



**ATTACHMENTS TO REPORTS OF THE BLAYNEY SHIRE COUNCIL MEETING
HELD ON MONDAY 20 AUGUST 2018**

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DELIVERY PLAN PERFORMANCE STATUS REPORT - JUNE 2018

DP Ref.	TASK	MEASURE	COMMENT
STRATEGIC DIRECTION 1: GROW THE WEALTH OF THE SHIRE			
CSP1.1: A viable agricultural sector with niche opportunities and products coupled with lifestyle.			
1.1.1	Maintain and strengthen partnerships with organisations responsible for natural resource management	Attendance at meetings	Ongoing attendance at regional meetings during period by Council delegates and representatives.
1.1.2	Promote sustainable development and protection of our natural resources through the planning system.	Review of LEP and Council	Comprehensive DCP endorsed by Council. Attendance at CENTROC Planners meetings.
1.1.3	Ensure planning activities support long term sustainability of agricultural sector.	Support by agricultural sector/landcare groups for planning scheme	Blayney Farmers' Markets continue on the 3rd Sunday of every month. Sponsor Agribusiness Forum workshops through AusIndustry and FIAL including exploring export markets, IP & Branding, Retail and supermarket opportunities
1.1.4	Explore and promote opportunities for Agriculture value adding industries.	Production of a economic development strategy in 2013. Establishment of new industries.	Hosting small business workshops and forums in partnership with the Business Central HQ (Formerly Business Enterprise Centre - BEC) Economic Development opportunities with Agriculture, including value adding industries continue to be explored.
CSP1.2: A thriving mining industry that supports and works well with the community.			
1.2.1	Manage the development of mining as it develops in the Shire in order to preserve sustainable industrial diversity into the future.	Industry meeting. Policy development.	Continue to meet with current and prospective mining companies on a regular basis. Southern Cadia Access Route project continues, with works 85% complete between Mid-Western Highway and Panuara Road. Works have commenced on Cadia Road from Panuara Road to Woodville Road.
1.2.2	Improve transport linkages across the Local Government Area to support the mining industry.	Development of work plan.	Successful contractor determined for Browns Creek Road bridge, with works programmed for Q1-2 2018/19.
1.2.3	Build meaningful relationships between the mining industry and community.	Established communication channels. Attendance at meetings. Working relationships and cooperation. Mutual projects.	Cadia representation on Financial Assistance Committee. Cadia CCC meetings attended by DPES. Briefed by Regis Resources on imminent lodgement of DA for the McPhillamys Gold Mine at Kings Plains.

DELIVERY PLAN PERFORMANCE STATUS REPORT - JUNE 2018

DP Ref.	TASK	MEASURE	COMMENT
CSP1.3: A well established, connected and prosperous tourism industry.			
1.3.1	Implement Blayney Shire Tourism Plan	Implementation of plan and targets. Tourism business thriving	<p>Blayney & Villages Visitor Guide produced with approximately 50 local businesses contributing to the production and printing costs via advertising. 20,000 copies printed and distributed via local and regional events and regional Visitor Information Centre.</p> <p>Blayney Shire Council is the founding member Council of the new regional tourism entity launched in July as Orange 360. Developed the Winter Fire Festival as the inaugural event with Millthorpe hosting the signature.</p> <p>Working with community groups and Town & Villages Committees to encourage collaboration, cross-promotion and engagement and promotion via Councils communication channels eg. Collaborative marketing campaign via Winter Wonderland promotions involving local businesses, Garage Sale Trail.</p> <p>Media partnerships and advertising campaigns with Blayney Chronicle, Central West Life Style Magazine, Blue Mountains Life, 2BS/ B-Rock Radio and Discover Magazine to promote Blayney & Villages.</p> <p>Improved tourism infrastructure in Millthorpe as part of the VEP budget such as community noticeboard, walking trails, facility signage at the Railway station, setting up the Millthorpe General Store as a Visitor Information hub.</p>
1.3.2	Develop a structure to effectively support and grow tourism and local business.	Structure in place. Productive meetings.	<p>Active member of the CENTROC (Tourism Group) to promote local activities and programs regionally and beyond. Developed ideas for a Regional passport to encourage locals to enjoy a 'staycation' in school holiday periods, progressing through the CENTROC working group.</p> <p>Developing a strategy to link villages with regional centres such as Orange to encourage dispersal and movement throughout the region via Orange 360.</p> <p>Local tourism business development through forums, networking events and upskilling via Destination NSW, CSU Cennovate and other small business opportunities.</p>
CSP1.4: Internationally recognised brand for Blayney Shire.			
1.4.1	Work with the community and organisations within the region to develop a recognised brand for the Blayney Shire.	Brand developed	<p>Tourism campaigns ongoing.</p> <p>Review and update of the www.visitblayney.com.au tourism website</p> <p>Blayney as the Village shire logos used on marketing material. Consistent branding, visual identity, logos for events and activities.</p> <p>Cross-promotion via competitions, What's On events listing and website presence.</p>

