Equivalent Persons) per day Average Annual Daily Demand (AADD)
 - 2.5 EP/ET (Equivalent Tenement)²
 - 750 L/ET per day AADD
- No growth in the total number of ETs was factored into the calculations.
- The yield is sufficient to meet demand. As part of the Sub-regional Town Water Strategy, Premise is currently confirming the sustainability of this yield. While no specific modelling has been conducted on water security, it's assumed that the water supply is secure. The sustainability of the yield is important from the perspective of agricultural use, in particular in the expected drier seasons in the short-term.
- The project is not expected to impact existing water supply from the Quandialla bore. The Quandialla bore currently has approximately 200 ML/annum spare capacity, or 548 kL/day. As the Caragabal demands are estimated to be 150 kL/day, it is expected that the additional extraction would not impact existing access to water supplied by the bore.

2.2 IMPACT

The analysis in this report will play a crucial role in informing the following processes:

² Equivalent Persons refers to a measure estimating water usage based on the average consumption of a typical person. Equivalent tenement quantifies usage for a standard residential unit or property.

- Provide data for a comprehensive cost-benefit analysis, useful for developing a detailed business case.
- Assist in strategically framing the business case by highlighting the project's potential value and return on investment.
- Establishing the foundation for the benefits realisation process, which will be activated on the project's funding. This process is designed to assess whether the project achieves its intended outcomes.

Benefits realisation is a critical component in informing the development of business cases, portfolio management, governance, and decision-making processes within the Government. The NSW Government Benefits Realisation Management Framework involves a structured approach that facilitates the understanding, planning, management, reporting, and evaluation of the realisation of benefits³.

3. CARAGABAL WATER SUPPLY BENEFITS

3.1 BENEFITS MAP

The Benefits Map for the Caragabal Water Supply Project, a key part of the Benefits Realisation process, clearly outlines the project's inputs, activities, and outputs. It demonstrates their strategic alignment to key objectives, leading to anticipated significant outcomes. The map as shown in Figure 3 outlines the cause-and-effect relationships essential for understanding the project's impact on the community and the environment.

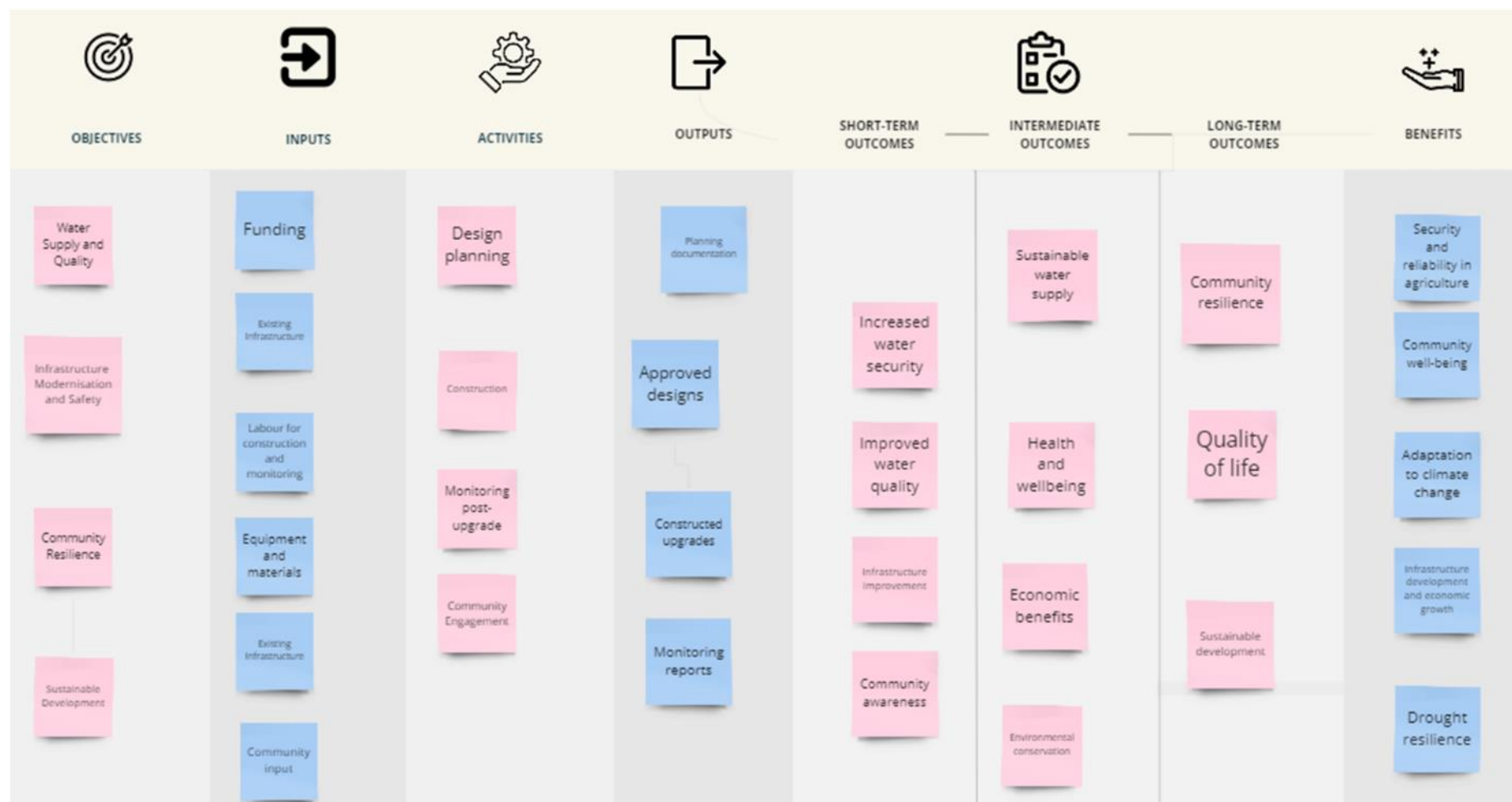
The project objectives, outlined in Section 1.3, and their link to outcomes are as follows:

- Water security and quality (Objective 1 & 3) - focusing on dependable potable water provision and improved drinking water quality, this objective directly leads to increased water security and better health outcomes for the community.
- Infrastructure modernisation and safety (Objective 2) - modernising the water infrastructure enhances safety standards and operational efficiency, contributing to improved infrastructure and reduced environmental impact.
- Community resilience and sustainable development (Objective 4 & 5) - efforts to bolster resilience against drought and support sustainable development lead to long-term community well-being and sustainable regional growth.
- Extension of benefits to rural areas (Objective 6) - extending benefits to rural areas enhances the project's overall viability and supports economic growth, particularly in agriculture.

The project is powered by inputs including government funding, community input, existing infrastructure, and technical expertise. These inputs facilitate crucial activities like the feasibility study, community engagement, environmental and financial assessments, and infrastructure planning.

³ Department of Finance, Services and Innovation (2023) Benefits Realisation Management Framework.
<https://www.nsw.gov.au/departments-and-agencies/customer-service/publications-and-reports/benefits-realisation-management-framework>

Figure 3: Caragabal Water Supply Project Benefits Map



Source: BGA Work Product

Key outputs such as the selection of the preferred water supply option, community support assessments, and detailed infrastructure plans set the stage for immediate and medium-term outcomes like increased water security, improved water quality, and infrastructure improvements.

In the long term, these outcomes contribute to overarching benefits like enhanced agricultural reliability, community well-being, adaptation to climate change, economic growth, and sustainable development. The map in Appendix A illustrates how each step in the project contributes towards achieving these broader goals, ensuring a coherent and strategically sound approach to enhancing Caragabal's water supply system.

3.2 RESULTS

The objectives of the water supply project are to deliver a reliable source of water for potable and stock and domestic uses, serving approximately 40 town properties and 20 rural properties.

Project benefits were defined into four broad categories: Reliability, Safety, Resilience, and sustainable development. Each category identified a number of common benefits that were assessed against the base case.

3.2.1 RELIABILITY BENEFITS

Security and Reliability in Agriculture: The success of the project is crucial in ensuring a steady and reliable supply of water, which has a direct impact on the agricultural industry, particularly on livestock enterprises such as prime lamb, beef cattle, and trade cattle. Stock water is mainly used for providing drinking water to livestock, hence its importance cannot be overstated. The health and productivity of animals, including cattle, sheep, goats, and horses, depend on adequate and clean water. Unfortunately, poor-quality or insufficient water can lead to reduced animal growth and increased susceptibility to diseases, which in turn could result in significant financial loss. In addition to providing drinking water to livestock, water is also required for various operations in the shed, such as cleaning and processing.

Land Value Uplift: The availability of a trustworthy water supply system is expected to positively impact the value of land. This phenomenon is commonly referred to as "Land Value Uplift", where the land's value increases due to the presence of a reliable water supply.

3.2.2 SAFETY BENEFITS

Avoided Cost of Public Health Incidents: The implementation of the project will significantly decrease the likelihood of incidents where water quality falls below acceptable levels, leading to the spread of waterborne diseases and illnesses among community members. As a result, healthcare costs will be lowered while the overall health of the community will be greatly improved. Through the use of systematic chlorination, the project will actively work towards promoting public health and reducing the risk of waterborne illnesses, ensuring that the community members can enjoy safe and clean drinking water.

Community Well-being: The project will not only support the current population but also position Caragabal as an attractive location for future residents and businesses. Domestic water use in areas includes water used for daily household activities like drinking, cooking, bathing, laundry,

and gardening. Domestic use may also extend to maintaining kitchen gardens or small-scale agricultural activities that support the household.

3.2.3 RESILIENCE BENEFITS

Adaptation to Climate Change: With the observed decline in rainwater run-off and predictions of continued decline, as noted in the Draft Lachlan Regional Water Strategy, the water project serves as an adaptation strategy to climate change.

Drought Resilience and Community Support: The provision of a reliable water supply to the township of Caragabal during periods of drought is a crucial factor in strengthening the community's ability to withstand and recover from these challenging conditions. This helps to promote greater resilience and stability amongst the local population, ensuring that they are better equipped to cope with the impacts of water scarcity and related challenges.

3.2.4 SUSTAINABLE DEVELOPMENT BENEFITS

Rates and charges of the service: Transitioning the scheme's administration to the local council is expected to result in an uplift in revenue compared to the current collection under the volunteer scheme. This increase in rates and charges represents a key financial benefit of the project, contributing to its long-term sustainability. It will enable better service provision, including improved operation, maintenance, and potential upgrades. However, it is important to acknowledge and address the community's sensitivity to the additional costs.

Potential for Regional Growth and Development: The construction of a bore and a 160km pipe network represents significant infrastructure development. This not only supports the current population but also positions Caragabal as a growing rural service centre, potentially attracting more economic activities and residents. Caragabal's unique location on the Mid Western Highway and Inland Rail Line offers potential growth in transport, logistics, and light-industrial uses. This project could support the growth and development of Caragabal as a critical rural service centre.

4. GAP ANALYSIS

4.1 COSTS AND BENEFITS

The base case operates under a 'do minimum' approach, with ongoing maintenance of the current pipeline system and rainwater tanks, including necessary end-of-life replacements of assets. Table 2 outlines both the costs and benefits under this base case. While revenue is confirmed at approximately \$9,600 annually, specific cost figures are yet to be established and will require confirmation from stakeholders. For a comprehensive CBA, all these elements need quantification.

Table 2: Cost and Benefits of the Base Case

Cost/ Benefit item	Description
Cost of Maintaining the Current Infrastructure	Regular maintenance of the existing 50 year old non-potable pipeline system, which includes costs associated with wear and tear due to age and issues arising from uncontrolled pressure in the system.
Cost of Water Carting	Expenses incurred for carting in water to supplement rainwater tanks, especially during droughts.
Cost of Administering the Volunteer Scheme	Expenses related to the operation and administration of the volunteer-run Community Water Scheme.
Cost of Rainwater Tank Maintenance and Replacement	Costs for maintaining and potentially replacing individual rainwater tanks used for potable water.
Cost of Infrastructure Upgrades and Repairs	Costs for any required upgrades or repairs to maintain the existing water supply infrastructure's functionality.
Benefit of Community Water Scheme Fees	Annual fees collected from each connected property, currently set at \$240 per annum, with approximately 40 connections, as indicated in the Feasibility Study.

Source: BGA Work Product

These costs will be contrasted with the projected costs and benefits of the project, detailed in Monetary cost and benefits are items that are quantifiable in dollar value terms. Non-monetary benefits are advantages that are valuable but not easily quantified in monetary terms, like improved community well-being, environmental sustainability, or enhanced safety.

Table 3, which also categorises the type of benefit (monetary/non-monetary), expected use in the CBA and current level of understanding. Monetary cost and benefits are items that are quantifiable in dollar value terms. Non-monetary benefits are advantages that are valuable but not easily quantified in monetary terms, like improved community well-being, environmental sustainability, or enhanced safety.

Table 3: Cost and Benefits of the Project

Expected Cost/ Benefit	Description	Type
Cost of Capital Expenditure	Costs to build a ground-level reservoir with tanks, new distribution pipework and hydraulic elements and for the installation of new chlorination systems at the tank site to ensure water quality.	Monetary
Cost of Operating Equipment and Scheme	Expenses for running equipment and managing the scheme, including maintenance, labour, and utility costs.	
Benefit of Rates and Charges of the Service	Transferring the scheme's administration to the local council is expected to increase revenue, benefiting the project's sustainability. However, the community's sensitivity to the additional costs must be addressed.	
Benefit of Avoided Cost of Public Health Incidents	The project aims to reduce waterborne illnesses and associated healthcare costs by implementing systematic chlorination to	Non-Monetary

	ensure good water quality and improve community health.
Benefit of Security and Reliability in Agriculture	Clean water is essential for the health and productivity of livestock. The project could provide certainty for water supply, which directly impacts agricultural productivity for prime lamb, beef cattle, and trade cattle enterprises. Water is also required for operations in the shed, including cleaning and processing.
Benefit of Land Value Uplift	Reliable water supply is anticipated to increase land values.
Benefit of Community Well-being	Project to support current population and attract future residents and businesses. Domestic water use includes daily household activities and small-scale agriculture.
Benefit of Adaptation to Climate Change	The water project is an adaptation strategy to climate change due to the decline in rainwater run-off.
Benefit of Potential for Regional Growth and Development	The Caragabal Water Supply Project aims to benefit residents, businesses, and rural properties near Caragabal Road. The project is a result of collaboration between the Weddin Shire Council and the NSW Government.
Benefit of Drought Resilience and Community Support	The ability to supply water to the Caragabal township during droughts enhances community resilience.

Source: BGA Work Product

The table clearly outlines the financial aspects of the project, as documented in the Feasibility Study. This includes estimated capital costs of \$4.13M, annual operational costs of \$42,000, and estimated annual revenue as outlined below, all discounted at 7% over 30 years.

The scheme's revenue is expected to be paid for by connected properties. To assess service charges, the TRB was calculated to gauge annual residential revenue under several funding scenarios. TRB has been calculated as an amount that enables the costs of the project to be recovered over a 30-year period. Refer to Appendix C for further details of TRB calculations.

Without any capital subsidy (government grant), the estimated annual costs for the project are:

- Town connection \$1,994 per annum
- Rural connection \$14,595 per annum

With 50% capital subsidy (government grant equivalent to \$2.06M), the estimated annual costs for the project are:

- Town connection \$1,216 per annum
- Rural connection \$8,904 per annum

The CBA will extend this financial evaluation by incorporating non-monetary benefits. These benefits, crucial in ensuring quality potable water, address the risks associated with poor water quality, such as illness. The project's economic viability hinges on understanding these benefits, which often involve estimating likelihoods, like the risk of gastroenteritis from unsafe drinking water. While not all benefits can be quantified monetarily, their inclusion adds valuable context for decision making.

4.2 DISTRIBUTIONAL ANALYSIS

This section delves into how the benefits and costs of the Caragabal Water Supply Project are distributed among various stakeholders, ensuring a comprehensive understanding of the project's impact on different community segments. The stakeholders for the project are shown in Table 4.

Table 4: Distributional Analysis Stakeholders

Category	Comments
Caragabal Community	Includes 40 residential connections and businesses such as the local school, hotel, golf club, post office, police station, and community facility. 20 rural properties are located adjacent to Caragabal Road are anticipated to connect to the scheme.
Government	Weddin Shire Council and the NSW Government

Source: BGA work product

Caragabal Community

The key beneficiaries of the Caragabal Water Supply Project include residents, businesses in Caragabal, and nearby rural properties. The residents stand to benefit from a consistent and improved supply of potable water, a significant improvement over the currently unreliable rainwater and non-potable sources. For businesses, particularly those dependent on water, the project promises enhanced infrastructure and water supply, potentially attracting new investments and residents to the area. Rural properties engaged in livestock farming will particularly benefit from the increased water security.

While the project is likely to be administered by local government resources, local community members will bear costs through service fees for ongoing operation and maintenance of the new water supply system. Should there be additional ongoing costs compared to the current water scheme, there will be an impact on the community. The TRB estimates (outlined in Section 4.1) demonstrate that the community's financial burden varies significantly based on the level of capital subsidy provided.

The current situation also reveals a significant disparity in water costs, with rural connections paying more than others. The majority of participants in the Feasibility Study October 2020 survey were willing to pay more than \$2,000 per year for a reliable potable water supply however these participants were mostly rural. Town residents had a comparably lower participation rate with the willingness to pay question compared to rural participants. This suggests that the project's viability is contingent on rural properties' uptake of the scheme.

Government

The initial capital for the project's implementation may come from government funding, possibly supplemented by grants or loans from various agencies. The Weddin Shire Council will collect annual fees from residents and businesses connected to the service. The revenue from rates and charges may grow in the future, positively affecting the Council's budget.

5. CONCLUSION AND NEXT STEPS

This analysis has highlighted the significant benefits of the Caragabal Water Supply Project, including improved water security, enhanced quality of life for residents, and strengthened agricultural sustainability. These benefits are distributed predominantly among the Caragabal community, local businesses, and rural properties. The project aligns with strategic government initiatives like the Lachlan Regional Water Strategy, further reinforcing its importance.

Next Steps:

1. Developing a detailed business case:

The benefits identified serve as inputs for the detailed business case. However, more precise cost estimates are needed, along with a rigorous testing of assumptions. Key areas for further investigation include the adequacy of the Quandialla bore to support the pipeline and the quantification of non-market benefits.

For valuing the non-market benefits (referenced in Table 4), the next steps involve a consolidated approach:

- Stakeholder engagement
 - Engage with stakeholders to gather diverse insights and information. This can include a workshop to explore deeper into the aspects of non-monetary valuation, particularly water security and reduced risks to public health, and to understand the disparity in willingness to pay.
- Literature review and comparative analysis
 - Conduct a thorough review of relevant literature to understand the valuation of similar benefits in other contexts. Explore the possibility of utilising values from studies like the Lachlan Regional Water Strategy, which estimated the willingness to pay for water security in areas adjacent to Caragabal⁴, for use as a proxy in the project.

This combined approach will provide a richer, more contextual understanding of the non-market benefits, aiding in their accurate valuation and enhancing the overall economic viability analysis of the project.

2. Advancing the benefits realisation process:

⁴ Department of Planning and Environment (2023) Lachlan Regional Water Strategy Detailed Economic Analysis. https://water.dpie.nsw.gov.au/__data/assets/pdf_file/0003/590331/draft-lachlan-regional-water-strategy-economic-detailed-assessment.pdf

Having established the foundation for the benefits realisation process, this analysis underscores the key role of valuing non-market benefits in advancing it. As outlined above, the valuation significantly enhances the process by:

- Establishing a baseline for non-market benefits like water security, essential for effective measurement and impact assessment.
- The insights will confirm the strategic alignment and benefit map outlined in this document, vital for developing a coherent benefits realisation strategy.
- The exercise will strengthen stakeholder validation, crucial for garnering support and ensuring the project aligns with community needs and strategic goals.