DELIVERY PLAN PERFORMANCE STATUS REPORT - JUNE 2018

DP Ref.	TASK	MEASURE	COMMENT
CSP1.5: Sustainable water, energy and transport sectors to support future growth.			
1.5.1	Advocate for increased funding for transportation assets through Federal and State programs	Representations made to relevant agencies	Attend meetings including Centroc Strategic Transport Group, Regional Freight Workshops, and engage with Transport for NSW and Roads and Maritime Services.
1.5.2	Promote sustainable energy development and use within the Shire.	Provision of information.	Continue to lobby Members of Parliament, advocating for reactivation of Blayney - Demondirille and increased freight on rail opportunities.
CSP1.6: A vibrant local retail and business sector.			
1.6.1	Seek opportunities to build a vibrant local retail and business sector.	Cooperative projects. Opportunities identified and followed up.	Council continues to work with Small Business NSW and Central West BEC to facilitate development and upskilling programs for business including Biz Bus program. Representatives on the Board of Central West BEC and RDA Central West economic development committee to co-ordinate regional growth.
1.6.2	Build and retain relationships with government bodies and NGO's to assist small business	Productive relationships. Number of activities.	
1.6.3	Support and encourage the establishment or expansion of local businesses	New businesses. Empowered local business.	
1.6.4	Develop an environment that will attract technology or internet based industry to come to Blayney.	Establishment of technology industries and technologies.	

DELIVERY PLAN PERFORMANCE STATUS REPORT - JUNE 2018

DP Ref.	TASK	MEASURE	COMMENT
STRATEGIC DIRECTION 2: A CENTRE FOR SPORTS AND CULTURE			
CSP2.1: Cultural and sporting events are coordinated and resourced.			
2.1.1	Encourage development of a calendar of sport and cultural events.	Information provided on web site and updated by sporting groups.	Tourism and Calendar of Events website maintained, driven by information submitted from event/sporting club organisers. Hard copy also promoted and distributed throughout region for promotion.
2.1.2	Engage with key groups and organisations with a view to developing community partnerships for conducting activities and programs.	Participation of organisations.	Village plans finalised and actions from these being progressed. Development Coordinator Program ongoing. Funding arrangement providing financial assistance with administrative costs to the Millthorpe Village Association ongoing. Towns and Villages committee meetings are ongoing.
2.1.3	Engage with the Shire youth to facilitate progress and activities across the Shire.	Youth activities held. Meetings of Youth Council.	Youth Week Grants program successful with 4 youth activities conducted and participation by village, community and sporting groups.
2.1.4	Work proactively with the community groups to assist with event management.	Develop Community events guide and policies.	Ongoing engagement and coordination with event holders through Event Management policy and associated funding through Community Financial Assistance program Blayney Shire Sport and Recreation Master Plan completed and adopted by Council.
2.1.5	Encourage and facilitate an active and healthy community by developing accessible programs through CentrePoint and local sporting groups.	Develop programs and activities with the community. Maintain facilities in accordance with financial estimates.	Seating and accessibility improvement project at Blayney Showground completed. CentrePoint promoted during the period. King George Oval and Showground User groups, in addition to sports Council meetings, to develop funding applications and project delivery.
CSP2.2: Strong participation in sporting events and competitions.			
2.2.1	Encourage active participation in sport.	Participation in Regional Sport promotions.	Blayney Shire Sports Council quarterly meetings held, and minutes presented to Council, with additional meetings held with key user groups.
2.2.2	Establish and support a community based representative body for sporting groups.	Report written and council established	Sporting facilities well maintained with various upgrades undertaken.

DELIVERY PLAN PERFORMANCE STATUS REPORT - JUNE 2018

DP Ref.	TASK	MEASURE	COMMENT
CSP2.3: Blayney Shire - a centre for arts, performance and entertainment.			
2.3.1	Encourage participation and continue relationships with music organisations.	Scholarships awarded.	Scholarship auditions held in September 2017 and 3 scholarships awarded in October 2017. Council continues support of regional arts development organisation, Arts OutWest.
2.3.2	Develop partnerships with other arts organisations to help deliver arts and cultural activities	Arts and cultural activities coordinated.	Council support formalised for acquisitive prize Textures of One Art Exhibition and financial support for exhibition provided through Community Financial Assistance program. Hanging space for display of works in Visitor Information Centre also facilitated with art community.
2.3.3	Encourage the use of the Blayney Shire Community Centre as a facility for arts and culture.	Use of facility.	Cultural Centre Working Group meetings conducted.
2.3.4	Provide library services in the Blayney Shire	Usage of library services	Total number of events that hired Community Centre for year was 166 including 1 wedding, 49 meetings or conferences and 116 other activities. The facility was also used for 110 council activities over the reporting period. Blayney Shire Library Statistics for reporting year ending 30/06/2018 are as follows: Visits: 4,306; Issues: 9,198; Membership @30/06/2018: 1,502

DELIVERY PLAN PERFORMANCE STATUS REPORT - JUNE 2018

DP Ref.	TASK	MEASURE	COMMENT
STRATEGIC DIRECTION 3: PRESERVE AND ENHANCE OUR HERITAGE AND RURAL LANDSCAPES			
CSP3.1: Retention of native vegetation with linking corridors.			
3.1.1	Protect and enhance biodiversity, native, vegetation, river and soil health.	Developed strategies for protection	Staff met with Local Government Support Officer (Biodiversity Reform) to discuss new Biodiversity legislation. Engagement for bank stabilisation works completed, with agreed works programmed for Q4 2017/18.
3.1.2	Facilitate the delivery of more planting on Council owned and controlled land.	Compliance with strategy	Revive 2, Belubula River at Carcoar commenced with planning, and quotations for vegetation removal. Works programmed for Q1 2018/19.
CSP3.2: Biodiversity of waterways.			
3.2.1	Adopt and implement the Draft Integrated Water Cycle Management Plan (IWCM) Plan.	Implementation of agreed activities and tasks	Approved IWCM Level of Service actions addressed via revised (2013/14) Strategic Business Plan for Sewerage Services (SBP). Unsewered village expansions removed at request of communities, Levels of Service targets reviewed and revised. Development Servicing Plan and SBP revision brought forward to 2018/19.
3.2.2	Enhance the communities understanding of biodiversity issues and work towards positive behavioural change	Research resourced and made available.	Staff met with Local Government Support Officer (Biodiversity Reform) to discuss new Biodiversity legislation.
CSP3.3: Heritage sites in the natural and built environment are identified and understood.			
3.3.1	Pursue recognition of heritage items in draft LEP 2011	Information to public Heritage advice	Heritage Architect Advisory Service and Local Heritage Assistance Fund available during the period.
3.3.2	Identify items of natural heritage in Blayney Shire.	Information to public Heritage advice	
CSP3.4: Sustainable land use practices across the Shire.			
3.4.1	Pursue sustainable land use practices based on the protection and restoration of natural resources, innovative land use policies and government and community partnerships.	Develop partnerships with relevant organisations.	Development Applications considered land use conflict in the assessment.

DELIVERY PLAN PERFORMANCE STATUS REPORT - JUNE 2018

DP Ref.	TASK	MEASURE	COMMENT
STRATEGIC DIRECTION 4: DEVELOP AND MAINTAIN SHIRE INFRASTRUCTURE			
CSP4.1: Adequate provision of transport, roads, rail, information and communication technologies and community social assets.			
4.1.1	Manage Local Road Network to agreed service levels.	Performance budget/time/quality. Meeting service levels. Customer request system.	Routine and non routine inspections undertaken, and maintenance delivered in accordance with prioritisation protocols, within budget allocations.
4.1.2	Manage Regional and State Road Network to agreed service levels.	Service levels provided in accordance with State Government funding.	Southern Cadia Access Route project continues, with works 85% complete between Mid-Western Highway and Panuara Road. Works have commenced on Cadia Road from Panuara Road to Woodville Road.
4.1.3	Ensure Ancillary Road facilities are serviceable and in line with current standards e.g. footpaths, cycleways, kerb and gutter, bus stops etc.	Performance budget/time/quality. Meeting service levels. Customer request system.	Browns Creek Road upgrade (Year 2) funded under Fixing Country Roads Round 2 underway. Successful contractor determined for Browns Creek Road bridge, with works programmed for Q1-2 2018/19.
4.1.4	Source road making materials in environmentally responsible manner.	Regulatory compliance	Maintenance grading and resheeting programs underway and within budget allocations. Some delays resulting from lack of soil moisture.
4.1.5	Implement the Blayney Shire Council Asset Management Plans	Quantity and quality of information allocated	Design for small bridges progressed in house, in partnership with Charles Sturt University, Engineering degree program. Awaiting peer review from Charles Sturt University.
4.1.6	Seek additional grant funding for construction and maintenance of roads and associated facilities	Applications submitted and Grant funds received.	Informal discussions with Roads and Maritime Services held to discuss future State Road works.
4.1.7	Plan for future transport and road infrastructure to service future needs	Projects are 'shovel ready'	Council attends Centroc Strategic and Technical Transport Committee meetings.
4.1.8	Investigate opportunities for stormwater harvesting and reuse	Projects identified and implemented. Successful grant applications.	Essential Energy continue to undertake street lighting maintenance. Centroc Energy Group advocating for future street light replacement program with LED and smart controls.
4.1.9	Apply the principles of Water Sensitive Urban Design (WSUD) to stormwater management	Completion of WSUD policy. Investigate grant funding.	Injury surveys completed in accordance with requirements on quarterly basis.
l.1.10	Prepare Stormwater Management Plans	Completion of Plans	Inspection of hired plant undertaken in accordance with legislative requirements. Assets system data input ongoing, with increased detail.
l.1.11	Maintain cemeteries in accordance with the community's needs and expectations	Compliance with regulations. Maintain records.	Asset Management Policy, Strategy and Plans updated in accordance with OLG requirements. Council attends quarterly meetings with Local Land Services (Environment and Waterways Alliance), and seeks specialist advice as and where required.
l.1.12	Identify surplus Council owned assets for possible sale to be invested in infrastructure reserve.	Assets identified for sale	Council staff engaged in Crown Lands Negotiation Pilot Project.
l.1.13	Maintain and improve Council owned building assets	Implementation of Building maintenance program	Cemeteries were maintained in accordance with regulations. Various maintenance works undertaken to Council facilities as identified in Capital Works Program.