Moving forward, these steps will assist in both securing the necessary support and funding for the project and in ensuring that its implementation effectively meets the community's needs and achieves its intended outcomes.

Table 5: Caragabal Water Supply Project outcomes

Short-term outcomes	<ul style="list-style-type: none"> • Increased water security - Enhanced reliability of water supply for the community and surrounding rural properties • Improved water quality - Better control and monitoring of drinking water quality. • Infrastructure improvement - upgraded and safer water supply infrastructure in line with modern standards • Community awareness - greater community understanding and involvement in water supply issues
Medium-term outcomes	<ul style="list-style-type: none"> • Sustainable water supply – Long term, reliable potable water supply for current and future generations • Health and Wellbeing - improved health outcomes due to access to quality drinking water • Economic Benefits - Potential economic growth due to a more reliable water supply, attracting more residents or businesses • Environmental conservation - Reduced environmental impact through sustainable water management practices
Long-term outcomes	<ul style="list-style-type: none"> • Community Resilience - Enhanced resilience of the community to water-related challenges, such as droughts • Quality of life - improved overall quality of life for residents due to reliable and safe water supply • Sustainable development: Contribution to the sustainable development of the area, aligning with broader environmental and social goals
Benefits	<ul style="list-style-type: none"> • Security and Reliability in Agriculture • Community Well-being • Adaptation to Climate Change • Infrastructure Development and Economic Growth • Drought Resilience and Community Support • Potential for Regional Growth and Development

Source: BGA Work Product

APPENDIX A: TRB CALCULATIONS

A calculation of TRB was completed in the Feasibility Study to provide an indication of the annual residential cost per ET associated with the different options. Calculating TRB per ET allows the cost to be scaled according to the type of connection, for example rural connections have been calculated as approximately 7.32 ET and would therefore have a higher TRB than a single residential connection of 1 ET. The TRB consist of two components:

- An availability charge. This charge accounts for the provision of access to the water supply network and contributes to maintenance and operation.
- A water usage charge.

TRB per ET has been calculated as:

- the Present Value (PV) of the existing and future assets used to provide potable water supply;
- plus the PV of the operational expenditure required to service the area;
- less the PV of the forecast income received from water connection charges (currently \$1,358 per town connection and \$2,136 per rural connection) and town cross connection check (\$500 per town connection); and
- divided by the PV of the total ET in the area. Approximately 200 ET was considered, including both urban and rural connections. No growth in the total number of ETs was factored into the calculations.

TRB has been calculated as an amount that enables the costs of the project to be recovered over a 30-year period. The TRB calculations were based on a net present value (NPV) approach similar to that adopted by the NSW Independent Pricing and Regulatory Tribunal (IPART) for the metropolitan water utilities. A discount rate of 7% was adopted. Table 6 shows a summary of the calculated TRB for the proposed options with varying levels of government subsidy for the capital component.

Cost estimates for each of the options were prepared using the NSW Reference Rates Manual for rates, escalated by 13.7% to allow for price increases. Our estimates are based on the financial year 2021-22 since the publication date of 2014. Base estimates can be updated to reflect a current year TRB should the project proceed.

Table 6: Estimated TRB per ET with Government Grant

Options	TRB per ET with Government Grant					
	0% Govt. Grant		50% Govt. Grant		100% Govt. Grant	
	Resident	Rural	Resident	Rural	Resident	Rural
Option 3	\$1,994	\$14,595	\$1,216	\$8,904	\$439	\$3,212

Source: Caragabal Water Supply Feasibility Study

APPENDIX B: SOCIOECONOMIC PROFILE

Caragabal is a locality in New South Wales, located 413 kilometres west of Sydney, near Grenfell and Forbes (refer to Figure 4). It is situated on flat terrain in the Weddin Shire, beyond where the last slopes of the Great Dividing Range meet the plains of the Central West.

Figure 4: Map of Caragabal and surrounds



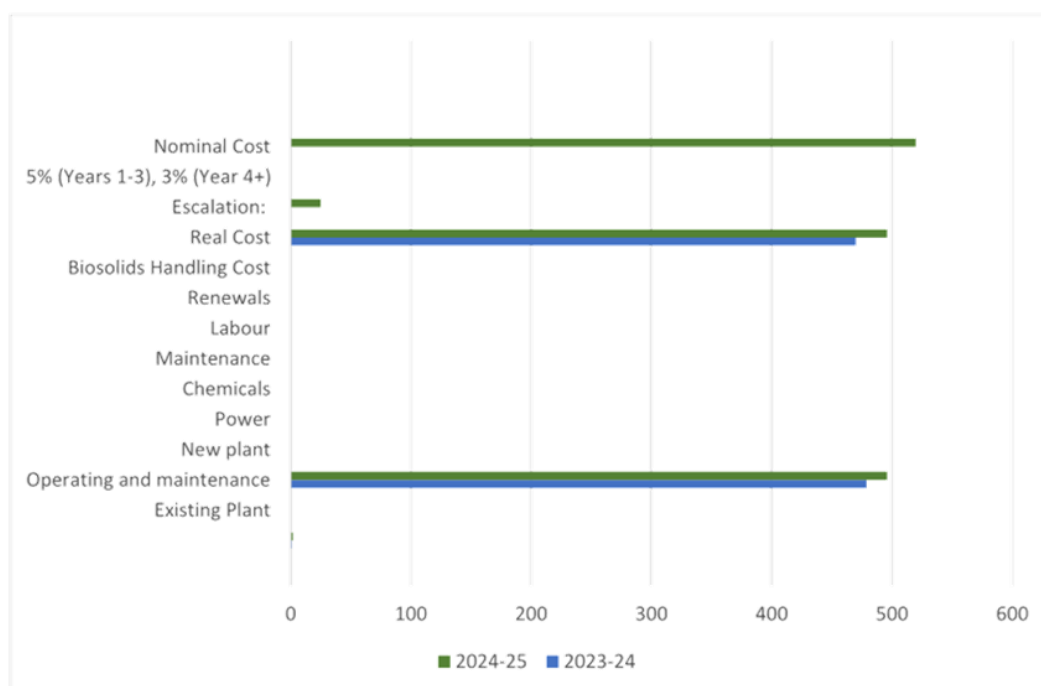
Source: BGA work product

Population

The Caragabal locality has a population of 174 people with a median age of 42 years which is slightly higher than the NSW median age of 39 years. Amongst the total population in Caragabal, 10 people (5.7%) are Aboriginal and Torres Strait Islander heritage which is higher than the state average of 3.4%. There are 40 households in the Caragabal locality.

As seen in Figure 2 there is a hollowing out of the population between the ages 20-40 in Caragabal which may indicate working age people are leaving the locality for job opportunities elsewhere. In Caragabal, a peak in the population can be observed in the 40-44-year age group, suggesting former residents may be returning to Caragabal once in this age bracket.

Figure 5: Population age breakdown for Caragabal and NSW



Source: BGA work product

Education

Overall the Caragabal population has lower levels of higher educational attainment than the NSW average. As seen in Table 1, 18.5% of the Caragabal population have obtained a Bachelor's Degree level and above compared to 27.8% of the NSW population. Completion of Year 12 was also lower at 6.5% in Caragabal compared to 14.5% in NSW.

Table 7: Educational Attainment across Caragabal and NSW

Level of highest educational attainment	Caragabal		NSW	
	Number	%	Number	%
People aged 15 and over				
Bachelor Degree level and above	23	18.5	1,838,502	27.8
Advanced Diploma and Diploma level	12	9.7	616,322	9.3
Certificate level IV	0	0	216,768	3.3
Certificate level III	12	9.7	771,009	11.7
Year 12	8	6.5	954,987	14.5
Year 11	14	11.3	212,538	3.2
Year 10	24	19.4	698,390	10.6

Income and Work

The median weekly personal income was lower in Caragabal at \$742 compared to NSW at \$813.

Table 8: Median weekly personal income in Caragabal and NSW

	Caragabal	NSW
Median weekly personal income	\$742	\$813

Participation in the labour force was higher in Caragabal (66.1%) compared to NSW (58.75%). Of those in the labour force, the proportion of people working full-time was slightly lower in Caragabal (53.7%) compared to NSW (55.2%).

The majority of employed people in Caragabal worked as Managers (45.2%) followed by Professionals (11.9%) and labourers (10.7%). The proportion of people working as Managers in Caragabal is much higher than the state average of 14.6%. On the other hand, although Professionals make up the second most prominent occupation in Caragabal at 11.9%, this is much lower than the state average at 25.8%.

Table 9: Occupation in Caragabal and NSW

Occupation, top responses	Caragabal		NSW	
<i>Employed people aged 15 and over</i>	Number	%	Number	%
Managers	38	45.2	536,820	14.6
Professionals	10	11.9	952,131	25.8
Laborer's	9	10.7	300,966	8.2
Machinery Operators and Drivers	8	9.5	222,186	6.0
Technicians and Trades Workers	5	6.0	436,589	11.9
Clerical and Administrative Workers	4	4.8	480,612	13.0
Sales Workers	4	4.8	294,889	8.0



Model Code of Conduct

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DOCUMENT CONTROL

Document Title		Model Code of Conduct			
Policy Number		CTW-PR002			
Responsible Officer		General Manager			
Reviewed by		Corporate Services Manager			
Date Adopted		14 October 2020 16 April 2025			
Adopted by		Council			
Review Due Date		October 2023 October 2028			
Revision Number		43			
Previous Versions	Date	Description of Amendments	Author	Review/ Sign Off	Minute No: (if relevant)
1	Nov 2015				
2	April 2019	OLG Circular No 18-44/18 December 2018 advised Councils that a new Model Code of Conduct and Procedures for the Administration of the Code had been prescribed under the <i>Local Government (General) Regulation 2005</i> and is required to be adopted by 14 June 2019.			19/023
3	Oct 2020	The OLG Circular No 20-32 dated 14 August 2020 advised Councils that procedures for the Administration of the Model Code of Conduct for Local Councils in NSW (the Procedures), prescribed under the <i>Local Government (General) Regulation 2005</i> , have been amended in response to the decision by the Supreme Court in the matter of <i>Cornish v Secretary, Department of Planning, Industry and Environment</i> [2019] NSWSC 1134, and take effect immediately.			20/093
4	Apr 2025	The OLG Code of Conduct has been upgraded to the 2020 Code of Conduct			

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.

All councils (including county councils) and joint organisations must adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council's or joint organisation's adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not "council officials" for the purposes of the Model Code of Conduct (e.g. volunteers, contractors and members of wholly advisory committees).

Central Tablelands County Council's code of conduct is the NSW Office of Local Government Model Code of Conduct.

Breaches of Central Tablelands County Council's code of conduct is to be dealt with in accordance with the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW.

Model Code of Conduct

for Local Councils
in NSW

2020



MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW

2020

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Produced by the Department of Planning, Industry and Environment

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Part 1:

Introduction

This *Model Code of Conduct for Local Councils in NSW* ("the Model Code of Conduct") is made under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2005* ("the Regulation").

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.

Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council's or joint organisation's adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not "council officials" for the purposes of the Model Code of Conduct (eg volunteers, contractors and members of wholly advisory committees).

A council's or joint organisation's adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a council's or joint organisation's adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Councillors, administrators, members of staff of councils, delegates of councils, (including members of council committees that are delegates of a council) and any other person a council's adopted code of conduct applies to, must comply with the applicable provisions of their council's code of conduct. It is the personal responsibility of council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the LGA. The LGA provides for a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office. A councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

Failure by a member of staff to comply with a council's code of conduct may give rise to disciplinary action.

Note: References in the Model Code of Conduct to councils are also to be taken as references to county councils and joint organisations.

Note: In adopting the Model Code of Conduct, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

Note: In adopting the Model Code of Conduct, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

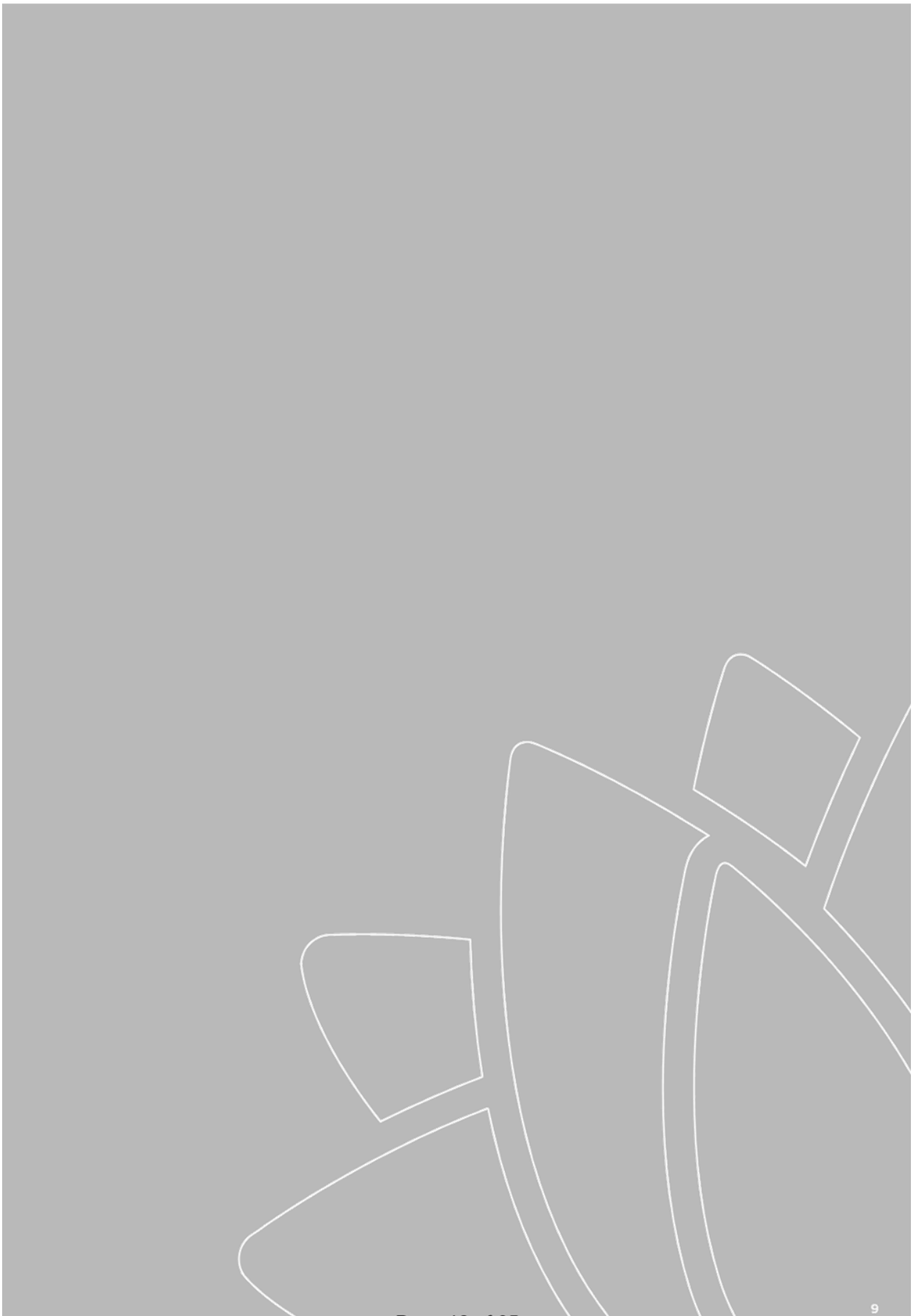
Part 2:

Definitions

In this code the following terms have the following meanings:

administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
committee	see the definition of "council committee"
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures.
conduct	includes acts and omissions
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council's audit, risk and improvement committee
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council's audit, risk and improvement committee
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and, for the purposes of clause 4.16, council advisers
councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
designated person	a person referred to in clause 4.8
election campaign	includes council, state and federal election campaigns
environmental planning instrument	has the same meaning as it has in the <i>Environmental Planning and Assessment Act 1979</i>
general manager	includes the executive officer of a joint organisation
joint organisation	a joint organisation established under section 400O of the LGA
LGA	<i>Local Government Act 1993</i>
local planning panel	a local planning panel constituted under the <i>Environmental Planning and Assessment Act 1979</i>
mayor	includes the chairperson of a county council or a joint organisation

members of staff of a council	includes members of staff of county councils and joint organisations
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	the <i>Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> prescribed under the Regulation
the Regulation	the <i>Local Government (General) Regulation 2005</i>
voting representative	a voting representative of the board of a joint organisation
wholly advisory committee	a council committee that the council has not delegated any functions to



Part 3:

General Conduct Obligations

General conduct

- 3.1 You must not conduct yourself in a manner that:
- a) is likely to bring the council or other council officials into disrepute
 - b) is contrary to statutory requirements or the council's administrative requirements or policies
 - c) is improper or unethical
 - d) is an abuse of power
 - e) causes, comprises or involves intimidation or verbal abuse
 - f) involves the misuse of your position to obtain a private benefit
 - g) constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.
- 3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. (*section 439*).

Fairness and equity

- 3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.
- 3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

Harassment and discrimination

- 3.6 You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.
- 3.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that:
- a) is not wanted by the person
 - b) offends, humiliates or intimidates the person, and
 - c) creates a hostile environment.

Bullying

- 3.8 You must not engage in bullying behaviour towards others.
- 3.9 For the purposes of this code, "bullying behaviour" is any behaviour in which:
- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
 - b) the behaviour creates a risk to health and safety.
- 3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:
- a) aggressive, threatening or intimidating conduct
 - b) belittling or humiliating comments

- c) spreading malicious rumours
- d) teasing, practical jokes or 'initiation ceremonies'
- e) exclusion from work-related events
- f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
- g) displaying offensive material
- h) pressure to behave in an inappropriate manner.

3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:

- a) performance management processes
- b) disciplinary action for misconduct
- c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
- d) directing a worker to perform duties in keeping with their job
- e) maintaining reasonable workplace goals and standards
- f) legitimately exercising a regulatory function
- g) legitimately implementing a council policy or administrative processes.

Work health and safety

3.12 All council officials, including councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WHS Act). You must comply with your duties under the WHS Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:

- a) take reasonable care for your own health and safety
- b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
- c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WHS Act and any policies or procedures adopted by the council to ensure workplace health and safety
- d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
- e) report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations
- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WHS Act in relation to the same matter.

Land use planning, development assessment and other regulatory functions

3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.

- 3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Binding caucus votes

- 3.15 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.16 For the purposes of clause 3.15, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.
- 3.17 Clause 3.15 does not prohibit councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting, or from voluntarily holding a shared view with other councillors on the merits of a matter.
- 3.18 Clause 3.15 does not apply to a decision to elect the mayor or deputy mayor, or to nominate a person to be a member of a council committee or a representative of the council on an external body.

Obligations in relation to meetings

- 3.19 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.20 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.21 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.
- 3.22 If you are a councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the council, or of a committee of the council. Without limiting this clause, you must not:
- a) leave a meeting of the council or a committee for the purposes of depriving the meeting of a quorum, or
 - b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another councillor from submitting a rescission motion with respect to the same decision, or
 - c) deliberately seek to impede the consideration of business at a meeting.

Part 4:

Pecuniary Interests

What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- (a) your interest, or
 - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- (a) Your "relative" is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
 - (b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):

- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
- (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
- (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

What interests do not have to be disclosed?