DELIVERY PLAN PERFORMANCE STATUS REPORT - JUNE 2018

DP Ref.	TASK	MEASURE	COMMENT
CSP4.2: Every village has access to water and sewerage services.			
4.2.1	Maintain the availability and quality of water for use in rural areas	Water availability and quality. Operational bores.	Inspections of sewerage treatment plant (STP) undertaken on routine basis in conjunction with EPA and NSW Office of Water.
4.2.2	Ensure Sewerage Treatment Plant are able to meet needs of the Blayney Shire	Maintain to licensing standards	Sewer main CCTV condition assessment undertaken subject to prioritisation and resource availability.
4.2.3	Provide an effective and safe Sewerage Collection Network for Blayney Shire	Achieve network maintenance	Upgrade works to Pump Station 1 underway.
4.2.4	Ensure that the disposal of liquid waste in rural areas is carried out in a healthy manner without negative environmental impact.	SMF's (sewerage management facilities) reviewed.	Magnesium Hydroxide Liquid delivery project at Millthorpe programmed.
CSP4.3: Improved access to community and public transport between villages and centres.			
4.3.1	Lobby to improve public transport around the shire	Improved transport services. Greater accessibility across the Shire.	Public Transport services maintained. Engagement ongoing with LiveBetter Transport over Community Transport service.
CSP4.4: Preservation and continued Development of Rail Infrastructure			
4.4.1	Advocate for the upgrading of rail infrastructure	Meeting attended.	Continue to advocate with NSW Government, and State agencies including Transport for NSW Transport, for Blayney-Demondrille Railway, and other key transport requirements. Advocacy via Centroc, Central West Strategic Transport Group, in conjunction with village progress associations for improved rail infrastructure. Advocate for reinstatement of Stop on Request services at Newbridge Railway Station.
CSP4.5: Sustainable Waste Management.			
4.5.1	Develop and promote programs that increase the participation of the community in recycling and reducing waste going to landfill.	Attendance at NetWaste meetings. Educational material developed. Participation in recycling program.	NetWaste meetings attended during period. Domestic Waste Collection undertaken by JR Richards and monitoring report provided monthly. Council resolved to continue recycling program after China Sword Policy created international policy implications.

DELIVERY PLAN PERFORMANCE STATUS REPORT - JUNE 2018

DP Ref.	TASK	MEASURE	COMMENT
STRATEGIC DIRECTION 5: DEVELOP STRONG AND CONNECTED COMMUNITIES			
CSP5.1: A diverse and sustainable population in our communities and villages.			
5.1.1	Assist incorporated village committees, progress associations and hall committees.	Active village committees	Council staff and Councillors attended various meetings, events and activities. Active engagement ongoing as outlined in CSP 2.1 above.
5.1.2	Promote living in the Blayney Shire	Residents Pack developed.	Residents pack updated and promoted through Visitor Information centre and Council website.
CSP5.2: Fit and healthy community members.			
5.2.1	Build partnerships with community groups to increase use of parks and reserves	Interaction with use groups	Undertook user group meetings with King George Oval users to develop projects for funding in accordance with Sport and Recreation Master Plan, and Showground user to deliver covered equestrian and livestock arena.
5.2.2	Provide for the implementation of projects, identified in Council's Pedestrian and Access Mobility, Bike Plan to improve community health and fitness	Meetings attended	New footpath works at Tucker/Ewin Streets, and Lindsay Street, Blayney completed. Renewal works in Olive Street, Mandurama and Montgomery Street, Millthorpe, completed.
CSP5.3: Full and equitable access and strong usage of Information and communication technologies across the Shire.			
5.3.1	Implement programs to build community skills with computer technology, to build community participation and social inclusion amongst older Australians.	Internet access available to community. Program participation.	Internet access and computer maintained at Library. Public Wi-Fi available at Visitor Information Centre. Seniors Kiosk program discontinued following diminishing numbers and interest.
CSP5.4: Capable, self sufficient communities engaged in decision making about issues that affect them.			
5.4.1	Develop and implement a community engagement process and policy	Informed communities	Community informed through a number of avenues including Newspaper, Facebook, email newsletters, rates notice newsletter, radio engagement, media releases and Mayor / Councillor attendance at every Town and Village Association meetings.
5.4.2	Develop and implement plans for villages and township	Plans are implemented.	Community Engagement Policy remains current.
5.4.3	Encourage volunteerism within the Community	Promotion undertaken	Volunteerism promoted on Council website. Inquiries by interested community members addressed and facilitation with groups as required.