- 4.6 You do not have to disclose the following interests for the purposes of this Part:
- (a) your interest as an elector
 - (b) your interest as a ratepayer or person liable to pay a charge
 - (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
 - (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code

- (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
 - (f) if you are a council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the council committee
 - (g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
 - (h) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
 - (i) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
 - i) the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
 - ii) security for damage to footpaths or roads
 - iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
 - (j) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor)
 - (k) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252 of the LGA,
 - (l) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor
 - (m) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
 - (n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or a council committee member
 - (o) an interest arising from the appointment of a councillor to a body as a representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.
- 4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

What disclosures must be made by a designated person?

4.8 Designated persons include:

- (a) the general manager
- (b) other senior staff of the council for the purposes of section 332 of the LGA
- (c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
- (d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

4.9 A designated person:

- (a) must prepare and submit written returns of interests in accordance with clauses 4.21, and
- (b) must disclose pecuniary interests in accordance with clause 4.10.

4.10 A designated person must disclose in writing to the general manager (or if the person is the general manager, to the council) the nature of any pecuniary interest the person has in any council matter with which the person is dealing as soon as practicable after becoming aware of the interest.

4.11 Clause 4.10 does not require a designated person who is a member of staff of the council to disclose a pecuniary interest if the interest relates only to the person's salary as a member of staff, or to their other conditions of employment.

4.12 The general manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.

4.13 A disclosure by the general manager must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and the council must deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council staff other than designated persons?

4.14 A member of staff of council, other than a designated person, must disclose in writing to their manager or the general manager the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest.

4.15 The staff member's manager or the general manager must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council advisers?

- 4.16 A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.
- 4.17 A person does not breach clause 4.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

What disclosures must be made by a council committee member?

- 4.18 A council committee member must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29.
- 4.19 For the purposes of clause 4.18, a "council committee member" includes a member of staff of council who is a member of the committee.

What disclosures must be made by a councillor?

- 4.20 A councillor:
- (a) must prepare and submit written returns of interests in accordance with clause 4.21, and
 - (b) must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29 where it is applicable.

Disclosure of interests in written returns

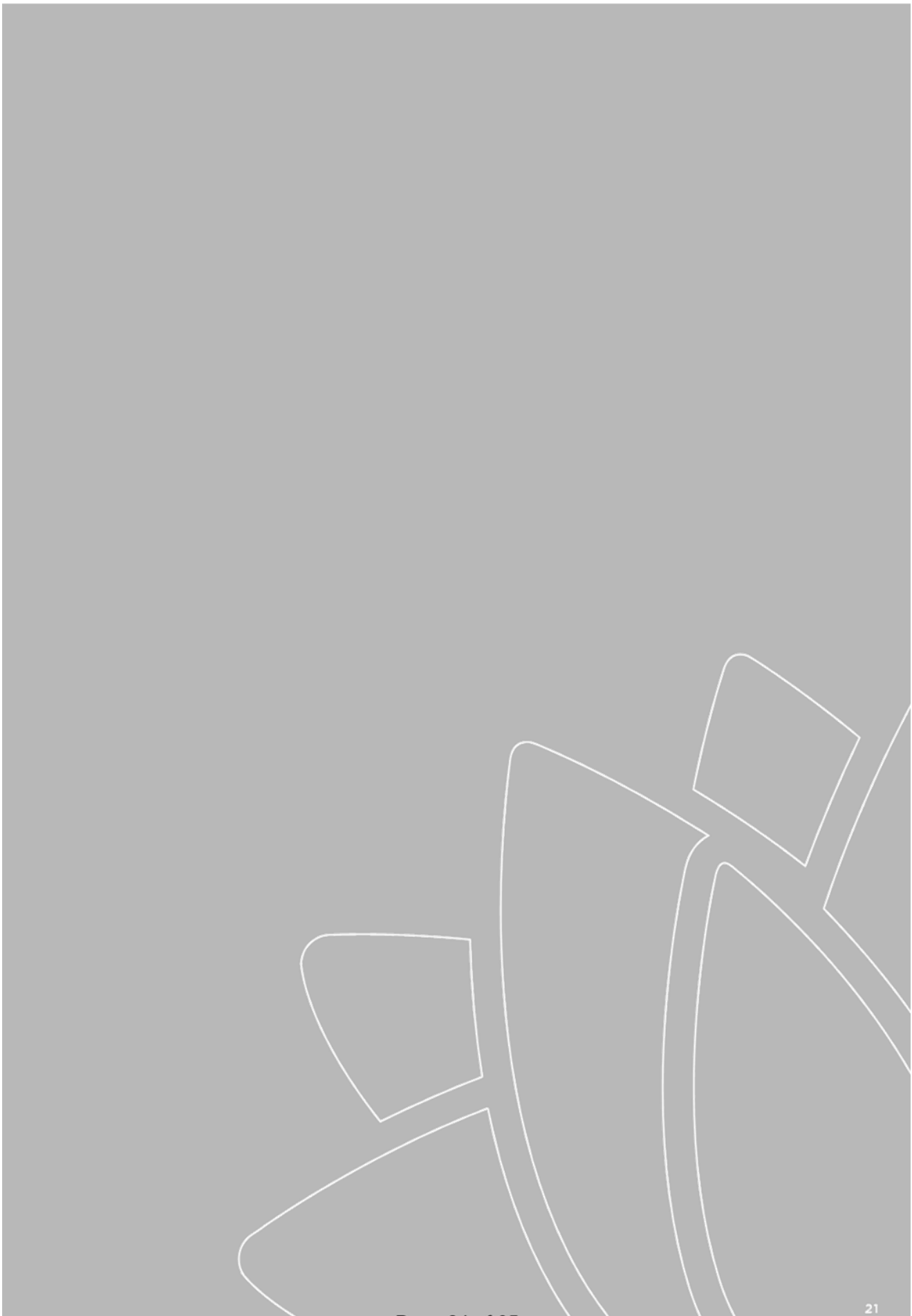
- 4.21 A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in schedule 1 to this code within 3 months after:
- (a) becoming a councillor or designated person, and
 - (b) 30 June of each year, and
 - (c) the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).
- 4.22 A person need not make and lodge a return under clause 4.21, paragraphs (a) and (b) if:
- (a) they made and lodged a return under that clause in the preceding 3 months, or
 - (b) they have ceased to be a councillor or designated person in the preceding 3 months.

- 4.23 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- 4.24 The general manager must keep a register of returns required to be made and lodged with the general manager.
- 4.25 Returns required to be lodged with the general manager under clause 4.21(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.
- 4.26 Returns required to be lodged with the general manager under clause 4.21(c) must be tabled at the next council meeting after the return is lodged.
- 4.27 Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.
- (b) at any time during which the council or committee is voting on any question in relation to the matter.
- 4.30 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.
- 4.31 A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.
- 4.32 A general notice may be given to the general manager in writing by a councillor or a council committee member to the effect that the councillor or council committee member, or the councillor's or council committee member's spouse, de facto partner or relative, is:
- (a) a member of, or in the employment of, a specified company or other body, or
- (b) a partner of, or in the employment of, a specified person.

Disclosure of pecuniary interests at meetings

- 4.28 A councillor or a council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.29 The councillor or council committee member must not be present at, or in sight of, the meeting of the council or committee:
- (a) at any time during which the matter is being considered or discussed by the council or committee, or
- Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the councillor's or council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.
- 4.33 A councillor or a council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or council committee member has an interest in the matter of a kind referred to in clause 4.6.

- 4.34 A person does not breach clauses 4.28 or 4.29 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.35 Despite clause 4.29, a councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 4.36 Clause 4.29 does not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting if:
- (a) the matter is a proposal relating to:
 - (i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
 - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
 - (b) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
 - (c) the councillor made a special disclosure under clause 4.37 in relation to the interest before the commencement of the meeting.
- 4.37 A special disclosure of a pecuniary interest made for the purposes of clause 4.36(c) must:
- (a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
 - (b) be laid on the table at a meeting of the council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.
- 4.38 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
- (a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
 - (b) that it is in the interests of the electors for the area to do so.
- 4.39 A councillor or a council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.38, must still disclose the interest they have in the matter in accordance with clause 4.28.



Part 5:

Non-Pecuniary Conflicts of Interest

What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
 - a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household

- b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
 - c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
 - d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
 - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
 - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
 - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.
- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.
- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.

- 5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

Political donations

- 5.15 Councillors should be aware that matters before council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 5.16 Where you are a councillor and have received or knowingly benefitted from a reportable political donation:
- a) made by a major political donor in the previous four years, and
 - b) the major political donor has a matter before council,
- you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29. A disclosure made under this clause must be recorded in the minutes of the meeting.
- 5.17 For the purposes of this Part:
- a) a "reportable political donation" has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
 - b) "major political donor" has the same meaning as it has in the *Electoral Funding Act 2018*.

- 5.18 Councillors should note that political donations that are not a "reportable political donation", or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.

- 5.19 Despite clause 5.16, a councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

Loss of quorum as a result of compliance with this Part

- 5.20 A councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:
- a) the matter is a proposal relating to:
 - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
 - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and

b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and

c) the councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.

5.21 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- b) that it is in the interests of the electors for the area to do so.

5.22 Where the Minister exempts a councillor or committee member from complying with a requirement under this Part under clause 5.21, the councillor or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Other business or employment

5.23 The general manager must not engage, for remuneration, in private employment, contract work or other business outside the service of the council without the approval of the council.

5.24 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council or that might conflict with the staff member's council duties unless they have notified the general manager in writing of the employment, work or business and the general manager has given their written approval for the staff member to engage in the employment, work or business.

5.25 The general manager may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council, or that might conflict with the staff member's council duties.

5.26 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council if prohibited from doing so.

5.27 Members of staff must ensure that any outside employment, work or business they engage in will not:

- a) conflict with their official duties
- b) involve using confidential information or council resources obtained through their work with the council including where private use is permitted

- c) require them to work while on council duty
- d) discredit or disadvantage the council
- e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

Personal dealings with council

- 5.28 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 5.29 You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

Part 6:

Personal Benefit

- 6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment.
- 6.2 A reference to a gift or benefit in this Part does not include:
- a) items with a value of \$10 or less
 - b) a political donation for the purposes of the *Electoral Funding Act 2018*
 - c) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them
 - d) a benefit or facility provided by the council to an employee or councillor
 - e) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
 - f) free or subsidised meals, beverages or refreshments provided to council officials in conjunction with the performance of their official duties such as, but not limited to:
 - i) the discussion of official business
 - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops
 - iii) conferences
 - iv) council functions or events
 - v) social functions organised by groups, such as council committees and community organisations.

Gifts and benefits

- 6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.
- 6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

How are offers of gifts and benefits to be dealt with?

- 6.5 You must not:
- a) seek or accept a bribe or other improper inducement
 - b) seek gifts or benefits of any kind
 - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
 - d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9
 - e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
 - f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer-supplier relationship with the competition organiser
 - g) personally benefit from reward points programs when purchasing on behalf of the council.

6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the general manager in writing. The recipient, manager, or general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:

- a) the nature of the gift or benefit
- b) the estimated monetary value of the gift or benefit
- c) the name of the person who provided the gift or benefit, and
- d) the date on which the gift or benefit was received.

6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$100. They include, but are not limited to:

- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100
- b) gifts of alcohol that do not exceed a value of \$100
- c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
- d) prizes or awards that do not exceed \$100 in value.

Gifts and benefits of more than token value

6.9 Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.

6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.

6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.

6.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

“Cash-like gifts”

- 6.13 For the purposes of clause 6.5(e), “cash-like gifts” include, but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and undue influence

- 6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials through the proper exercise of their role as prescribed under the LGA.
- 6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.

Part 7:

Relationships Between Council Officials

Obligations of councillors and administrators

- 7.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy, and to keep the performance of the council under review.
- 7.2 Councillors or administrators must not:
- direct council staff other than by giving appropriate direction to the general manager by way of council or committee resolution, or by the mayor or administrator exercising their functions under section 226 of the LGA
 - in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the staff member or delegate
 - contact a member of the staff of the council on council-related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager
 - contact or issue instructions to any of the council's contractors, including the council's legal advisers, unless by the mayor or administrator exercising their functions under section 226 of the LGA.

- 7.3 Despite clause 7.2, councillors may contact the council's external auditor or the chair of the council's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

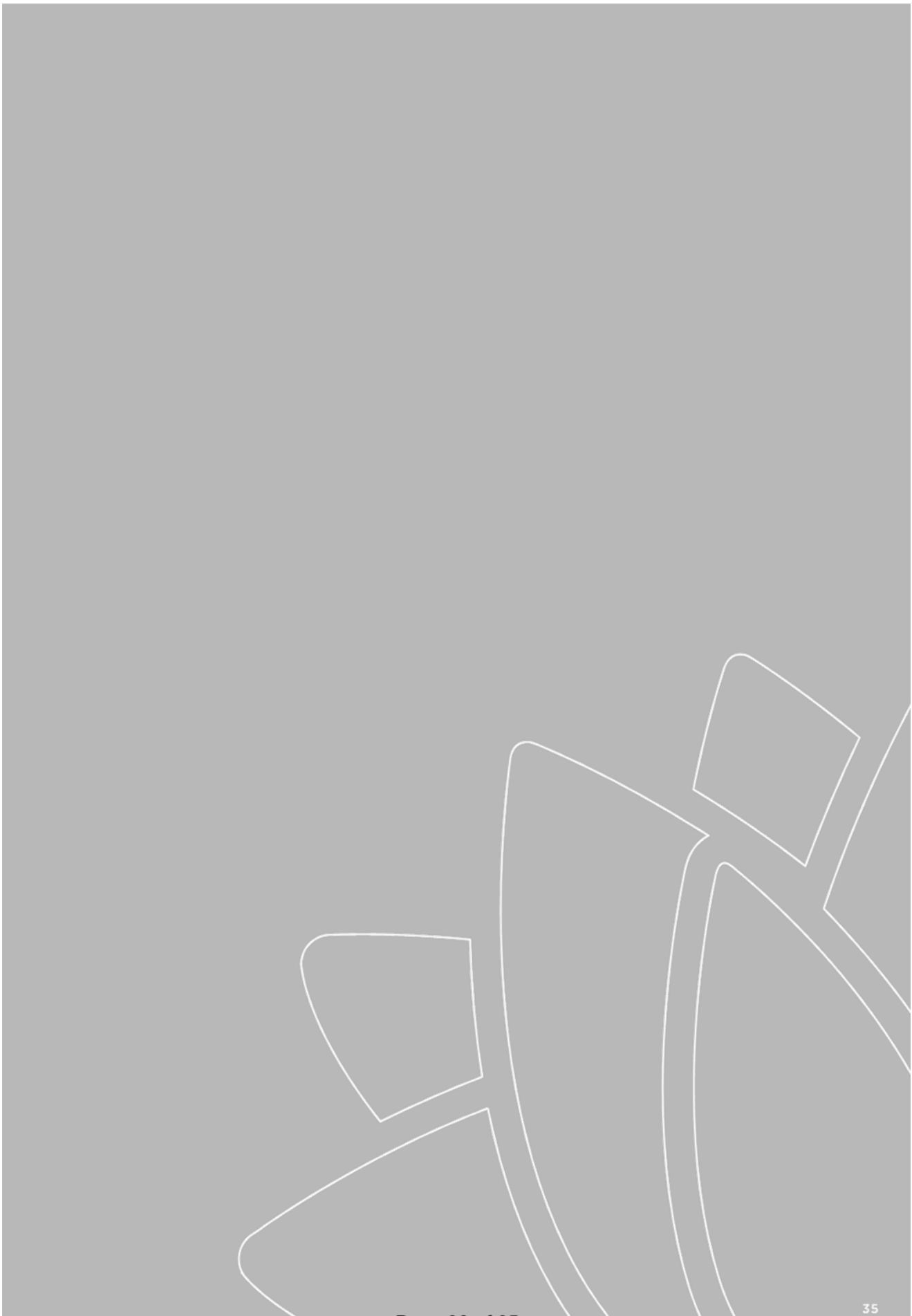
Obligations of staff

- 7.4 Under section 335 of the LGA, the role of the general manager includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.
- 7.5 Members of staff of council must:
- give their attention to the business of the council while on duty
 - ensure that their work is carried out ethically, efficiently, economically and effectively
 - carry out reasonable and lawful directions given by any person having authority to give such directions
 - give effect to the lawful decisions, policies and procedures of the council, whether or not the staff member agrees with or approves of them
 - ensure that any participation in political activities outside the service of the council does not interfere with the performance of their official duties.

Inappropriate interactions

7.6 You must not engage in any of the following inappropriate interactions:

- a) councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- b) council staff approaching councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- c) subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
- d) councillors and administrators who have lodged an application with the council, discussing the matter with council staff in staff-only areas of the council
- e) councillors and administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the councillor or administrator has a right to be heard by the panel at the meeting
- f) councillors and administrators being overbearing or threatening to council staff
- g) council staff being overbearing or threatening to councillors or administrators
- h) councillors and administrators making personal attacks on council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
- i) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make
- j) council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
- k) council staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals
- l) councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the council associated with current or proposed legal proceedings unless permitted to do so by the council's general manager or, in the case of the mayor or administrator, unless they are exercising their functions under section 226 of the LGA.



Part 8:

Access to Information and Council Resources

Councillor and administrator access to information

- 8.1 The general manager is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The general manager and public officer are also responsible for ensuring that members of the public can access publicly available council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 8.2 The general manager must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.
- 8.4 Members of staff of council who provide any information to a particular councillor in the performance of their official functions must also make it available to any other councillor who requests it and in accordance with council procedures.
- 8.5 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.

- 8.6 Despite clause 8.4, councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise available to members of the public, or the council has determined to make the information available under the GIPA Act.

Councillors and administrators to properly examine and consider information

- 8.7 Councillors and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

Refusal of access to information

- 8.8 Where the general manager or public officer determine to refuse access to information requested by a councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the councillor or administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The general manager or public officer must state the reasons for the decision if access is refused.

Use of certain council information

8.9 In regard to information obtained in your capacity as a council official, you must:

- a) subject to clause 8.14, only access council information needed for council business
- b) not use that council information for private purposes
- c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with council
- d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

8.10 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.

8.11 In addition to your general obligations relating to the use of council information, you must:

- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
- b) protect confidential information
- c) only release confidential information if you have authority to do so
- d) only use confidential information for the purpose for which it is intended to be used

- e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body
- g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

8.12 When dealing with personal information you must comply with:

- a) the *Privacy and Personal Information Protection Act 1998*
- b) the *Health Records and Information Privacy Act 2002*
- c) the Information Protection Principles and Health Privacy Principles
- d) the council's privacy management plan
- e) the Privacy Code of Practice for Local Government

Use of council resources

8.13 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.

8.14 Union delegates and consultative committee members may have reasonable access to council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:

- a) the representation of members with respect to disciplinary matters
- b) the representation of employees with respect to grievances and disputes
- c) functions associated with the role of the local consultative committee.

8.15 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.

8.16 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.

8.17 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.

8.18 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:

- a) for the purpose of assisting your election campaign or the election campaign of others, or
- b) for other non-official purposes.

8.19 You must not convert any property of the council to your own use unless properly authorised.

Internet access

8.20 You must not use council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.

Council record keeping

8.21 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.

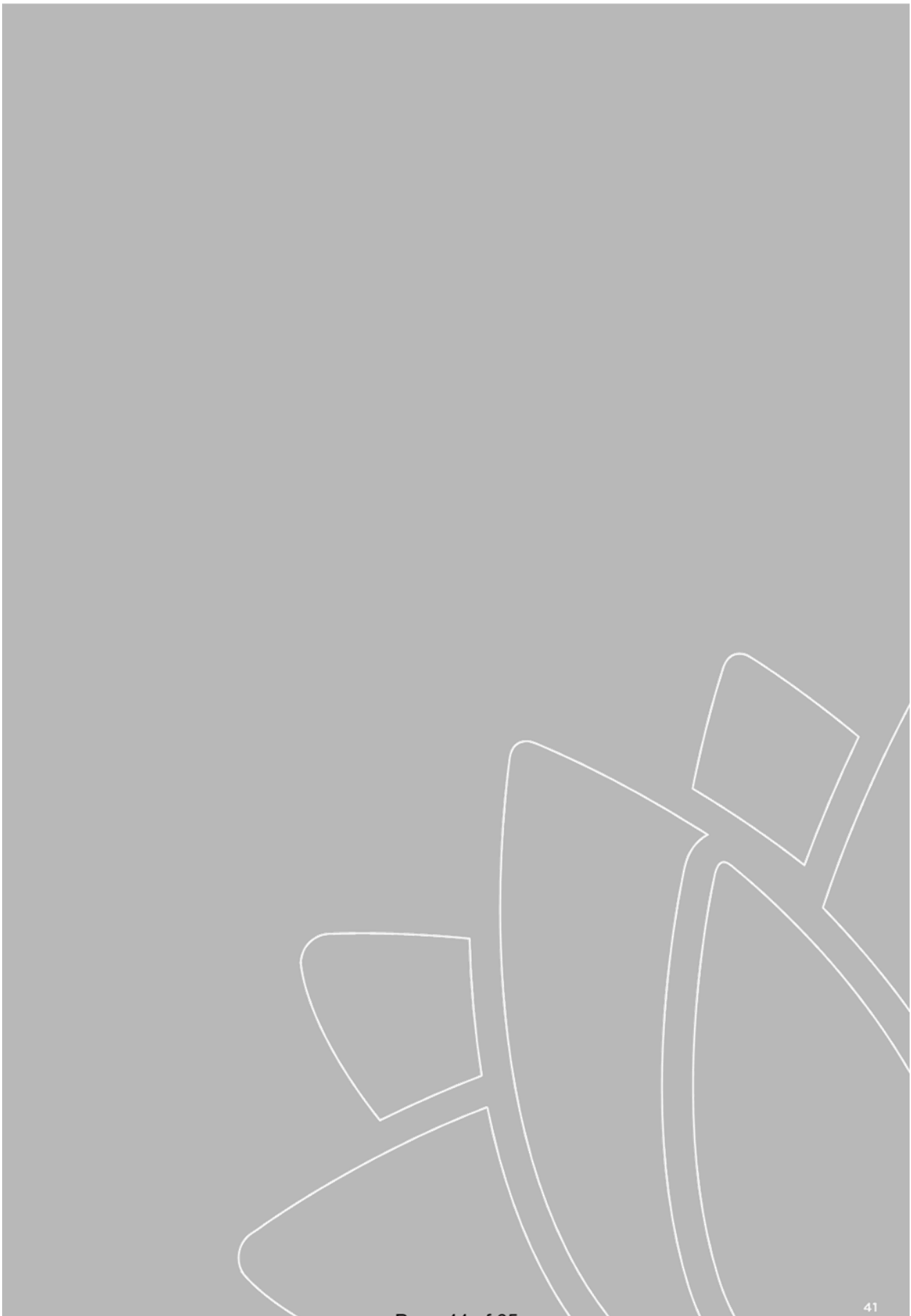
8.22 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.

8.23 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of whether the original intention was to create the information for personal purposes.

8.24 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

Councillor access to council buildings

- 8.25 Councillors and administrators are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the general manager.
- 8.26 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or their delegate) or as provided for in the procedures governing the interaction of councillors and council staff.
- 8.27 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence council staff decisions.



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Part 9:

Maintaining the Integrity of this Code

Complaints made for an improper purpose

- 9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- to bully, intimidate or harass another council official
 - to damage another council official's reputation
 - to obtain a political advantage
 - to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
 - to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
 - to avoid disciplinary action under the Procedures
 - to take reprisal action against a person for making a complaint alleging a breach of this code
 - to take reprisal action against a person for exercising a function prescribed under the Procedures
 - to prevent or disrupt the effective administration of this code under the Procedures.

Detrimental action

- 9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:
- injury, damage or loss
 - intimidation or harassment
 - discrimination, disadvantage or adverse treatment in relation to employment
 - dismissal from, or prejudice in, employment
 - disciplinary proceedings.

Compliance with requirements under the Procedures

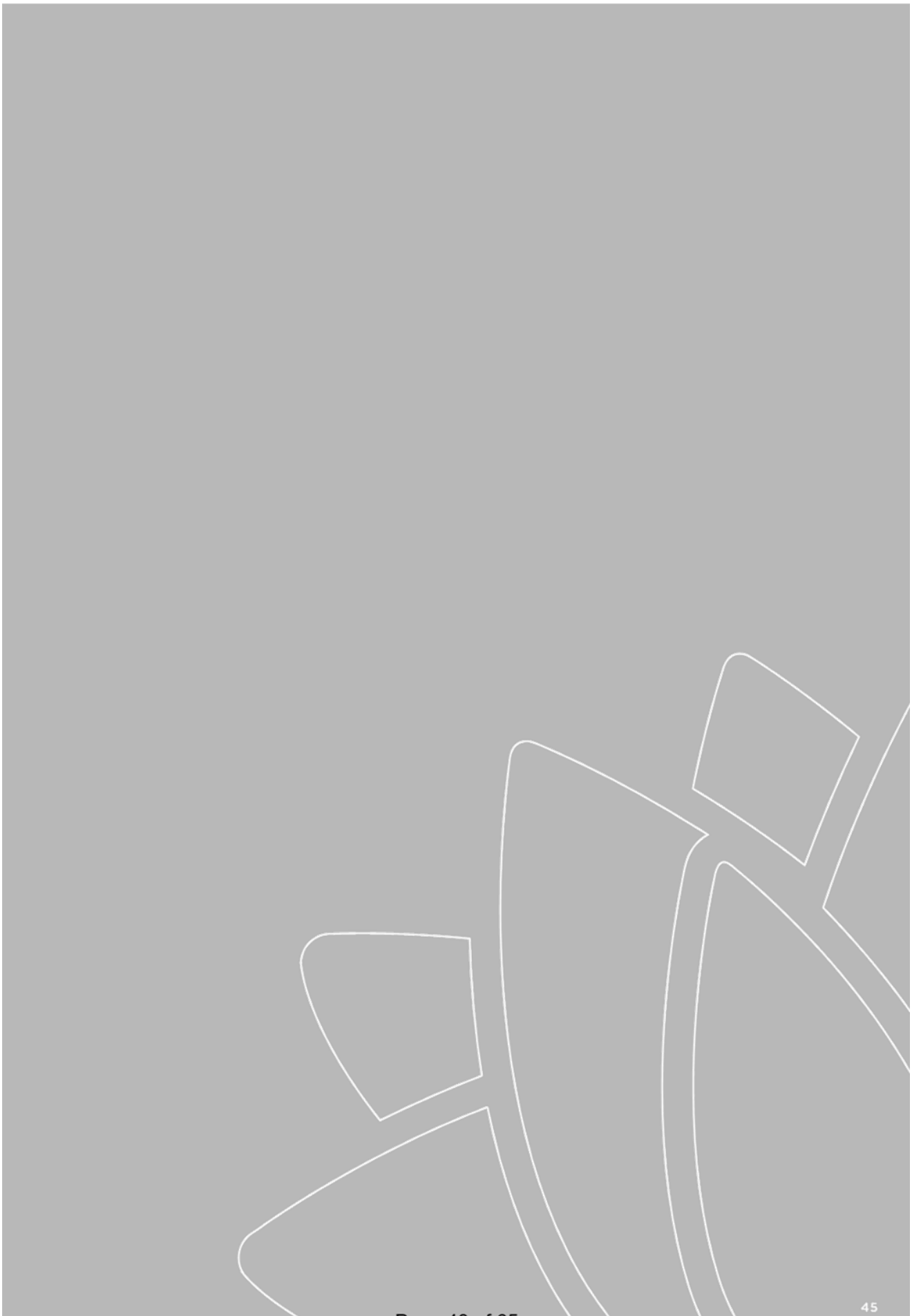
- 9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.
- 9.8 You must comply with a practice ruling made by the Office under the Procedures.

Disclosure of information about the consideration of a matter under the Procedures

- 9.9 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 9.10 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 9.11 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 9.12 You must not disclose information about a complaint you have made alleging a breach of this code or any other matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.
- 9.13 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

- 9.14 Complaints alleging a breach of this Part by a councillor, the general manager or an administrator are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the council for consideration in accordance with the Procedures.
- 9.15 Complaints alleging a breach of this Part by other council officials are to be managed by the general manager in accordance with the Procedures.



Schedule 1:

Disclosures of Interest and Other Matters in Written Returns Submitted Under Clause 4.21

Part 1: Preliminary

Definitions

1. For the purposes of the schedules to this code, the following definitions apply:

address means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the councillor or designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

de facto partner has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

disposition of property means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property

- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

gift means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

interest means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

listed company means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

occupation includes trade, profession and vocation.

professional or business association means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

return date means:

- a) in the case of a return made under clause 4.21(a), the date on which a person became a councillor or designated person
- b) in the case of a return made under clause 4.21(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21(c), the date on which the councillor or designated person became aware of the interest to be disclosed.

relative includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).

travel includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

2. *Interests etc. outside New South Wales:*
A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
3. *References to interests in real property:*
A reference in this schedule or in schedule 2 to real property in which a councillor or designated person has an interest includes a reference to any real property situated in Australia in which the councillor or designated person has an interest.
4. *Gifts, loans etc. from related corporations:*
For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

Part 2: Pecuniary interests to be disclosed in returns

Real property

5. A person making a return under clause 4.21 of this code must disclose:
 - a) the street address of each parcel of real property in which they had an interest on the return date, and
 - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
 - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
 - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
 - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a councillor or designated person.
8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

Gifts

9. A person making a return under clause 4.21 of this code must disclose:
 - a) a description of each gift received in the period since 30 June of the previous financial year, and
 - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
 - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
 - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - c) the donor was a relative of the donee, or
 - d) subject to paragraph (a), it was received prior to the person becoming a councillor or designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

12. A person making a return under clause 4.21 of this code must disclose:
 - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and

- b) the dates on which the travel was undertaken, and
 - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
13. A financial or other contribution to any travel need not be disclosed under this clause if it:
- a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
 - b) was made by a relative of the traveller, or
 - c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
 - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
 - e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
 - g) subject to paragraph (d) it was received prior to the person becoming a councillor or designated person.
14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

Interests and positions in corporations

15. A person making a return under clause 4.21 of this code must disclose:
- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
 - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
 - c) the nature of the interest, or the position held, in each of the corporations, and
 - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
 - b) required to apply its profits or other income in promoting its objects, and
 - c) prohibited from paying any dividend to its members.
17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a councillor or designated person.

Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.21 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.

20. For the purposes of clause 19 of this schedule:

close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.

property developer has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

Positions in trade unions and professional or business associations

21. A person making a return under clause 4.21 of the code must disclose:
- the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
 - the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
 - a description of the position held in each of the unions and associations.

22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a councillor or designated person.

Dispositions of real property

23. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
24. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
25. A disposition of real property need not be disclosed if it was made prior to a person becoming a councillor or designated person.

Sources of income

26. A person making a return under clause 4.21 of this code must disclose:
 - a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
 - b) each source of income received by the person in the period since 30 June of the previous financial year.
27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
 - a) in relation to income from an occupation of the person:
 - (i) a description of the occupation, and
 - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
 - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
 - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
 - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.

28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
29. The source of any income received by the person that they ceased to receive prior to becoming a councillor or designated person need not be disclosed.
30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

Debts

31. A person making a return under clause 4.21 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
 - a) on the return date, and
 - b) at any time in the period since 30 June of the previous financial year.
32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
33. A liability to pay a debt need not be disclosed by a person in a return if:
 - a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:

- (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
- (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
- b) the person was liable to pay the debt to a relative, or
- c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
- d) in the case of a debt arising from the supply of goods or services:
 - (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
 - (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
- e) subject to paragraph (a), the debt was discharged prior to the person becoming a councillor or designated person.

Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

Schedule 2:

Form of Written Return of Interests Submitted Under Clause 4.21

‘Disclosures by councillors and designated persons’ return

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.

6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word “NIL” is to be placed in an appropriate space under that heading.

Important information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

Disclosure of pecuniary interests and other matters by *[full name of councillor or designated person]*

as at *[return date]*

in respect of the period from *[date]* to *[date]*

[councillor's or designated person's signature]

[date]

A. Real Property

Street address of each parcel of real property in which I had an interest at the *return date/at any time since 30 June*

B. Sources of Income

1 Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from an occupation at any time since 30 June

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
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2 Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee
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3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June

Sources of other income I received at any time since 30 June

[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]

C. Gifts

Description of each gift I received at any time since 30 June	Name and address of donor
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D. Contributions to travel

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
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E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June	Nature of interest (if any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
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F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)**G. Positions in trade unions and professional or business associations**

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June	Description of position
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H. Debts

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June

I. Dispositions of property

- 1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time
- 2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

J. Discretionary disclosures

Schedule 3:

Form of Special Disclosure of Pecuniary Interest Submitted Under Clause 4.37

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because

you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests by *[full name of councillor]*

in the matter of *[insert name of environmental planning instrument]*

which is to be considered at a meeting of the
[name of council or council committee (as the case requires)]

to be held on the day of 20 .

Pecuniary interest**Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)**

Relationship of identified land to councillor

[Tick or cross one box.]

- ☐ The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise).
- ☐ An associated person of the councillor has an interest in the land.
- ☐ An associated company or body of the councillor has an interest in the land.

Matter giving rise to pecuniary interest¹

Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land)²

[Tick or cross one box]

- ☐ The identified land.
- ☐ Land that adjoins or is adjacent to or is in proximity to the identified land.

Current zone/planning control

[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]

- 1 Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.
- 2 A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

Proposed change of zone/planning control

*[Insert name of proposed LEP and identify
proposed change of zone/planning control
applying to the subject land]*

Effect of proposed change of zone/planning
control on councillor or associated person

*[Insert one of the following: "Appreciable
financial gain" or "Appreciable financial loss"]*

*[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each
additional interest.]*

Councillor's signature

Date

[This form is to be retained by the council's general manager and included in full in the minutes of
the meeting]





CODE OF MEETING PRACTICE

Adopted: xx May 2025

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1 INTRODUCTION

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

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

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 members and staff act ethically and make decisions in the interests of the whole community.

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

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

Orderly: Members, 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 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

3.2 The council may, by resolution, vary the time, date and place of ordinary meetings for flexibility on given circumstances.

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

Extraordinary meetings

- 3.3 If the chairperson receives a request in writing, signed by at least two (2) members, the chairperson 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 chairperson can be one of the two members requesting the meeting.

Note: Clause 3.3 reflects section 366 of the Act.

Notice to the public of council meetings

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

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

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

Notice to members of ordinary council meetings

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

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

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

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

Notice to members of extraordinary meetings

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

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

Giving notice of business to be considered at council meetings

- 3.10 A member 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 four (4) business days before the meeting is to be held.
- 3.11 A member 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.
- 3.12 If the general manager considers that a notice of motion submitted by a member 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.
- 3.13 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 members 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

- 3.14 A member 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.
- 3.15 A member 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.
- 3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 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

- 3.17 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.

- 3.18 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) 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.
- 3.19 Nothing in clause 3.18 limits the powers of the chairperson to put a chairperson's minute to a meeting under clause 9.6.
- 3.20 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.
- 3.21 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 3.21 reflects section 9(2A)(a) of the Act.

- 3.22 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 member or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

- 3.23 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding members 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

- 3.24 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 3.24 reflects section 9(2) and (4) of the Act.

- 3.25 Clause 3.24 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 3.25 reflects section 9(2A)(b) of the Act.

- 3.26 For the purposes of clause 3.24, copies of agendas and business papers must be published on 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 members.

Note: Clause 3.26 reflects section 9(3) of the Act.

- 3.27 A copy of an agenda, or of an associated business paper made available under clause 3.24, may in addition be given or made available in electronic form.

Note: Clause 3.27 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.28 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.
- 3.29 Despite clause 3.28, 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.
- 3.30 A motion moved under clause 3.29(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.31 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.29(a) can speak to the motion before it is put.
- 3.32 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.29(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.33 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief members 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.

- 3.34 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.35 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.36 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.37 Members 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.
- 3.38 Members (including the chairperson) 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 member who made the declaration.

4 PUBLIC FORUMS

- 4.1 The council may 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 chairperson 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 by 4pm on the Monday before 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 two (2) items 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 chairperson or the chairperson's nominated delegate, 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 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 five (5) 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 they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.15 A member (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 three (3) minutes.
- 4.17 Speakers at public forums cannot ask questions of the council, members, or council staff.
- 4.18 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to five (5) 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 14 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 Members (including the chairperson) 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 members at meetings

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

Note: A member may not attend a meeting as a member (other than the first meeting of the council after the member is elected or a meeting at which the member 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 member cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.
- 5.4 Where a member is unable to attend one or more ordinary meetings of the council, the member should request that the council grant them a leave of absence from those meetings. This clause does not prevent a member 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.
- 5.5 A member's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the member intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.6 The council must act reasonably when considering whether to grant a member's request for a leave of absence.
- 5.7 A member's civic office will become vacant if the member 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 5.7 reflects section 234(1)(d) of the Act.**
- 5.8 A member 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

- 5.9 The quorum for a meeting of the council is a majority of the members of the council who hold office at that time and are not suspended from office.
- Note: Clause 5.9 reflects section 368(1) of the Act.**
- 5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.
- Note: Clause 5.10 reflects section 368(2) of the Act.**
- 5.11 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.

- 5.12 In either case, the meeting must be adjourned to a time, date, and place fixed:
- (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the members present, or
 - (c) failing that, by the general manager.
- 5.13 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the members present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of members, 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 chairperson may, in consultation with the general manager and, as far as is practicable, with each member, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

Meetings held by audio-visual link

- 5.16 A meeting of the council or a committee of the council may be held by audio-visual link where the chairperson determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The chairperson may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of members and staff at risk. The chairperson must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each member.
- 5.17 Where the chairperson determines under clause 5.16 that a meeting is to be held by audio-visual link, the general manager must:
- (a) give written notice to all members that the meeting is to be held by audio-visual link, and
 - (b) take all reasonable steps to ensure that all members 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.
- 5.18 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

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

Attendance by members at meetings by audio-visual link

- 5.19 Members 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.
- 5.20 A request by a member 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 member will be prevented from attending the meeting in person.
- 5.21 Members may request approval to attend more than one meeting by audio-visual link. Where a member 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 5.20.
- 5.22 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 member to attend a meeting by audio-visual link.
- 5.23 A member 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 member may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.24 A decision whether to approve a request by a member 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 member is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.
- 5.25 If the council or committee refuses a member's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.26 A decision whether to approve a member'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 members to attend meetings by audio-visual link. However, the council and committees of the council are under no obligation to approve a member's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the member to attend the meeting by these

means.

- 5.27 The council and committees of the council may refuse a member's request to attend a meeting by audio-visual link where the council or committee is satisfied that the member 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.
- 5.28 This code applies to a member attending a meeting by audio-visual link in the same way it would if the member was attending the meeting in person. Where a member 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.
- 5.29 A member must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The member's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.30 A member 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

- 5.31 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 5.31 reflects section 10(1) of the Act.