DELIVERY PLAN PERFORMANCE STATUS REPORT - JUNE 2018

DP Ref.	TASK	MEASURE	COMMENT
STRATEGIC DIRECTION 6: LEADERSHIP			
CSP6.1: Good governance across our communities.			
6.1.1	Councillors to exhibit leadership on Council and participate in committees and community organisations.	Attendance to meeting. Councillor presence on relevant committees.	Council continues to support Centroc / Central West JO activities and work within the strategic alliance of Blayney, Cabonne and Central Tablelands Councils.
6.1.2	Promote resource sharing and collaboration with regional organisations.	Participation in meetings. Resource sharing projects.	Councillor representation on committees and community organisations continuing. Participation in resource sharing and regional projects ongoing.
6.1.3	Encourage sound governance practice in community organisations.	Provide assistance and training as requested.	Workshops held for community groups and funding opportunities for training of volunteers promoted.
CSP6.2: Meaningful communication between the Shires communities and Council.			
6.2.1	Identify and engage with Shire Community Groups.	Establish regular communications with Shire Community Groups.	Engagement with community being undertaken in various forms.
6.2.2	Implement Council's Community Engagement Plan	Engagement activities conducted	Website and media communications channels utilised to promote Council activities.
6.2.3	Develop communications between Councillors and the community to provide community opinion.	Community satisfaction with communication processes. Available to community.	Acknowledgement process to emails and correspondence in place and ongoing. Activity reports issued to Directors monthly to ensure correspondence received status is updated and addressed.
6.2.4	Manage a customer request system to assist communications between community and Council.	Response times to requests.	Email and rates notice newsletters, 2GZ, B Rock and 2BS radio presence, half page Blayney Chronicle advert and GM conversation weekly.
CSP6.3: A well-run Council organisation.			
6.3.1	Provide a framework for the efficient and effective administration of Council.	Assess Council's position against Better Practice Review.	2016/17 Audited Financial Statements submitted to OLG, presented to Council unqualified and within regulations. Reviews of Council processes ongoing. Program include Risk Management Action Plan.
6.3.2	Maintain a stable and secure financial structure for Council.	Report financial outcomes as required by legislation.	Annual report and Financial reports finalised and lodged within statutory timeframes.
6.3.3	Support actions for the sustainable future of local government.	Review Destination 2036 outcomes and actions to improve local government.	All legislative reporting submitted per requirements and regulations including PID report, GIPA report etc.
6.3.4	Develop strategies that respond to the impact of climate change on the community.	Supply of community information.	Draft DCP contains measures that consider the impact of development on the natural environment. Considered in the assessment of each Development Application.

DELIVERY PLAN PERFORMANCE STATUS REPORT - JUNE 2018

DP Ref.	TASK	MEASURE	COMMENT
CSP6.4: A safe community.			
6.4.1	Provide support for emergency management in Blayney Shire in accordance with SERM Act	Emergencies responded to.	Local Emergency Management Committee meets on quarterly basis. LEMO attended community briefing and Orange LEMC meeting, and staff responded to Cadia Northern Tailings Storage Facility failure.
6.4.2	Undertake regulatory responsibilities for environmental health and animal control.	Regulatory responsibilities are met	LEMO and staff responded to industrial fire in Blayney Industrial Estate. Staff responded to fire at Mandurama.
6.4.3	Educate communities on road and pedestrian safety	Programs delivered	Traffic Committee meets on bi-monthly basis, and otherwise as required.
6.4.4	Review risk management of council operations.	Plan is implemented and risk managed.	Acting Road Safety officer engaged for Central Tablelands Road Safety Program. Responsibilities during the period were completed.



Code Of Conduct

Policy	1B
Officer Responsible	Director Corporate Services
Last Review Date	15/02/2016 <u>20/08/2018</u>

Strategic Policy



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MODEL CODE OF CONDUCT
FOR LOCAL COUNCILS IN NSW



November 2015

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©NSW Office of Local Government 2015
ISBN 978-1-922001-38-2
Produced by the Office of Local Government



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PART 1

INTRODUCTION

This Model Code of Conduct for Local Councils in NSW (“the Model Code of Conduct”) is made for the purposes of section 440 of the *Local Government Act 1993* (“the Act”). Section 440 of the Act requires every council to adopt a code of conduct that incorporates the provisions of the Model Code. For the purposes of section 440 of the Act, the Model Code of Conduct comprises all parts of this document.

Councillors, administrators, members of staff of council, independent conduct reviewers, members of council committees including a conduct review committee and delegates of the council must comply with the applicable provisions of council’s code of conduct in carrying out their functions as council officials. It is the personal responsibility of council officials to comply with the standards in the code and regularly review their personal circumstances 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 Act. The Act 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 council’s code of conduct may give rise to disciplinary action.