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

- 5.33 A person (whether a member 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 5.33 reflects section 10(2) of the Act.

Note: If adopted, clauses 15.14 and 15.15 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.14 authorises chairpersons to expel any person, including a member, from a council or committee meeting. Alternatively, if adopted, clause 15.15

authorises chairpersons to expel persons other than members from a council or committee meeting.

Webcasting of meetings

- 5.34 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.
- 5.35 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.
- 5.36 The recording of a meeting is to be made publicly available on the council's website as soon as practicable after the meeting.
- .
- 5.37 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.
- 5.38 Clauses 5.36 and 5.37 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 5.34 – 5.38 reflect section 236 of the Regulation.

- 5.39 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

- 5.40 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 board members.

Note: Clause 5.40 reflects section 376(1) of the Act.

- 5.41 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 5.41 reflects section 376(2) of the Act.

- 5.42 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 5.42 reflects section 376(3) of the Act.

- 5.43 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.

- 5.44 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 chairperson, or at the request of or in the absence of the chairperson, the deputy chairperson (if any) presides at meetings of the council.

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

- 6.2 If the chairperson and the deputy chairperson (if any) are absent, a member elected to chair the meeting by the members 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 chairperson and deputy chairperson

- 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 member then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
 - (b) every member present must be silent to enable the chairperson to be heard without interruption.

7 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

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

- 01 Opening meeting
- 02 Acknowledgement of country
- 03 Recording of Meeting Statement
- 04 Apologies and applications for a leave of absence or attendance by audio-visual link by members
- 05 Confirmation of minutes
- 06 Matters arising from previous minutes
- 07 Disclosures of interests
- 08 Public Forum
- 09 Chairperson's minute
- 10 Member Representation
- 11 Notices of Motion
- 12 Reports of Staff
- 13 Questions on Notice
- 14 Confidential Matters
- 15 Late Reports
- 16 Conclusion of the meeting

- 7.2 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.

- 7.3 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

8 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGSBusiness that can be dealt with at a council meeting

- 8.1 The council must not consider business at a meeting of the council:
- (a) unless a member has given notice of the business, as required by clause 3.10, and

- (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 8.2 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 chairperson's minute, or
 - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 8.3 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 members 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.
- 8.4 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.
- 8.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Chairperson's minutes

- 8.7 A chairperson's minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting.
- 8.8 A recommendation made in a chairperson's minute put by the chairperson is, so far as it is adopted by the council, a resolution of the council.
- 8.9 A chairperson's 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.
- 8.10 Where a chairperson's 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 chairperson's 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

- 8.11 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

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

Questions

- 8.14 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 3.10 and 3.14.
- 8.15 A member may, through the chairperson, put a question to another member about a matter on the agenda.
- 8.16 A member 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.
- 8.17 A member 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 member 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.
- 8.18 Members must put questions directly, succinctly, respectfully and without argument.
- 8.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a member or council employee.

9 RULES OF DEBATE

Motions to be seconded

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

Notices of motion

- 9.2 A member who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.

- 9.3 If a member who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to members, the member may request the withdrawal of the motion when it is before the council.
- 9.4 In the absence of a member who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other member 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

- 9.5 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.
- 9.6 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.
- 9.7 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.
- 9.8 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

- 9.9 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

- 9.10 An amendment to a motion must be moved and seconded before it can be debated.
- 9.11 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.
- 9.12 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.

- 9.13 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.
- 9.14 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.
- 9.15 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.
- 9.16 An amendment may become the motion without debate or a vote where it is accepted by the member who moved the original motion.

Foreshadowed motions

- 9.17 A member 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.
- 9.18 Where an amendment has been moved and seconded, a member 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.
- 9.19 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

- 9.20 A member 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.
- 9.21 A member, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 9.22 A member 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.

- 9.23 Despite clause 9.22, the chairperson may permit a member 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 member to make a statement limited to explaining the misrepresentation or misunderstanding.
- 9.24 Despite clause 9.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 9.25 Despite clauses 9.20 and 9.21, a member 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 member expresses an intention to speak against it, or
 - (b) if at least two (2) members have spoken in favour of the motion or amendment and at least two (2) members have spoken against it.
- 9.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 9.25. A seconder is not required for such a motion.
- 9.27 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 9.20.
- 9.28 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.
- 9.29 All members must be heard without interruption and all other members must, unless otherwise permitted under this code, remain silent while another member is speaking.
- 9.30 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.

10 VOTING

Voting entitlements of members

- 10.1 Each member is entitled to one (1) vote.
- Note: Clause 10.1 reflects section 370(1) of the Act.**
- 10.2 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 10.2 reflects section 370(2) of the Act.**
- 10.3 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

- 10.4 A member 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.
- 10.5 If a member who has voted against a motion put at a council meeting so requests, the general manager must ensure that the member's dissenting vote is recorded in the council's minutes.
- 10.6 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) members rise and call for a division.
- 10.7 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.
- 10.8 When a division on a motion is called, any member who fails to vote will be recorded as having voted against the motion in accordance with clause 10.4 of this code.
- 10.9 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 members for chairperson or deputy chairperson is to be by secret ballot.

11 COMMITTEE OF THE WHOLE

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

Note: Clause 11.1 reflects section 373 of the Act.

- 11.2 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 9.20–9.30 limit the number and duration of speeches.

- 11.3 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.

- 11.4 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.

12 DEALING WITH ITEMS BY EXCEPTION

- 12.1 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.
- 12.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 12.1, the chairperson must list the items of business to be adopted and ask members 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.
- 12.3 The council or committee must not resolve to adopt any item of business under clause 12.1 that a member has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 12.4 Where the consideration of multiple items of business together under clause 12.1 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 8.3.
- 12.5 A motion to adopt multiple items of business together under clause 12.1 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.
- 12.6 Items of business adopted under clause 12.1 are to be taken to have been adopted unanimously.
- 12.7 Members must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 12.1 in accordance with the requirements of the council's code of conduct.

13 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 13.1 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 members),
 - (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, members, 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 13.1 reflects section 10A(1) and (2) of the Act.

- 13.2 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 13.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 13.3 A meeting is not to remain closed during the discussion of anything referred to in clause 13.1:
- (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 13.3 reflects section 10B(1) of the Act.

- 13.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 13.1(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 13.4 reflects section 10B(2) of the Act.

- 13.5 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 13.2), 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 13.1.

Note: Clause 13.5 reflects section 10B(3) of the Act.

- 13.6 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 13.6 reflects section 10B(4) of the Act.

- 13.7 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 13.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 13.8 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 13.1, and
 - (b) the council or committee, after considering any representations made under clause 13.9, 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 13.8 reflects section 10C of the Act.

Representations by members of the public

- 13.9 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 13.9 reflects section 10A(4) of the Act.

- 13.10 A representation under clause 13.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 13.11 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 13.9, members of the public must first make an application to the council in the approved form. Applications must be received by 4pm on the Monday before

the meeting at which the matter is to be considered.

- 13.12 The general manager (or their delegate) may refuse an application made under clause 13.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 13.13 No more than four (4) speakers are to be permitted to make representations under clause 13.9.
- 13.14 If more than the permitted number of speakers apply to make representations under clause 13.9, 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 13.9, the general manager or their delegate is to determine who will make representations to the council.
- 13.15 The general manager (or their delegate) is to determine the order of speakers.
- 13.16 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 13.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than four (4) speakers to make representations in such order as determined by the chairperson.
- 13.17 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-members from meetings closed to the public

- 13.18 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 member 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.
- 13.19 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 members attending meetings by audio-visual link

- 13.20 Members 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

13.21 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 13.21 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

13.22 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.

13.23 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 13.22 during a part of the meeting that is webcast.

14 KEEPING ORDER AT MEETINGS

Points of order

14.1 A member 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.

14.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.

14.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the member 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

14.4 The chairperson, without the intervention of any other member, may call any member to order whenever, in the opinion of the chairperson, it is necessary to do so.

- 14.5 A member who claims that another member has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 14.6 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.
- 14.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 14.8 A member 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.
- 14.9 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.
- 14.10 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

- 14.11 A member commits an act of disorder if the member, 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 member 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 14.11 reflects section 182 of the Regulation.

- 14.12 The chairperson may require a member:
- (a) to apologise without reservation for an act of disorder referred to in clauses 14.11(a), (b), or (e), or
 - (b) to withdraw a motion or an amendment referred to in clause 14.11(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 14.11(d) and (e).

Note: Clause 14.12 reflects section 233 of the Regulation.

How disorder at a meeting may be dealt with

- 14.13 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 members.

Expulsion from meetings

- 14.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any member, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.
- 14.16 Clause 14.14 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.
- 14.17 A member 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 14.12. The expulsion of a member from the meeting for that reason does not prevent any other action from being taken against the member for the act of disorder concerned.

Note: Clause 14.17 reflects section 233(2) of the Regulation.

- 14.18 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.
- 14.19 Where a member 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.
- 14.20 If a member 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 member or member of the public from that place and, if necessary, restrain the member or member of the public from re-entering that place for the remainder of the meeting.

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

- 14.21 Where a member is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the member's audio link to the meeting for the purposes of enforcing compliance with this code.

- 14.22 If a member 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 member's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 14.23 Members, 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.
- 14.24 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.
- 14.25 Without limiting clause 14.18, a contravention of clause 14.24 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 14.18. Any person who contravenes or attempts to contravene clause 14.24, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 14.26 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.

15 CONFLICTS OF INTEREST

- 15.1 All members 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.
- 15.2 Members 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 member has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the member's audio-visual link to the meeting must be suspended or terminated and the member must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

16 DECISIONS OF THE COUNCIL

Council decisions

- 16.1 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 16.1 reflects section 371 of the Act in the case of councils and section 400T(8) in the case of joint organisations.

- 16.2 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

- 16.3 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 3.10.

Note: Clause 16.3 reflects section 372(1) of the Act.

- 16.4 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 16.4 reflects section 372(2) of the Act.

- 16.5 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 3.10.

Note: Clause 16.5 reflects section 372(3) of the Act.

- 16.6 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) members if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 16.6 reflects section 372(4) of the Act.

- 16.7 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 16.7 reflects section 372(5) of the Act.

- 16.8 The provisions of clauses 16.5–16.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 16.8 reflects section 372(7) of the Act.

16.9 A notice of motion submitted in accordance with clause 16.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

16.11 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 16.11 reflects section 372(6) of the Act.

16.12 Subject to clause 16.7, 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 members 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.

16.13 A motion moved under clause 16.12(b) can be moved without notice. Despite clauses 9.20–9.30, only the mover of a motion referred to in clause 16.12(b) can speak to the motion before it is put.

16.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 16.12(c).

Recommitting resolutions to correct an error

16.15 Despite the provisions of this Part, a member 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.

16.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 16.15(a), the member is to propose alternative wording for the resolution.

16.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 16.15(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.

16.18 A motion moved under clause 16.15 can be moved without notice. Despite clauses 9.20–9.30, only the mover of a motion referred to in clause 16.15 can speak to the motion before it is put.

16.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 16.15.

- 16.20 A motion moved under clause 16.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

17 AFTER THE MEETING

Minutes of meetings

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

Note: Clause 17.1 reflects section 375(1) of the Act.

- 17.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) the names of members 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.

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

Note: Clause 17.3 reflects section 375(2) of the Act.

- 17.4 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.

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

Note: Clause 17.5 reflects section 375(2) of the Act.

- 17.6 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.

- 17.7 The confirmed minutes of a council meeting must be published on 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

- 17.8 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 17.8 reflects section 11(1) of the Act.

- 17.9 Clause 17.8 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 17.9 reflects section 11(2) of the Act.

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

Note: Clause 17.10 reflects section 11(3) of the Act.

- 17.11 Correspondence or reports to which clauses 17.9 and 17.10 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

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

Note: Clause 17.12 reflects section 335(b) of the Act.

18 COUNCIL COMMITTEES

Application of this Part

- 18.1 This Part only applies to committees of the council whose members are all board members.

Council committees whose members are all board members

- 18.2 The council may, by resolution, establish such committees as it considers necessary.
- 18.3 A committee of the council is to consist of the chairperson and such other members as are elected by the members or appointed by the council.
- 18.4 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

- 18.5 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

- 18.6 The general manager must send to each member, 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.
- 18.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

- 18.8 A committee member (other than the chairperson) 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.
- 18.9 Clause 18.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

- 18.10 A member 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 member 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

- 18.11 The chairperson of each committee of the council must be:
- (a) the chairperson, or
 - (b) if the chairperson 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.
- 18.12 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.
- 18.13 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.

- 18.14 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

- 18.15 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.
- 18.16 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 18.15.
- 18.18 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

- 18.19 The provisions of the Act and Part 13 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.
- 18.20 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.
- 18.21 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 18.20 during a part of the meeting that is webcast.

Disorder in committee meetings

- 18.22 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

- 18.23 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 members 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.

- 18.25 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 18.26 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.
- 18.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 18.28 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.
- 18.29 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.

19 IRREGULARITIES

- 19.1 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 member or committee member, or
 - (c) any defect in the election or appointment of a member or committee member, or
 - (d) a failure of a member 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 19.1 reflects section 374 of the Act.

20 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 20.11 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 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	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



***Delegations of Authority
for the
Chairperson and General Manager***

Adoption date: 16 April 2025

Resolution #: xx/2025

Introduction

Section 380 *Review of Delegations* of the Local Government Act requires that Council review its delegations with 12 months of a Local Government Election. ~~As the most recent local government election was held on 4 December 2021 then by December 2022 the review of delegations is to be completed.~~

The purpose of this document is to outline the delegations that Council wishes the Chairperson and General Manager to hold. Council may seek to amend or change these delegations at any time. The most significant delegations are those allocated to the Chairperson and the General Manager in accord with the Local Government Act 1993.

Section 377 *General power of the council to delegate* of the Local Government Act sets out the functions that a Council cannot delegate. It must resolve to authorise action on these matters itself. All other functions not listed here can be delegated to the General Manager or any other person or body (but not another Council employee).

The General Manager is the only staff member to be able to receive direct delegations from Council.

The General Manager then sub-delegates to the relevant Executive Managers and staff as required for the efficient functioning of the organisation.

The following functions **cannot be delegated**:

- (a) the appointment of a general manager,
- (b) the making of a rate,
- (c) a determination under section 549 as to the levying of a rate,
- (d) the making of a charge,
- (e) the fixing of a fee,
- (f) the borrowing of money,
- (g) the voting of money for expenditure on its works, services or operations,
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
- (i) the acceptance of tenders which are required under this Act to be invited by the council,
- (j) the adoption of an operational plan under section 405,
- (k) the adoption of a financial statement included in an annual financial report,
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the [Environmental Planning and Assessment Act 1979](#),
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.

In accordance with Section 377 NSW Local Government Act 1993, Central Tablelands Water, at a Meeting held on 16 April 2025, ratified and granted the delegations as set out in this Delegations of Authority Register to the Chairperson and General Manager.

CHAIRPERSON DELEGATIONS

That the Chairperson, or Deputy Chairperson when acting for the Chairperson, be delegated authority under section 377 of the NSW Local Government Act (Act) to exercise and/perform on behalf of the Council the powers, authorities, duties and functions as prescribed for the position of Chairperson under the Act, Schedules, Regulations, cognate Legislation, related Legislation, Councils own adopted Policies, Codes and Resolutions, provided that such delegations are not to be sub-delegated without specific approval by Council or as prescribed under the Act.

If, under any other Act, a function is conferred or imposed on the Chairperson of a County Council, the function is taken to be conferred or imposed on the Council and the Chairperson of the County Council will exercise and/or perform on behalf of the Council the powers, authorities, duties and functions as prescribed under that other Act.

Specific Delegations to the Chairperson

a) Conferring Powers or Duties

To give effect to the provisions of the Act, including but not limited to Sections 225-231 of the Act and any other Act conferring powers or duties upon the Chairperson and to any resolution of direction given to the Chairperson by Council.

b) Preside at Meetings of Council

To preside at all meetings of the Council, Committees, Community Committees and Public Meetings convened by the Council at which the Chairperson is present unless the Chairperson otherwise appoints another Councillor or person to perform this function.

c) Negotiations on behalf of Council

The Chairperson, in conjunction with the General Manager, to participate in negotiations on behalf of the Council with third parties in relation with any significant matter associated with the operations of Central Tablelands County Council.

d) Code of Conduct

To give direction to the Council, following consultation with the General Manager, in the application of the Code of Conduct as adopted by Council.

e) Represent Council-Government and Other Forums

To represent the Council, in conjunction with the General Manager in deputations to government enquiries and other forums where it is appropriate that the Chairperson should present the Councils position.

f) Sign and Execute Documents

To sign and execute documents under the Seal of Council in conjunction with the General Manager.

g) Media Releases

To make media statements and issue press releases in respect of Councils resolutions, recommendations, and decisions.

h) Approval of Urgent Works

To authorise expenditure outside the Council approved budget, in consultation with the General Manager, to undertake urgent works in order to reduce or eliminate a significant safety hazard or critical matter affecting the operation of the water supply system up to an amount of ~~\$150,000~~ \$250,000 subject to the action being reported to the next meeting of Council.

End of Chairperson Delegation

DELEGATIONS – THE GENERAL MANAGER

Section 335 *Functions of General Manager* of the Local Government Act 1993 states that the General Manager of a Council has the following functions:

- (a) to conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council,
- (b) to implement, without undue delay, lawful decisions of the council,
- (c) to advise the mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the council,
- (d) to advise the mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the council and other matters related to the council,
- (e) to prepare, in consultation with the mayor and the governing body, the council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report,
- (f) to ensure that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions,
- (g) to exercise any of the functions of the council that are delegated by the council to the general manager,
- (h) to appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by the council,
- (i) to direct and dismiss staff,
- (j) to implement the council's workforce management strategy,
- (k) any other functions that are conferred or imposed on the general manager by or under this or any other Act.

Specific Delegations to the General Manager

1. That the General Manager of Central Tablelands Water be delegated authority under section 377 of the Local Government Act 1993 ("Act") to exercise and /or perform on behalf of Council the powers, authorities, duties and functions of Council as prescribed under the Act, Schedules Regulations, Cognate Legislation, and related legislation and including those powers, authorities, duties and functions as listed in the addendum to this delegation excepting those powers, authorities, duties and functions of the Council that are expressly prohibited from delegation as listed under Section 377 of the Act.
2. If, under any other Act a function is conferred or imposed on the General Manager of Council, the function is taken to be conferred or imposed on the Council and the General Manager will exercise and/or perform on behalf of the Council, powers, authorities duties and functions as prescribed under the other Act pursuant to Section 381 of the Act.
3. For the purposes of Section 381 of the Act, the General Manager's delegated authority to act on behalf of Council includes all functions and powers conferred or imposed by any legislation set out from time to time in Section 22 of the Act, including but not limited to the following:
 - ~~Enable easements under section 88B(3)(c)(ii) Conveyancing Act 1919 and section 46A Real Property Act 1900~~
 - ~~Conveyancing Act 1919: placing covenants on council land~~
 - Fluoridation of Public Water Supplied Act 1957: fluoridation of water supply by council
 - Public Health Act 1991: inspection of systems for purposes of microbial control.
 - ~~Roads Act 1993: roads~~
4. The exercise by a council of its functions under this Act may also be modified by the provisions of another Act. Some of those Acts and some of the modifications they affect include:
 - Government Information (Public Access) Act 2009: council required to publish certain information and to grant access to certain documents.
 - Privacy and Personal Information Protection Act 1998: council required to amend certain records that are shown to be incomplete, incorrect, out of date or misleading.
 - Unclaimed Money Act 1995: unclaimed money to be paid to the Chief Commissioner of Unclaimed Money.
5. That in the absence of the General Manager that his/her nominee as Acting General Manager assume all power and delegations of the General Manager for the period only of his/her absence.
6. In addition to the delegated authority conferred or imposed upon the General Manager by legislation, the General Manager is empowered to carry out his functions in reliance upon Section 335 of the Act and in accordance, with the following delegated authorities, subject to any express limitations contained within this Register or restrictions imposed by Section 377 of the Act:

General Manager-Delegated Authorities

In accordance with Section 5 of the Act, the delegation of authority to the General Manager is also delegated the following functions and powers:

Part A Operational

1. To establish, review and authorise operational and management policies and procedures in line with strategic directions set by Council.
2. To implement any work, service or action provided for in the adopted budget without further reference to Council, except for:
 - (a) The acceptance of tenders which are required under the Local Government Act 1993 to be invited by the Council, and
 - (b) The determination of priorities where lump sum funding only has been provided.

3. To authorise destruction or disposal of any records of Central Tablelands Water, ~~after the expiration of six (6) years from the last transaction thereon, other than those as defined in the Regulation and Local Government Records State Records Act Disposal schedule.~~
4. To negotiate arrangements for agencies and financial institution to collect payments relating to the operation of Central Tablelands County Council.
5. To write proposals or submissions to other levels of government on behalf of Central Tablelands County Council.
6. To deal with and determine applications for access to information under the Government Information (Public Access) Act and Regulation 2009.
7. To execute any form of instrument necessary for the creation of easements that will benefit Central Tablelands County Council for access services, pipelines, structures and/or any other form of assistance essential in the performance of its objectives.
8. To sign all correspondence relating to Central Tablelands County Council.
- ~~9. To approve the loan of Central Tablelands County Council equipment to community groups in accordance with Council's Policy.~~
- ~~10.9.~~ To impose water restrictions on fixed hoses and sprinklers and lift such restrictions when appropriate.
- ~~11.10.~~ To restrict or cut off supply of water to a property due to non-payment of water charges as provided under Clause 144 of the Local Government (General) Regulation 2005.
- ~~12.11.~~ To sign certificates issued in accordance with the provisions of Sections 603 (Certificate ~~as to for Rates Water and~~ Charges) & ~~735A (Certificate as to Notices)~~ of the Local Government Act 1993.

Part B Finance

1. Obtain quotations and to authorise the purchase of and issue official orders for goods, works and services requiring the functioning of Council and to incur expenditure for such goods, works and services up to \$~~2~~150,000 provided that provision has been made in the approved Budget for incurring of such expenditure. The delegation is limited in accordance with Section 377(1)(i) of the Act.
2. To engage consultants to assist Central Tablelands County Council projects where funds are available, and the project has been approved by Central Tablelands County Council and an official order is placed in accordance with Central Tablelands County Council's policies and procedures up to an amount of \$~~2~~150,000.
3. To certify that the prices and computations on vouchers have been checked and are correct in as far as he has been able to ascertain, are fair and reasonable and are in accordance with any quotation /contract under which the goods /services were supplied.
4. Authorise the payment of Councils Salaries and Wages.
5. Approve final payment to contractors and/or direct creditors.
6. To sign or countersign cheques drawn and electronic fund transfers on Council's Bank accounts.
7. Approve changes in Plant Hire Rate Charges for all council plant.
8. To authorise expenditure outside the approved Council budget to enable urgent works to be undertaken to reduce or eliminate a significant safety hazard or critical matter affecting the operation of the water supply system up to an amount of \$~~2~~50,000 subject to the action being reported to the next meeting of Council.
9. The authority to require the lodgement of a cash bond or bank guarantee for work outstanding.
10. To negotiate Council overdraft limit.
11. To sell old materials, spoilt or obsolete equipment.
12. To authorise the writing off of uncollectible debts up to a maximum amount for a single debtor of \$2,000.
13. To authorise the sale of plant and vehicles in accordance with Central Tablelands County Council's policies.
14. To arrange the investment of money that is not, for the time being, required by Council for any other purpose. Funds may only be invested in the following:

- (a) In any security authorised by the Trustee Act;
- (b) In the form of investment notified by order of the Minister published in the Gazette.
- (c) Investments shall also be managed in accordance with Councils Policy (Policy Register - Appendix 7)

15. To authorise Concealed Leakage Applications up to a maximum of 1000 kilolitres.

Part C Legal

1. To approve and settle statements of claim and insurance matters up to the level of Central Tablelands County Council's excess amounts payable under the respective insurance policies.
2. To determine a response to approvals sought under Part 1, Division 3-making and determination of applications for approval-generally, under the Local Government Act 1993.
3. To issue Orders under Chapter 7, Part 2 (Orders) of the Local Government Act 1993.
4. To affix the Common Seal of the Council and execute any documents requiring the signature of the General Manager in the company of the Chairperson, Deputy Chairperson, or other Councillor where Council has approved the documents intent
5. To authorise the institution of legal proceedings for the recovery of outstanding charges and other debts due to Central Tablelands County Council and to take all necessary action to recover such charges and debts.
6. Under Section 687 (Appearance in Local Court) of the Local Government Act 1993, as amended, be authorised to represent Central Tablelands County Council in all proceedings in any Local Court or before any justice in all respects as though he were the party concerned and to institute and carry-on proceedings which Central Tablelands County Council is authorised to institute and carry out under the said Act and shall extend to any proceedings under all other Acts.
7. To accept service of legal documents on behalf of Central Tablelands County Council.
8. Contracts:
 - (a) To terminate a contract where the conditions of the contract have been breached and provide for such action.
 - (b) To approve extensions of time to contractor schedules except contracts subject to a tendering arrangement.
 - (c) To issue Site instructions to the contractor and/or their staff.
 - (d) To call for an audit of a contract using either internal or external audit staff.
 - (e) To issue a Practical Completion Certificate for works or part thereof under a contract.
 - (f) To sign contracts that have been approved by Council.
9. To approve Power of Entry under the provisions of Sections 191-201 of the Local Government Act 1993 for the purpose of inspections, works, and other functions permitted under these sections. The power of entry is also granted for the purposes of inspecting premises under the Public Health Act 1991.
10. To approve closure ~~of~~ within roads or parts thereof, temporarily for repairs or construction and to approve applications to install pipelines within road reserves.
11. To authorise action in regard to any complaints or requests received under Councils Internal Reporting Policy.

Part D Environmental / Planning Matters

1. To authorise all functions pursuant to Central Tablelands County Council powers under the Environmental Planning & Assessment Act 1979 ~~as amended~~ in relation to development ~~proposals-applications~~, including subdivisions.
2. In relation to subdivision proposals:
 - (a) To approve designs, plans and specifications for water supply works in subdivisions, subject to those designs, specifications and plans being in accordance with Council subdivision policies.
 - (b) To certify that bonded works have been completed to Central Tablelands County Council's satisfaction and then release the relevant bond.

- (c) To authorise the release of Certificates of Compliance for a subdivision when all conditions of relevant approvals relating to water supply have been met.
- ~~(d) To authorise signing of linen plans of subdivisions when all water supply conditions have been met.~~

Part E Staff

1. To authorise the appointment of new staff within the adopted organisation staff structure.
2. To negotiate with staff and Unions in relation to all staffing matters.
3. Reclassify staff and adjust salaries in accordance with Central Tablelands County Council Salary System.
4. To determine all leave applications for all staff having regard to the proper functioning of the Council and maintenance of appropriate levels of service to customers.

End of General Manager Delegation



State of the Region 2021 – 2024



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Acknowledgement

We gather on Wiradjuri country on which members and elders of the local indigenous community and their forebearers have been custodians for many centuries and on which aboriginal people have performed age old ceremonies of celebration, initiation and renewal, we acknowledge their living culture and their unique role in the region.

Endorsed by Council: 16 April 2025

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Our Elected Members

Central Tablelands Water County Council (CTW) is a constituency of three local government areas, namely, Blayney Shire, Cabonne Region and Weddin Shire. The Council comprises two delegates each elected by their constituent council for a four-year term. The below were CTW councillors as at 2023/24.



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What is the State of our Region Report?

Background

The State of our Region (previously known as the End of Term Report) is an overview on Council's and the community's progress in implementing the Business Activity Strategic Plan (BASP) during the term. It is important for us to have a document that defines how we want to grow into the future.

The Business Activity Strategic Plan is part of the Integrated Planning and Reporting (IP&R) framework that County Councils use for strategic and operational planning.

The Report

The State of our Region Report is prepared under the IP&R framework. It serves as the outgoing Council's report to its community, reporting on Council's progress in implementing the BASP during its term, focusing on the initiatives Council has direct influence over. It will also assist in informing the new Council when it reviews the BASP within nine months of its election. The State of our Region Report focuses on how effective council has been in delivering objectives over the term of the previous council. It reports against the high-level strategies and priorities of the BASP. The Report covers the highlights and achievements over the term of Council.

Our Vision

An independent regional water authority providing a quality water supply – reliably and sustainably.

Our Values

We value our:

- Customers,
- Independence, sustainability, efficiency and innovation,
- Skilled and capable workforce in delivering an essential service, and
- Role as a regional collaborative partner and leader.

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Chair Comments

2023-2024

Central Tablelands Water is not your average water utility. As a county council operating across three Local Government areas, our reach is extensive, and we face numerous challenges across a diverse landscape. Despite the aftermath of extreme flooding in 2022 and ongoing wet weather over the past three years, CTW has maintained its professionalism and unwavering commitment to delivering the highest quality water to our consumers efficiently.

2024 was a transformative year for Central Tablelands Water (CTW), marked by significant transitions, including personnel changes, the completion of key infrastructure projects, new governance arrangements, and the emergence of exciting developments

Our new General Manager, Charlie Harris, came across from Cabonne Council. With decades of experience in water utilities and local government water resource management, Charlie is well-equipped to lead CTW into the future. Outgoing GM Gavin Rhodes accepted a new role as General Manager at Lockhart Council, closer to his family roots.

In 2023/24 Clr David Somervaille retired as Chair after 10 years of dedicated service, and Clr Alan Ewin also retired.

2022-2023

After 3 wet years, we headed into a period of below average rainfall. Our cornerstone water security project, the Belubula Water Security Project, involves various alternatives for increased storage. It has been on the drawing board since August 2015 when it was first proposed to the then head of Water NSW the concept of a pipeline linking Lake Rowlands with Carcoar Dam. Water NSW took up the idea and were funded to develop a business case for this pipeline. To supplement this, in 2019, we lobbied State and Federal governments to support a modest proposal to double the holding capacity of Lake Rowlands by increasing the dam wall by 2.2 metres. The following year we received \$1m funding for a preliminary business case for this project.

2021-2022

2021/22 saw a number of fresh faces sitting around the board table of Central Tablelands Water. Andrew Rawson (Deputy Chair) and Marlene Nash (both from Cabonne), Allan Ewin from Blayney and Michelle Cook from Weddin were elected by their councils to the board earlier this year, to join returning councillors Paul Best and David Somervaille (Chair).

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Key events

2023/24

- Completion of the 12ML reservoir at Carcoar filtration plant in December 2023.
- Completion of the dual direction pipeline between our network and Cowra via Woodstock.
- Telemetry upgrades identified by the Water Loss Management Project with CNSWJO.
- Securing \$7.7 million for the Belubula Water Security Project.
- Commencement of a Catchment Management Plan for Lake Rowlands with Water NSW.
- From a staffing perspective, we acknowledged David Bermingham, who served CTW as a Network Operator for 20 years. We also welcome new staff members, James Beattie (Project manager) and Steve Burrell (Network Operator).
- CTW's dedication to governance and network improvements was recognised with the Sam Samra Award for *Most Improved Water Utility* at the annual Water Management Conference in Goulburn.

12 MEGALITRE RESERVOIR AT CARCOAR WATER TREATMENT PLANT.



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**2022/23**

- Cowra to CTW Emergency Connection Project, including a new pump station at Woodstock and 12ML clear water tank at the Carcoar Water Filtration Plant – both projects are to be completed in 23/24.
- Reticulation mains renewals project in Millthorpe and Canowindra.
- Renewable energy projects at Carcoar Water Filtration Plant and Canomodine Pump Station.

2021/22

- Cowra to CTW Emergency Connection Project, including a new pump station at Woodstock and 12ML clear water tank at the Carcoar Water Filtration Plant – due to COVID restrictions and inclement weather delays, both projects are expected to be completed in 22/23 and 23/24 respectively.
- Reticulation mains renewals project in Millthorpe and Canowindra.

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Governance Enhancements

- Transitioning governance processes to the preferred IP&R model.
- Enhancing the independence of the Audit, Risk, and Improvement (ARIC) committee.
- Adopting the Lachlan Regional Water Strategy.
- Advocating for disaster funding rule relaxation for water utilities.
- Implementing new policies on project management, cyber security, and legislative compliance.

Contracts Awarded During Year

Under Regulation clause 217 of the Local Government Act, Council is required to report details of each contract awarded for amounts greater than \$150,000.

2023/24

• Tony Leahy Ford - Fleet Replacement	\$218,000
• Premise Consulting - Western Artery Project	\$216,000
• StateWide Mutual - General Insurances	\$216,342

2022/23

• Iberdrola Electricity Supply - Small Sites	\$2,750,000
• Shell Energy Electricity Supply - Major Sites	\$350,000
• Mick Corby Engineering - Network Equipment and Repairs	\$224,241
• Statewide Mutual - General Insurances	\$185,608

2021/22

• Leeds Engineering and Construction - Construct 12 MI Reservoir at Carcoar Water Treatment Plant	\$2,734,600
• Tony Leahy Motor Group - Fleet Vehicles Replacement	\$234,100
• Energy Australia - Electricity Supply	\$282,596

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Asset Replacement & Upgrades Plan

2023/24

PROPOSED PROJECT	YEAR	REASON	ESTIMATED COST \$
Trunk Main "U" from Conomadsie Pump Station to the top of the Hill - 7kms	2023/24 to 2024/25	Renewal and Upgrade	2,240,000
Trunk Main "C" Mandurama to "U" to old river pump house - 35kms	2026/27 to 2028/29	Renewal and Upgrade	11,865,000
Trunk Main "U" - "C" to Cudal - 28kms	2030/31 to 2032/33	Renewal and Upgrade	9,660,000
Lake Rowlands Augmentation - 2.2mtrs wall raising	2025/26 to 2027/28	Renewal, Dam Safety and Upgrade	18,000,000
Replace Trunk Main A between Lake Rowlands and Carcoar WTP - 7kms	2029/2030	Renew and upgrade main to improve water transfer	1,800,000
Additional Bore at Gooloogong	2026/27 to 2027/28	Provide additional redundancy for bore system	1,180,000
Further Renewal Energy Projects	2023/24 to 2025/26	New assets: reduce power usage	350,000
Blayney Water Treatment Plant	2031/32 to 2032/33	Renew and Upgrade Treatment Plant	10,000,000
Reticulation Main Renewals	2023/24 to 2031/32	Renewal and Upgrade - Replace old AC Pipes	870,000
Caragabal Potable Water System	2027/28	Provide potable water to Caragabal and rural consumers	6,000,000

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2022/23

PROPOSED PROJECT	YEAR	REASON	ESTIMATED COST \$
Trunk Main "U" from Conomadsine Pump Station to the top of the Hill - 7kms	2023/24 to 2024/25	Renewal and Upgrade	2,240,000
Trunk Main "C" Mandarama to "U" to old river pump house - 35kms	2026/27 to 2028/29	Renewal and Upgrade	11,865,000
Trunk Main "U" - "C" to Cuddal - 28kms	2030/31 to 2032/33	Renewal and Upgrade	9,660,000
Lake Rowlands Augmentation - 2.2mtr wall raising	2025/26 to 2027/28	Renewal, Dam Safety and Upgrade	18,000,000
Replace Trunk Main A between Lake Rowlands and Camcar WTP - 7kms	2029/2030	Renew and upgrade main to improve water transfer	1,800,000
Additional Bore at Goolagong	2026/27 to 2027/28	Provide additional redundancy for bore system	1,180,000
Further Renewal Energy Projects	2023/24 to 2025/26	New assets reduce power usage	350,000
Blayney Water Treatment Plant	2031/32 to 2032/33	Renew and Upgrade Treatment Plant	10,000,000
Reticulation Main Renewals	2023/24 to 2031/32	Renewal and Upgrade - Replace old AC Pipes	870,000
Corangabai Potable Water System	2027/28	Provide potable water to Corangabai and rural consumers	6,000,000

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2021/22

PROJECT	YEAR
Trunk Main "U" from Conomadine Pump Station to the top of the Hill -7kms	2023/24 to 2024/25
Trunk Main "C" to "U" to old river pump house - 33kms	2026/27 to 2028/29
Trunk Main "U" - "C" to Cudal - 28kms	2029/30 to 2031/32
Lake Rowlands Augmentation - 2.2mtrs wall raising	2024/25 to 2025/26
Additional Bore at Gooloogong	2026/27 to 2027/28
Renewal Energy Projects	2022/23
Blayney Water Treatment Plant	2030/31 to 2031/32
Reticulation Main Renewals	2022/23 to 2031/32

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Water consumption

20/21	21/22	22/23	23/24	Consumer Type	
620	600	607	630	ML	Single Residential
18	19	19	20	ML	Multi Residential
228	217	246	246	ML	Rural
157	154	160	166	ML	Commercial
186	168	174	178	ML	Industrial
24	19	22	35	ML	Public Parks
36	32	35	40	ML	Institutions
39	33	34	52	ML	Bulk Sales (Cowra)
1,308	1,242	1,297	1,367	ML	Sub Total

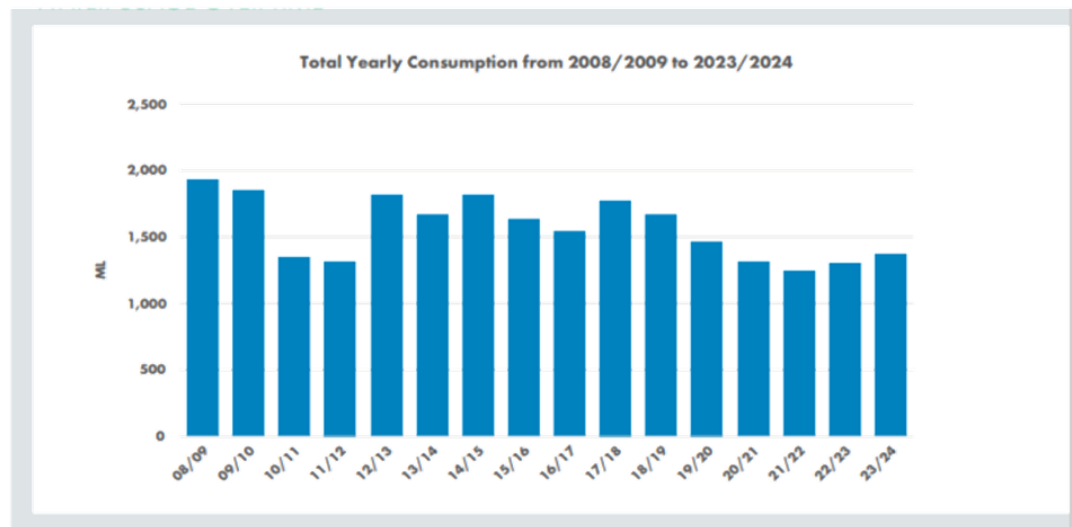
235	484	419	392	ML	Est. Leakage
95	220	22	87	ML	Flushing of mains
12	5	5	5	ML	Unaccounted
1,650	1,951	1,743	1,851	ML	Total Consumption

20.73%	36.34%	25.59%	26.15%	Water losses as % of total water output	
-32.09%	-35.51%	-32.66%	-29.02%	% increase/decrease consumption on 2008/2009	
-10.72%	-5.05%	-4.43%	-5.40%	% increase/decrease consumption on previous year	

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Water usage over time



Delivery Plan Report

Refer to CTW Delivery Plan Report updates provided to Council each 6 months, between 2021/22 and 2023/24.