PART 2

PURPOSE OF THE CODE OF CONDUCT

The Model Code of Conduct sets the minimum requirements of conduct for council officials in carrying out their functions. The Model Code is prescribed by regulation.

The Model Code of Conduct has been developed to assist council officials to:

- understand 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 the integrity of local government.

PART 3

GENERAL CONDUCT OBLIGATIONS

General conduct

- 3.1 You must not conduct yourself in carrying out your functions in a manner that is likely to bring the council or holders of civic office into disrepute. Specifically, you must not act in a way that:
- a) contravenes the Act, associated regulations, council's relevant administrative requirements and policies
 - b) is detrimental to the pursuit of the charter of a council
 - c) is improper or unethical
 - d) is an abuse of power or otherwise amounts to misconduct
 - e) causes, comprises or involves intimidation, harassment or verbal abuse
 - f) causes, comprises or involves discrimination, disadvantage or adverse treatment in relation to employment
 - g) causes, comprises or involves prejudice in the provision of a service to the community. (*Schedule 6A*)
- 3.2 You must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out your functions under the Act or any other Act. (*section 439*)
- 3.3 You must treat others with respect at all times.

Fairness and equity

- 3.4 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.5 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.

Harassment and discrimination

- 3.6 You must not harass, discriminate against, or support others who harass and discriminate against colleagues or members of the public. This includes, but is not limited to harassment and discrimination on the grounds of sex, pregnancy, age, race, responsibilities as a carer, marital status, disability, homosexuality, transgender grounds or if a person has an infectious disease.

Development decisions

- 3.7 You must ensure that development decisions are properly made and that parties involved in the development process are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the development assessment process.
- 3.8 In determining development applications, you must ensure that no action, statement or communication between yourself and applicants or objectors conveys any suggestion of willingness to provide improper concessions or preferential treatment.

Binding caucus votes

- 3.9 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.10 For the purposes of clause 3.9, 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.
- 3.11 Clause 3.9 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.
- 3.12 Clause 3.9 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.

PART 4

CONFLICT OF INTERESTS

- 4.1 A conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.
- 4.2 You must avoid or appropriately manage any conflict of interests. The onus is on you to identify a conflict of interests and take the appropriate action to manage the conflict in favour of your public duty.
- 4.3 Any conflict of interests must be managed to uphold the probity of council decision-making. When considering whether or not you have a conflict of interests, it is always important to think about how others would view your situation.
- 4.4 Private interests can be of two types: pecuniary or non-pecuniary.

What is a pecuniary interest?

- 4.5 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. *(section 442)*
- 4.6 A person will also be taken to have a pecuniary interest in a matter if that person's spouse or de facto partner or a relative of the person or a partner or employer of the person, or a company or other body of which the person, or a nominee, partner or employer of the person is a member, has a pecuniary interest in the matter. *(section 443)*
- 4.7 Pecuniary interests are regulated by Chapter 14, Part 2 of the Act. The Act requires that:
 - a) councillors and designated persons lodge an initial and an annual written disclosure of interests that could potentially be in conflict with their public or professional duties *(section 449)*
 - b) councillors and members of council committees disclose an interest and the nature of that interest at a meeting, leave the meeting and be out of sight of the meeting and not participate in discussions or voting on the matter *(section 451)*
 - c) designated persons immediately declare, in writing, any pecuniary interest. *(section 459)*
- 4.8 Designated persons are defined at section 441 of the Act, and include, but are not limited to, the general manager and other senior staff of the council.
- 4.9 Where you are a member of staff of council, other than a designated person (as defined by section 441), you must disclose in writing to your supervisor or the general manager, the nature of any pecuniary interest you have in a matter you are dealing with as soon as practicable.

What are non-pecuniary interests?

4.10 Non-pecuniary interests are private or personal interests the council official has that do not amount to a pecuniary interest as defined in the Act. These commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.

4.11 The political views of a councillor do not constitute a private interest.

Managing non-pecuniary conflict of interests

4.12 Where you have a non-pecuniary interest that conflicts with your public duty, you must disclose the interest fully and in writing, even if the conflict is not significant. You must do this as soon as practicable.

4.13 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. This disclosure constitutes disclosure in writing for the purposes of clause 4.12.

4.14 How you manage a non-pecuniary conflict of interests will depend on whether or not it is significant.

4.15 As a general rule, a non-pecuniary conflict of interests will be significant where a matter does not raise a pecuniary interest but it involves:

- a) a relationship between a council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse, current or former spouse or partner, de facto or other person living in the same household
- b) other relationships 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, sporting body, club, corporation or association that is particularly strong.