Financial Statement

Refer to CTW website for the Annual Financial Statements provided between 2021/22 and 2023/24.

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CTW DELIVERY PROGRAM PROGRESS REPORT AS AT MARCH 2025






Traffic Lights Progress Key Indicator:

-  Not due to commence
-  Completed
-  Progressing
-  Not Progressing





STRATEGIC PRIORITY 1

PROVIDING A HIGH QUALITY AND RELIABLE DRINKING WATER SUPPLY

KEY RESULT AREA – 1.1 SERVICE PROVISION THROUGH FIT FOR PURPOSE INFRASTRUCTURE








DP REF.	ACTIVITY	PERFORMANCE MEASURE	22/23	23/24	24/25	25/26	COMMENTS	PROGRESS INDICATOR
1.1.1	Deliver capital works program based on asset management data.	Capital works milestones delivered	x	x	x	x	The Capital Works program is progressing. Stage 1 Reticulation mains renewals in Millthorpe and Canowindra are complete. Stage 2 Reticulation mains renewals are complete. Carcoar Water Treatment Plant's 12ML Clear Water Tank is complete. Tidyup works for Woodstock Pump Station is complete. Canomodine Pump Station refurbishment is complete, except for a modified floor plate expected completion September 2024.	
1.1.2	Review and implement maintenance programs to manage mechanical and equipment infrastructure.	Maintenance programs are delivered	x	x	x	x	CTW reviews and implements maintenance programs based on operational needs and asset condition on an annual basis.	
1.1.3	Develop and implement backflow prevention program.	Program is in place	x	x	x	x	Program is being finalised. Backflow devices have been fitted with QR coded tags to enable and give advanced warning of 12 month testing requirement.	
1.1.4	Undertake regular water meter replacement program.	All meters in excess of 7500kl are placed	x	x	x	x	Meter replacement program is ongoing. Smart meters are being rolled out into areas of safety concerns.	
1.1.5	Consider potential use of CTW's existing underutilised groundwater sources.	Water quality analysis undertaken.			x		To be delivered during FY24/25.	

KEY RESULT AREA – 1.2 ENSURE COMPLIANCE WITH REGULATION




DP REF.	ACTIVITY	PERFORMANCE MEASURE	22/23	23/24	24/25	25/26	COMMENTS	PROGRESS INDICATOR
1.2.1	Review and update CTW's Drinking Water Management System (DWMS).	Annual Report submitted to NSW Health	x	x	x	x	Drinking Water Management System is reviewed, updated, and reported on an annual basis	
1.2.2	Inform customers and regulators of water quality performance.	Performance report updated monthly on website	x	x	x	x	Performance monitoring reported on website	
1.2.3	Undertake strategic reviews of water treatment facilities.	Reviews completed	x	x			An independently facilitated workshop was held in Nov 2022 with CTW's Water Quality staff, Senior Management, NSW Health and DPE Water to review the current water treatment facilities. A strategic Water Treatment and DWMS workshop for the CTW Board was held October/November 2023.	
1.2.4	Undertake regular water sampling programs in accordance with NSW Health guidelines.	Program ongoing with NSW Health.	x	x	x	x	Council has an extensive water quality sampling program in place which enables Council to meet regulatory water quality compliance requirements.	

KEY RESULT AREA – 1.3 BEST PRACTICE ASSET MANAGEMENT


Delivery Program Progress Report as at March 2025

DP REF.	ACTIVITY	PERFORMANCE MEASURE	22/23	23/24	24/25	25/26	COMMENTS	PROGRESS INDICATOR
1.3.1	Assets are managed strategically, using whole of life methodology to improve delivery of services and financial management	Asset management system in place	x	x	x	x	Revised Asset Management Plan adopted in June 2022.	
1.3.2	Review and update Integrated Water Cycle Management Plan (IWCM) in accordance with applicable regulatory best practice guidelines.	IWCM reviewed, updated and implemented in accordance with guidelines		x	x		CTW is participating in the CNSWJO Pilot IP&R project for the potential transition from IWCM Planning to the IP&R framework for Local Water Utilities strategic planning.	
1.3.3	Review and update strategic business plan (SBP) in accordance with applicable regulatory assurance framework (RAF).	Reviewed and updated in accordance with RAF.	x	x	x	x	Full review underway during 2025/26	
KEY RESULT AREA – 1.4 MITIGATE ENVIRONMENTAL IMPACTS OF SERVICE DELIVERY								
DP REF.	ACTIVITY	PERFORMANCE MEASURE	22/23	23/24	24/25	25/26	COMMENTS	PROGRESS INDICATOR
1.4.1	Develop and implement a catchment management plan for Lake Rowlands.	Catchment management plan has been developed and implemented.	x	x	x	x	CTW is working in conjunction with Water NSW to develop a catchment management plan for Lake Rowlands. Water sampling will be undertaken during 24/25 & 25/26. Final draft completed expected in 2025/26	
1.4.2	Review and update Renewable Energy Action Plan (REAP) including solar and battery optimisation projects.	REAP reviewed and updated. Renewable energy projects delivered.	x		x		SMT are continuing to work with industry experts and the CNSWJO with a focus on solar and storage sites.	
1.4.3	Continue to review operational processes with the objective of further mitigating environmental impacts.	Evidence of continuous improvement. Operational process efficiencies realised.	x	x	x	x	Reducing emissions by continuous improvement	
KEY RESULT AREA – 1.5 EFFICIENT USE OF WATER								
DP REF.	ACTIVITY	PERFORMANCE MEASURE	22/23	23/24	24/25	25/26	COMMENTS	PROGRESS INDICATOR
1.5.1	Provide customers with regular and current information regarding how to use water wisely.	Water wise updates issued via social media and newsletters.	x	x	x	x	Water saving and monitoring measures are provided via CTW's website, newsletters, television advertising and Smart Water Mark.	
1.5.2	Develop and promote a source to tap educational program for schools in the water supply area.	Schools the educational program is delivered to in the supply area.	x	x	x	x	CTW water bottles are being rolled-out to Primary Schools in the CTW supply area.	

STRATEGIC PRIORITY 2**AN EFFICIENT, SUSTAINABLE AND CUSTOMER FOCUSED ORGANISATION**

KEY RESULT AREA – 2.1 QUALITY CUSTOMER SERVICE								
DP REF.	ACTIVITY	PERFORMANCE MEASURE	22/23	23/24	24/25	25/26	COMMENTS	PROGRESS INDICATOR
2.1.1	Review and update community/ stakeholder engagement strategy.	Strategy has been reviewed and updated	x		x		A Community Engagement Strategy was adopted by Council in December 2020. The strategy is being reviewed.	
2.1.2	Undertake customer satisfaction survey.	Survey completed and feedback used to improve performance	x		x		Customer satisfaction survey was conducted in December 2024. Feedback was considered as part of BASP review.	
2.1.3	Review and update levels of service and report on performance.	Levels of services reviewed and updated. Regular reporting of performance.	x	x	x	x	DPE Water LWU Report completed	

Delivery Program Progress Report as at March 2025









2.1.4	Provide regular updates to stakeholders and customers regarding projects and works	Number of updates issued via social media and newsletters.	x	x	x	x	Updates regarding CTW projects and works continue to be provided via CTW's website, Facebook page and newsletters.	
KEY RESULT AREA – 2.2 SOUND FINANCIAL MANAGEMENT								
DP REF.	ACTIVITY	PERFORMANCE MEASURE	22/23	23/24	24/25	25/26	COMMENTS	PROGRESS INDICATOR
2.2.1	Review and update long term financial plan (LTFP).	LTFP reviewed and updated annually	x	x	x	x	LTFP was adopted June 2024. 2025 review currently underway.	
2.2.2	Review schedule of fees and charges as part of the annual operational plan development for endorsement and adoption by council.	Annual Fees & Charges adopted by Council.	x	x	x	x	2025/26 Fees & Charges review currently under review	
2.2.3	Collaborate with constituent councils in the review and update of the Development Servicing Plan (DSP) in accordance with applicable guidelines.	DSP review and update completed in accordance with guidelines. DSP implemented.				x	Forecast to be reviewed and updated in 2025/26	
2.2.4	Explore additional revenue stream opportunities.	New income identified	x	x	x	x	Additional revenue stream opportunities explored on a continuous basis.	
2.2.5	Secure grant funding where available to support the delivery and development of services and infrastructure.	Grant funding applications successful	x	x	x	x	Funding secured as part of the Safe & Secure program. Application made for Stage 2 sub-region town water strategy under national water grid funding	
KEY RESULT AREA – 2.3 CONTINUOUS IMPROVEMENT WHILST MANAGING RISK								
DP REF.	ACTIVITY	PERFORMANCE MEASURE	22/23	23/24	24/25	25/26	COMMENTS	PROGRESS INDICATOR
2.3.1	Manage the risk management framework including the risk register.	Framework is in place and risk register regularly reviewed and updated.	x	x	x	x	Risk management framework and register are regularly reviewed and updated.	
2.3.2	Review and update Business Continuity Plan (BCP).	BCP reviewed and updated in consultation with insurers.		x	x	x	The BCP is being reviewed and updated in 2025/26 as part of Safe & Secure project.	
2.3.3	Review and update internal audit plan in consultation with the Audit Risk and Improvement Committee (ARIC).	Internal Audit Plan adopted by ARIC. Internal Audits undertaken in accordance with the Plan.	x	x	x	x	Internal audit plan to be reviewed and updated in consultation with ARIC.	
2.3.4	Review and update CTW's Work, Health & Safety (WHS) policy and procedures in accordance with WHS legislation.	WHS policy and procedures updated and implemented.	x	x	x	x	CTW's WHS policy and procedures currently being reviewed and updated using best practice as part of continuous improvement program. Council seek opportunity to provide a safe working environment (WHS Workshop in April 25).	
KEY RESULT AREA – 2.4 A CAPABLE AND MOTIVATED WORKFORCE								
DP REF.	ACTIVITY	PERFORMANCE MEASURE	22/23	23/24	24/25	25/26	COMMENTS	PROGRESS INDICATOR
2.4.1	Review, update and implement CTW's Workforce Management Strategy.	Strategy reviewed, updated and implemented.			x	x	CTW's Workforce Management Strategy 2022-2026 was adopted by Council in June 2022. The strategy is being reviewed as part of the Safe & Secure strategic project, with a key focus on succession planning due to retirement of senior staff.	
2.4.2	Provide staff with professional development opportunities to meet future needs.	Professional development needs identified in consultation with staff.	x	x	x	x	Professional development opportunities are being identified as part of the annual performance reviews, with a matrix being developed to identify needs.	

Delivery Program Progress Report as at March 2025

2.4.3	Develop capability and innovate with technological advances in the field.	Technology used in the field, operational efficiencies realised.	x	x	x	x	Technological advances in the field continue to be explored as they become available. This includes areas such as mapping infrastructure (GIS), meter reading, telemetry, etc.	
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STRATEGIC PRIORITY 3

REGIONAL LEADERSHIP AND COLLABORATION

KEY RESULT AREA – 3.1 REGIONAL COLLABORATION AND PARTNERSHIPS								
DP REF.	ACTIVITY	PERFORMANCE MEASURE	22/23	23/24	24/25	25/26	COMMENTS	PROGRESS INDICATOR
3.1.1	Work closely with Central NSW Joint Organisation (CNSWJO) including the Water Utilities Alliance (CWUA) for the continued delivery of safe and secure quality drinking water for the region.	Active participant of the CNSWJO and CWUA.	x	x	x	x	CTW continue to participate in relevant CNSWJO meetings.	
3.1.2	Participate in CNSWJO opportunities for relevant joint procurement activities, knowledge and resource sharing, and advocacy for strategic regional priorities.	Opportunities identified, considered and pursued.	x	x	x	x	CTW currently working with CNSWJO on electricity procurement.	
3.1.3	Collaborate with and support constituent councils to attract residential, commercial and industrial growth to the region.	Growth in constituent councils is increased.	x	x	x	x	CTW continues to meet with Planning staff of Cabonne and Blayney Councils to be a part of developer proposals.	
3.1.4	Consider further regional water security pipeline linkages to form a Central-West water grid.	Grant funding approved and project(s) commenced.	x	x	x	x	CTW in collaboration with Cabonne and Orange City Council as well as DPE Water continue to participate in the Sub-Regional Town Water Strategy (SRTWS) study (applied for Stage 2 to continue to strengthen case). The purpose of the study is to provide additional water security and resilience to the participating councils and neighbouring local water utilities.	
3.1.5	Reach agreement with all other relevant water utilities on the governance, management and operation of regional water assets across LGA boundaries.	Water Supply Agreements in place.	x	x	x	x	Refinements to agreements of water supply agreements (WSAs) with our existing interconnecting local water utilities is nearing completion.	
KEY RESULT AREA – 3.1 REGIONAL COLLABORATION AND PARTNERSHIPS								
3.1.6	Continue to be a key delivery partner of the Belubula Water Security Project (BWSP) with Water Infrastructure NSW and WaterNSW.	BWSP business case completed. Continued advocacy for BWSP construction.	x	x	x	x	The Final Business Case is being prepared by DCCEEW. CTW is a key stakeholder along with Water NSW. GM is a member of the BWSP Project Control Group, which holds Monthly Meetings. Expected completion of Business Case mid to late 2026.	
KEY RESULT AREA – 3.2 REGIONAL LEADERSHIP IN THE WATER SECTOR								
DP REF.	ACTIVITY	PERFORMANCE MEASURE	22/23	23/24	24/25	25/26	COMMENTS	PROGRESS INDICATOR
3.2.1	Explore opportunities to influence water industry policy and direction through participation in industry groups and bodies.	Active participation in water industry groups and policy development opportunities.	x	x	x	x	CTW continues to have a strong working relationship with DPE Water and WaterNSW. GM represents CTW on the WaterNSW Lachlan Customer Advisory Group.	
3.2.2	Continue to collaborate and build upon the strong relationship with the other water county councils and advocate collectively on water industry issues.	Regular meetings with other water county councils. Collective advocacy on water industry issues.	x	x	x	x	The GM continues to collaborate and build strong relationships within the water industry by attending regular meetings with the other water county council's general managers, DPE Water and WaterNSW executive staff.	

Central
Tablelands
Water

Community
Engagement
Strategy
2025-26

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Background

Central Tablelands Water (CTW) must prepare and implement a Community Engagement Strategy based on social justice principles for engagement with the local community and describes Council's ongoing commitment to community engagement and participation in the functions Council performs. The Community Engagement Strategy provides a framework for participation methods and engagement principles which are specific to our region.

Introduction

Community engagement in a Local Government context describes the ways in which Council will inform, consult, involve, collaborate and empower the community. Our community includes customers, residents, service providers, business owners, employees and visitors. From simple information sharing and the promotion of activities and events to encouraging debate on local issues and planning for the future; it is the way in which we continually build upon and strengthen the ties between Council and the community in order to achieve positive outcomes for CTW.

Community engagement is not a substitute for decision making - it is part of the democratic process which informs the community of Council's decision making and vice versa.

Council's Vision

An independent water authority providing a quality water supply – reliably and sustainably.

Council's Values

- ❖ Customers
- ❖ Independence, sustainability, efficiency and innovation
- ❖ Skilled and capable workforce in delivering an essential service
- ❖ Role as a regional collaborative partner and leader

Council Profile

CTW is a constituency of three local government areas, namely, Blayney Shire, Cabonne Shire and Weddin Shire. The Council comprises two delegates each elected by their constituent council for a four-year term. CTW employs 25 staff members.



Our Community

CTW delivers safe and reliable drinking water to a community of more than 15,000 consumers across 14 towns and villages covering over 8,000 square kilometres of Blayney Shire Council, Cabonne Shire Council and Weddin Shire Council, including rural connections in the Cowra local government area.

Blayney Shire Council

Blayney
Carcoar
Lyndhurst
Mandurama
Millthorpe

Cabonne Shire Council

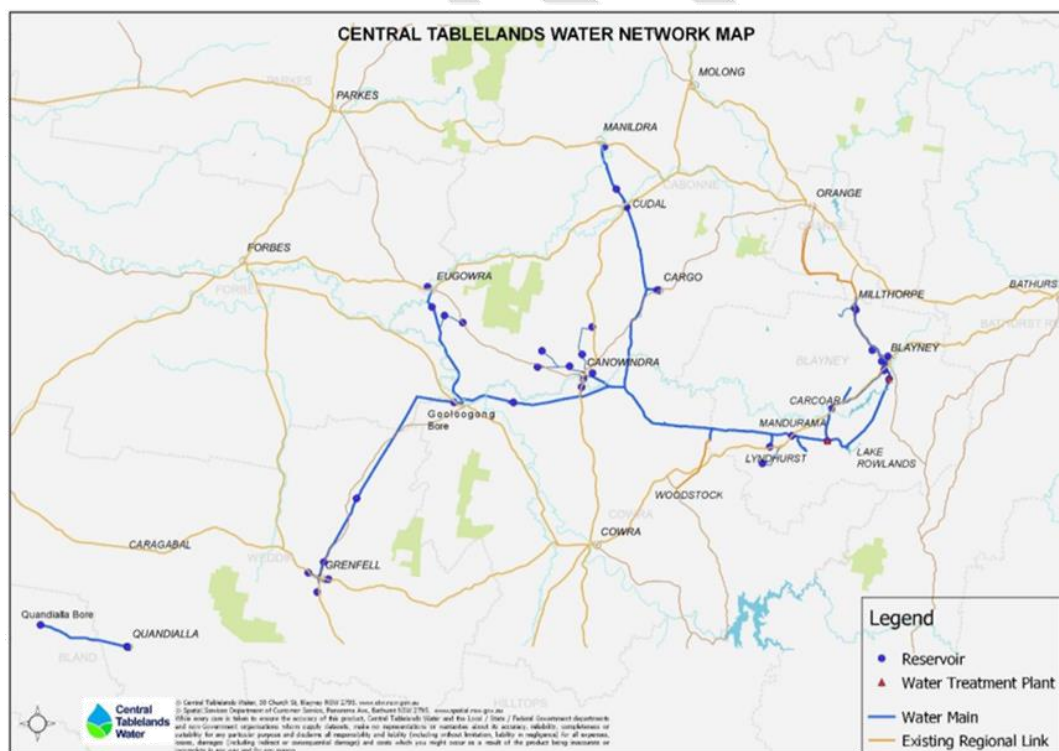
Canowindra
Cargo
Cudal
Eugowra
Manildra
Moorbel

Weddin Shire Council

Grenfell
Quandialla

Cowra Shire Council
Gooloogong

Our Network



CTW Infrastructure

- ❖ 2 Water Filtration Plants (Carcoar & Blayney) total capacity 15ML/day
- ❖ 45 Reservoirs (29ML)
- ❖ 27 Pump Stations (26ML)
- ❖ 7 Bores (7ML/day)
- ❖ 1 Dam/Lake (4,500ML)
- ❖ Trunk Mains 306kms
- ❖ Reticulation Mains 267kms
- ❖ 3 Depots (Blayney, Canowindra & Grenfell)

Purpose

This Strategy will be used by Council officers when determining specific engagement activities, planning for these activities and evaluating their effectiveness. This Strategy is also applicable to our Councillors who as elected representatives of the community play an important role in communicating community aspirations and maintaining the information flow on a range of diverse and complex issues. This Strategy does not prescribe any specific model for engagement. This is because our community engagement activities vary in urgency and priority, resource allocation and objectives. It also acknowledges that Council must adhere to certain legislative requirements and Acts of Parliament which stipulate how and when engagement should occur, this includes requirements under the Local Government Act and Regulations. At all times these requirements must be fulfilled first and foremost. The emphasis of this Strategy however is not about detailing our legislative obligations but upon encouraging a culture of good engagement across the organisation.

Strategy Aim

During the development of our first Community Engagement Strategy, keep in mind that community and customers are our most important asset. In moving from a transactional relationship with our customers, the aim of this strategy is to bring a stronger engagement focus to our interactions with community, through a range of different ways including social media, events, education and branding.



Engagement Strategy and Approach

CTW's Community Engagement Strategy for 2025/26 identifies the opportunities, partnerships tools, channels, actions and other relevant ways to achieve these key objectives:

- ❖ Increase customer and community awareness about CTW's services, activities, projects and programs.
- ❖ Improve CTW's understanding of its customers' needs, priorities and experiences.
- ❖ Educate customers and local communities about the region's drinking water supply and water cycle, water efficiency and sustainability, and the benefits of choosing tap water.
- ❖ Improve the involvement of key, relevant stakeholders in CTW's decision-making.
- ❖ Proactively inform CTW's customers, local communities and other relevant stakeholders about its actions, projects and programs to ensure any issues are mitigated as early as possible.

There are five recognised levels of an engagement strategy, as outlined in the International Association of Public Participation's (IAP2)* Public Participation Spectrum. The five strategies are INFORM, CONSULT, INVOLVE, COLLABORATE and EMPOWER.

In line with the community participation objectives defined by the legislation, we encourage open, inclusive, easy, safe, relevant, timely and meaningful opportunities for community participation in our planning functions.

	Inform	Consult	Involve	Collaborate	Empower
Public participation goal	To provide the public with balanced and objective information to help them understand a problem, alternatives, opportunities and/or solutions, where appropriate.	To obtain public feedback on alternatives and/or decisions, where appropriate.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered	To work in collaboration with the public during the decision making process including the development of alternatives and identification of a preferred solution, where appropriate.	To consider public feedback in the decision making process, where appropriate.



Councils promise to the public	Keep the public informed	Listen and acknowledge concerns and aspirations, and provide feedback on how public input has influenced the decision. CTW will seek community feedback on drafts and proposals, where appropriate.	Work with the public to ensure that concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision, where appropriate.	Work together with the public to formulate solutions and incorporate the community's advice and recommendations into the decisions to the maximum extent possible.	Consider implementation of public feedback, where appropriate.
How CTW will communicate	<ul style="list-style-type: none"> • Councils website, • mail-outs, • social media, • emails, • newsletters, • on-site meetings, • public notices, • information sessions, forums; and • print media, where appropriate 	<ul style="list-style-type: none"> • Public comment and submissions, • Focus groups • Surveys, including online surveys • Public meetings • Feedback forms • Interviews • Feedback and suggestion boxes • Partner with service providers and community groups, where appropriate. 	<ul style="list-style-type: none"> • Community briefing sessions and workshops, • Forums • Use of social media, • Open public meetings, community members and other relevant stakeholders 	<ul style="list-style-type: none"> • Public meetings and exhibitions, feedback sessions and workshops. 	<ul style="list-style-type: none"> • Updates to websites, publication of submissions, exhibition of draft Council policies, and Council reports.

Key Actions

Customer Satisfaction Survey

In accordance with CTW's Delivery Program, CTW will undertake a formal independent customer satisfaction survey of randomly selected customers it supplies water to in the local government areas of Blayney, Cabonne and Weddin.

Drinking Water Refill Stations

CTW will continue to partner with its constituent councils in providing drinking water refill stations to those communities that CTW services.

Community Events

CTW will host an annual event during National Water Week within the CTW supply area.

Social Media

CTW will continue to utilise social media via its Facebook page to communicate and engage with the public.

Customer Newsletter

CTW will continue to produce a customer newsletter every quarter to be distributed with its water accounts.

Evaluating Engagement Methods

Council will use a variety of methods to evaluate the engagement methods and activities.

These include the following measures:

- ❖ Relevancy of engagement methods appropriate to the target group.
- ❖ Verbal and written feedback from all stakeholders on the effectiveness of the engagement activities.
- ❖ Participation levels in engagement activities (number of participants).
- ❖ Achieve the identified engagement objectives within this strategy.
- ❖ Inclusive community representation
- ❖ Level of qualitative and quantitative information collected. These evaluation results will be used to improve future engagement strategies and methods as a way to learn from our experiences.



Reporting

The Community Engagement Strategy is a principal activity detailed in CTW's Delivery Program.

As such, progress in implementing the strategy's key actions and achieving its key objectives will be reported as part of the Delivery Program's Integrated Planning and Reporting framework requirements. These requirements are:

Progress Report:

At least every six months, a progress report must be produced that provides information to the community about CTW's progress with respect to the principle activities in its Delivery Program.

Annual Report:

At the end of each financial year, an annual report must also be produced that provides information to the community about CTW's achievements in implementing its Delivery Program and the effectiveness of the principal activities in meeting the objectives of its Community Strategic Plans of each of its constituent councils.

* IAP2 is an internationally recognised non-profit organisation that promotes and improves public participation. IAP2's Public Participation Spectrum is a recognised tool designed to assist with the selection of the level of participation that defines the public's role. It shows that differing level of participation and different methodologies are legitimate depending on the goals, time frames, resources and levels of concern in the decision to be made. It also sets out the promise being made to the public at each participation level.





Central Tablelands Water

CENTRAL TABLELANDS WATER

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		Credit Rating	Term (Days)	Rate	Maturity Date	% of Portfolio
Short Term Deposits	\$ 11,100,000.00					89.76%
Bank Vic - Curve Securites	600,000	BBB+	367	5.20%	16/06/25	4.85%
ING - Curve Securities	500,000	A	365	4.68%	11/03/26	4.04%
G&C Mutual Bank	500,000	BBB+	365	5.15%	4/08/25	4.04%
ING - Curve Securities	500,000	A	365	5.03%	16/10/25	4.04%
ING - Curve Securities	500,000	A	365	4.66%	26/03/26	4.04%
ING - Curve Securities	500,000	A	364	5.10%	3/11/25	4.04%
NAB - Curve Securities	500,000	AA-	210	5.00%	2/05/25	4.04%
NAB - Curve Securities	500,000	AA-	364	4.90%	12/09/25	4.04%
ING - Curve Securities	500,000	A	364	4.65%	13/03/26	4.04%
Bank of QLD - Curve Securities	500,000	A-	180	5.13%	4/06/25	4.04%
Macquarie Bank - Curve Securities	500,000	A+		4.40%	At Call	4.04%
NAB - Curve Securities	500,000	AA-	365	4.95%	2/04/25	4.04%
NAB - Curve Securities	500,000	AA-	180	5.00%	8/04/25	4.04%
Bank of QLD - Curve Securities	500,000	A-	181	4.70%	22/09/25	4.04%
NAB - Curve Securities	500,000	AA-	365	5.40%	2/07/25	4.04%
Bank Vic - Curve Securites	500,000	BBB+	368	5.20%	10/06/25	4.04%
MyState - Curve Securities	500,000	BBB+	365	5.00%	3/09/25	4.04%
AMP - Curve Securities	500,000	BBB+	300	5.02%	19/06/25	4.04%
G&C Mutual Bank	500,000	BBB+	366	5.35%	14/07/25	4.04%
NAB - Curve Securities	500,000	AA-	181	4.70%	15/09/25	4.04%
Westpac Banking Corporation	500,000	AA-	365	4.77%	3/02/2026	4.04%
Westpac Banking Corporation	500,000	AA-	365	4.65%	3/03/2026	4.04%
At Call Deposits	\$ 1,266,192.87					10.24%
Commonwealth Bank - General Account	\$ 437,233.52	AA-	At Call	3.95%	N/A	
Commonwealth Bank - BOS Account	\$ 828,932.53	AA-	At Call	4.00%	N/A	
Reliance Credit Union - Cheque Account	\$ 26.82	Unrated	At Call	0.00%	N/A	
Total Value of Investment Funds	\$ 12,366,192.87					100%

Average Rate on Term Deposits

90 Day BBSW for March 2025	4.1254%
Average Rate on Term Deposits	4.9610%
Margin over 90 day BBSW	0.8356%

Average Term - Short Term Deposits (days) 314

Long Term Credit Rating

	Amount \$	%
AA-	\$ 5,266,166.05	42.57%
A+	\$ 500,000.00	4.05%
A	\$ 2,500,000.00	20.22%
A-	\$ 1,000,000.00	8.09%
BBB+	\$ 3,100,000.00	25.07%
Unrated	\$ 26.82	0.00%
Total	\$ 12,366,192.87	100.00%

BANK RECONCILIATION

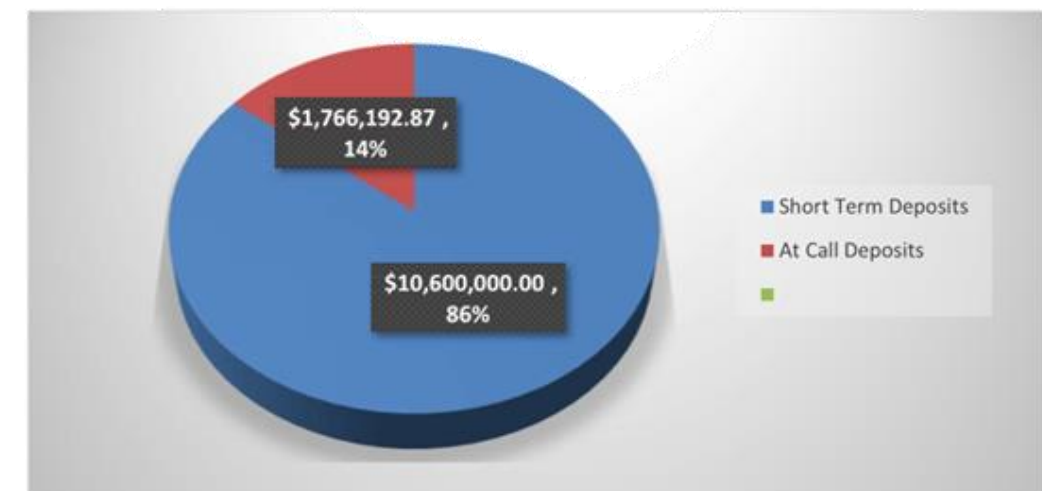
Balance as per Bank Statement	\$ 481,821.30
Add: Visa card to be processed April 2025	\$ 4,654.50
Add: Cash and cheque receipting deposited 01.04.2025	\$ 334.34
Add: Eftpos receipting deposited 01.04.2025	\$ 250.00
Less: OLG Pensioner Subsidy processed April 2025	-\$ 49,540.72
Less: Outstanding Petty Cash cheque	-\$ 285.90

Balance as per Cash Book	<u>\$ 437,233.52</u>
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GENERAL FUND

(a) Cash Book Balance	\$ 1,266,192.87
(b) Bank Balance	\$ 1,266,192.87

Short Term Deposits	\$ 10,600,000.00
At Call Deposits	\$ 1,766,192.87



**Minutes of the Ordinary Meeting of Central Tablelands Water held at Blayney, on
Wednesday, 19 February 2025, commencing at 10.15am**

Present

Cr. Andrew Rawson	(Chairperson)	Cabonne
Cr. Craig Gosewisch	(Deputy Chairperson)	Blayney
Cr. Paul Best		Weddin
Cr. Marlene Nash		Cabonne
Cr. John Newstead		Blayney
Cr. Jan Parlett		Weddin
Charlie Harris	(General Manager)	
Peter McFarlane	(Director Finance & Corporate Services)	
Achal Deo	(Governance & Executive Support Officer)	

4. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY MEMBERS

Nil

5. CONFIRMATION OF MINUTES FROM PREVIOUS MEETING**5.1) MINUTES OF THE ORDINARY MEETING HELD ON 11 DECEMBER 2024****25/001 RESOLVED:**

That the Minutes of the Ordinary Meeting of Central Tablelands Water, held on 11 December 2024, being minute numbers 24/102 to 24/115 inclusive, be confirmed.

(Cr. Parlett/Cr. Best)

6. MATTERS ARISING FROM PREVIOUS MEETINGS

The three policies Fraud & Corruption Control Policy, Water Quality Management Policy and Procurement Policy did not receive any submissions and were therefore adopted.

7. DISCLOSURES OF INTERESTS

Nil

8. PUBLIC FORUM

Nil

9. CHAIRPERSON'S MINUTES

Nil

This is Page No. 1 of the Minutes of the Ordinary Meeting held 19 February 2025.

10. COUNCILLOR REPRESENTATION

Cr. Rawson represented CTW at the following:

- CTW meeting with GM and Phil Donato – 13 December 2024
- CNSWJO Water Portfolio Mayors – 18 December 2024 & 29 January 2025
- CTW meeting with GM – 30 January 2025 & 17 February 2025

Cr. Nash represented CTW at the following:

- Integrated Planning and Reporting Strategic Workshop – Blayney – 5 February 2025

Cr. Craig Gosewisch represented CTW at the following:

- Integrated Planning and Reporting Strategic Workshop – Blayney – 5 February 2025

Cr. Paul Best represented CTW at the following:

- Integrated Planning and Reporting Strategic Workshop – Blayney – 5 February 2025

Cr. John Newstead represented CTW at the following:

- Integrated Planning and Reporting Strategic Workshop – Blayney – 5 February 2025
- CTW ARIC Meeting – Blayney – 14 February 2025

Cr. Jan Parlett represented CTW at the following:

- Integrated Planning and Reporting Strategic Workshop – Blayney – 5 February 2025

11. NOTICES OF MOTION

Nil

12. REPORTS OF STAFF

12.1) SAFE AND SECURE WATER PROGRAM - STREAM 2 STRATEGIC FUNDING (CA.ME.1)

25/002 RESOLVED:

1. That Council notes the report and approve development of the strategic projects as outlined in the Stage 1 of the Safe and Secure Water Program - SSWP216 Funding Deed.

(Cr. Newstead/Cr. Gosewisch)

Carried

12.2) POLICY REVIEWS - SECONDARY EMPLOYMENT POLICY, CONCEAL LEAKS POLICY & WATER CHARGES DEBT RECOVERY POLICY (CM.PL.1)

25/003 RESOLVED:

That Council:

1. Note the report;
2. Endorse the draft Secondary Employment Policy, Concealed Leaks Policy & Water Charges Debt Recovery Policy, and place on public display for a period of 28 days, and

This is Page No. 2 of the Minutes of the Ordinary Meeting held 19 February 2025.

3. If no submissions are received during the Secondary Employment Policy, Concealed Leaks Policy & Water Charges Debt Recovery Policy public display period, the policies be adopted.

(Cr. Parlett/Cr. Gosewisch)

Carried

12.3) QUARTERLY BUDGET REVIEW STATEMENT - 31 DECEMBER 2024
(FM.FR.1)

25/004 RESOLVED:

That Council adopt the budget review statement for the quarter ended 31 December 2024 and the variations therein be voted.

(Cr. Best/Cr. Newstead)

Carried

Proceedings in brief:

The Director Finance & Corporate Services outlines the major variations in the quarterly budget review statement including the reduced estimate for water sales resulting from frequent wet weather events.

12.4) FINANCIAL MATTERS - INVESTMENT REPORT AS AT 31 JANUARY, 2025
(FM.BA.1)

25/005 RESOLVED:

That the information in relation to Cash and Investments on 31 January, 2025 be noted.

(Cr. Gosewisch/Cr. Nash)

Carried

12.5) AUDIT RISK AND IMPROVEMENT COMMITTEE (ARIC) (CM.AU.1)

25/006 RESOLVED:

1. That Council notes the Audit Risk and Improvement Committee minutes for the meeting held on 14 November 2024.
2. That Council notes the resignation of the independent member of the Audit Risk and Improvement, Ron Gillard effective from 14 February 2025.
3. That Council appoints Stephen Coates as the new independent member on the Audit Risk and Improvement Committee for a 4-year term commencing on the commencing on the 22 May 2025 and ceasing on the 21 May 2029.

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4. That the draft Internal Audit Program for 2024/25 to 2027/28 be adopted.

5. That the draft Internal Audit Charter be adopted.

(Cr. Gosewisch/Cr. Best)

Carried

12.6) DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS (GO.CO.3)

25/007 RESOLVED:

That the "Disclosures by Councillors and Designated Persons" Returns as at the 30 September 2024, as tabled be received.

(Cr. Gosewisch/Cr. Newstead)

Carried

12.7) MAINTENANCE OF COUNCIL'S SYSTEMS (WS.MO.4)

25/008 RESOLVED:

That Council note the information in the General Report.

(Cr. Nash/Cr. Newstead)

Carried

12.8) PERFORMANCE OF COUNCIL'S SYSTEMS (WS.MO.4)

25/009 RESOLVED:

That Council note the information in the report.

(Cr. Gosewisch/Cr. Parlett)

Carried

13. QUESTIONS ON NOTICE

Nil

14. CONFIDENTIAL MATTERS

25/010 RESOLVED:

That, as the business for the Ordinary Meeting has now concluded, Council Proceed into Committee of the Whole to discuss the items referred to in the report.

(Cr. Best/Cr. Nash)

Carried

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14.1) ELECTRICITY PROCUREMENT (ET.SP.2)

This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

25/011 RESOLVED:

That Council

1. note the report on electricity procurement for small market sites;
2. participates in the regional procurement process, facilitated by Central NSW Joint Organisation, for the supply of electricity for small market sites;
3. note the extreme volatility of the energy market currently being experienced;
4. agree to purchase 50% of renewable energy for each site;
5. note the short timeframe for acceptance of offers for the supply of electricity;
6. Resolve that because of the extenuating circumstances set out in the report a satisfactory result would not be achieved by inviting tenders for the aggregated procurement of electricity for small market sites which are due to commence on 1 July 2025;
7. note that the reasons for the decision of the Council in resolution 6 are as follows:
 - (a) The services with respect to which the tender relates can only be provided by energy retailers.
 - (b) Council has received expert advice that due to the nature of the relevant market, offers from those retailers which will be made in response to the request for tender will only be open for acceptance for a period of 1-2 weeks.
 - (c) Even if the tender period was shortened to 7 days as permitted under the Regulations, some if not all of the relevant tenders would expire prior to Council being able to undertake an assessment of tenders, report the matter to Council and resolve to accept or reject any tenders.
 - (d) This would result in Council either having no valid tenders which it is able to accept, or it would not be able to consider for acceptance all of the tenders lodged in response to the request for tender.
 - (e) This would not be a satisfactory result for Council.
8. delegate the determination, acceptance, or rejection of proposals on behalf of Council to the General Manager;
9. delegation the execution of the contract for the supply of electricity for small sites to the General Manager;
10. receive a report on conclusion of the process detailing the outcome; and
11. advise Central NSW Joint Organisation of its decisions.

(Cr. Newstead/Cr. Parlett)

Carried

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25/012 RESOLVED:

That, as the deliberation of the Committee is concluded, the Council reconvene the Ordinary Meeting.

(Cr. Gosewisch/Cr. Nash)

Carried

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE CHAIRPERSON ANNOUNCED THE OUTCOME OF RESOLUTION NUMBER 25/011.

15. CONCLUSION OF THE MEETING

Next Meeting: The next meeting of Central Tablelands Water will be held in Grenfell on Wednesday, 16 April 2025 at 10am.

There being no further business, the Chairperson declared the meeting closed at 12.16pm

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