- 4.16** If you are a council official, other than a member of staff of council, and you have disclosed that a significant non-pecuniary conflict of interests exists, you must manage it in one of two ways:
- a) remove the source of the conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another council official
 - b) have no involvement in the matter, by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in section 451(2) of the Act apply.
- 4.17** If you determine that a non-pecuniary conflict of interests is less than significant and does not require further action, you must provide an explanation of why you consider that the conflict does not require further action in the circumstances.
- 4.18** If you are a member of staff of council, the decision on which option should be taken to manage a non-pecuniary conflict of interests must be made in consultation with your manager.
- 4.19** Despite clause 4.16(b), a councillor who has disclosed that a significant non-pecuniary conflict of interests exists may participate in a decision to delegate council's decision-making role to council staff through the general manager, or appoint another person or body to make the decision in accordance with the law. This applies whether or not council would be deprived of a quorum if one or more councillors were to manage their conflict of interests by not voting on a matter in accordance with clause 4.16(b) above.

Reportable political donations

- 4.20** Councillors should note that matters before council involving political or campaign donors may give rise to a non-pecuniary conflict of interests.
- 4.21** Where a councillor has received or knowingly benefitted from a reportable political donation:
- a) made by a major political donor in the previous four years, and
 - b) where the major political donor has a matter before council,
- then the councillor must declare a non-pecuniary conflict of interests, disclose the nature of the interest, and manage the conflict of interests in accordance with clause 4.16(b).

4.22 For the purposes of this Part:

- a) a “reportable political donation” is a “reportable political donation” for the purposes of section 86 of the *Election Funding, Expenditure and Disclosures Act 1981*,
- b) a “major political donor” is a “major political donor” for the purposes of section 84 of the *Election Funding, Expenditure and Disclosures Act 1981*.

4.23 Councillors should note that political donations below \$1,000, 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 interests. Councillors should determine whether or not such conflicts are significant and take the appropriate action to manage them.

4.24 If a councillor has received or knowingly benefitted from a reportable political donation of the kind referred to in clause 4.21, that councillor is not prevented from participating in a decision to delegate council’s decision-making role to council staff through the general manager or appointing another person or body to make the decision in accordance with the law (see clause 4.19 above).

Loss of quorum as a result of compliance with this Part

4.25 Where a majority of councillors are precluded under this Part from consideration of a matter the council or committee must resolve to delegate consideration of the matter in question to another person.

4.26 Where a majority of councillors are precluded under this Part from consideration of a matter and the matter in question concerns the exercise of a function that may not be delegated under section 377 of the Act, the councillors may apply in writing to the Chief Executive to be exempted from complying with a requirement under this Part relating to the management of a non-pecuniary conflict of interests.

4.27 The Chief Executive will only exempt a councillor from complying with a requirement under this Part where:

- a) compliance by councillors with a requirement under the Part in relation to a matter will result in the loss of a quorum, and
- b) the matter relates to the exercise of a function of the council that may not be delegated under section 377 of the Act.

4.28 Where the Chief Executive exempts a councillor from complying with a requirement under this Part, the councillor must still disclose any interests they have in the matter the exemption applies to in accordance with the requirements of this Part.

4.29 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 interests 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 part 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 part of the council's area, and
- b) the non-pecuniary conflict of interests arises only because of an interest that a person has in that person's principal place of residence, and
- c) the councillor declares the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part.

Other business or employment

4.30 If you are a member of staff of council considering outside employment or contract work that relates to the business of the council or that might conflict with your council duties, you must notify and seek the approval of the general manager in writing. (*section 353*)

4.31 As a member of staff, you must ensure that any outside employment or business you engage in will not:

- a) conflict with your official duties
- b) involve using confidential information or council resources obtained through your work with the council
- c) require you to work while on council duty
- d) discredit or disadvantage the council.

Personal dealings with council

4.32 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 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.

PART 5

PERSONAL BENEFIT

For the purposes of this section, a reference to a gift or benefit does not include a political donation or contribution to an election fund that is subject to the provisions of the relevant election funding legislation.

Gifts and benefits

- 5.1** You must avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment from you or from the council.
- 5.2** You must take all reasonable steps to ensure that your immediate family members do not receive gifts or benefits that give rise to the appearance of being an attempt to secure favourable treatment. Immediate family members ordinarily include parents, spouses, children and siblings.

Token gifts and benefits

- 5.3** Generally speaking, token gifts and benefits include:
- a) free or subsidised meals, beverages or refreshments provided in conjunction with:
 - i) the discussion of official business
 - ii) council work related events such as training, education sessions, workshops
 - iii) conferences
 - iv) council functions or events
 - v) social functions organised by groups, such as council committees and community organisations
 - b) invitations to and attendance at local social, cultural or sporting events
 - c) gifts of single bottles of reasonably priced alcohol to individual council officials at end of year functions, public occasions or in recognition of work done (such as providing a lecture/training session/address)
 - d) ties, scarves, coasters, tie pins, diaries, chocolates or flowers
 - e) prizes of token value.

Gifts and benefits of value

- 5.4 Notwithstanding clause 5.3, gifts and benefits that have more than a token value include, but are not limited to, tickets to major sporting events (such as state or international cricket matches or matches in other national sporting codes (including the NRL, AFL, FFA, NBL)), corporate hospitality at a corporate facility at major sporting events, discounted products for personal use, the frequent use of facilities such as gyms, use of holiday homes, free or discounted travel.

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

- 5.5 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) accept any gift or benefit of more than token value
 - e) accept an offer of cash or a cash-like gift, regardless of the amount.
- 5.6 For the purposes of clause 5.5(e), a “cash-like gift” includes but is not limited to gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internal credit, memberships or entitlements to discounts.
- 5.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, this must be disclosed promptly to your supervisor, the Mayor or the general manager. The recipient, supervisor, Mayor or general manager must ensure that any gifts or benefits of more than token value that are received are recorded in a Gifts Register. The gift or benefit must be surrendered to council, unless the nature of the gift or benefit makes this impractical.

Improper and undue influence

- 5.8 You must not use your position to influence other council officials in the performance of their public or professional duties 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 appropriate exercise of their representative functions.
- 5.9 You must not take advantage (or seek to take advantage) of your status or position with or of functions you perform for council in order to obtain a private benefit for yourself or for any other person or body.

PART 6

RELATIONSHIP BETWEEN COUNCIL OFFICIALS

Obligations of councillors and administrators

- 6.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. The governing body has the responsibility of directing and controlling the affairs of the council in accordance with the Act and is responsible for policy determinations, for example, those relating to workforce policy.
- 6.2 Councillors or administrators must not:
- a) direct council staff other than by giving appropriate direction to the general manager in the performance of council's functions by way of council or committee resolution, or by the Mayor or administrator exercising their power under section 226 of the Act (*section 352*)
 - b) 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 member or delegate (*Schedule 6A of the Act*)
 - c) 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
 - d) contact or issue instructions to any of council's contractors or tenderers, including council's legal advisers, unless by the Mayor or administrator exercising their power under section 226 of the Act. This does not apply to council's external auditors or the Chair of council's audit committee who may be provided with any information by individual councillors reasonably necessary for the external auditor or audit committee to effectively perform their functions.

Obligations of staff

- 6.3 The general manager is responsible for the efficient and effective operation of the council's organisation and for ensuring the implementation of the decisions of the council without delay.
- 6.4 Members of staff of council must:
- a) give their attention to the business of council while on duty
 - b) ensure that their work is carried out efficiently, economically and effectively
 - c) carry out lawful directions given by any person having authority to give such directions
 - d) give effect to the lawful decisions, policies, and procedures of the council, whether or not the staff member agrees with or approves of them
 - e) ensure that any participation in political activities outside the service of the council does not conflict with the performance of their official duties.

Obligations during meetings

- 6.5 You must act in accordance with council's Code of Meeting Practice, if council has adopted one, and the *Local Government (General) Regulation 2005* during council and committee meetings.
- 6.6 You must show respect to the chair, other council officials and any members of the public present during council and committee meetings or other formal proceedings of the council.

Inappropriate interactions

- 6.7 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 broader workforce policy issues.
 - b) Council staff approaching councillors and administrators to discuss individual or operational staff matters other than broader workforce policy issues.
 - c) Council staff refusing to give information that is available to other councillors to a particular councillor.
 - d) Councillors and administrators who have lodged a development application with council, discussing the matter with council staff in staff-only areas of the council.
 - e) Councillors and administrators being overbearing or threatening to council staff.
 - f) Councillors and administrators making personal attacks on council staff in a public forum.
 - g) Councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make.
 - h) 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.
 - i) Council staff meeting with applicants or objectors alone AND outside office hours to discuss applications or proposals.
 - j) Councillors attending on-site inspection meetings with lawyers and/or consultants engaged by council associated with current or proposed legal proceedings unless permitted to do so by council's general manager or, in the case of the Mayor or administrator, exercising their power under section 226 of the Act.

PART 7

ACCESS TO INFORMATION AND COUNCIL RESOURCES

Councillor and administrator access to information

- 7.1 The general manager and public officer are responsible for ensuring that members of the public, councillors and administrators can gain access to the documents available under the *Government Information (Public Access) Act 2009*.
- 7.2 The general manager must provide councillors and administrators with information sufficient to enable them to carry out their civic office functions.
- 7.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to carry out their civic office functions and in accordance with council procedures.
- 7.4 Members of staff of council who provide any information to a particular councillor in the performance of their civic duties must also make it available to any other councillor who requests it and in accordance with council procedures.
- 7.5 Councillors and administrators who have a private (as distinct from civic) interest in a document of council have the same rights of access as any member of the public.

Councillors and administrators to properly examine and consider information

- 7.6 Councillors and administrators must properly examine and consider all the information provided to them relating to matters that they are dealing with to enable them to make a decision on the matter in accordance with council's charter.

Refusal of access to documents

- 7.7 Where the general manager and public officer determine to refuse access to a document sought by a councillor or administrator they must act reasonably. In reaching this decision they must take into account whether or not the document sought is required for the councillor or administrator to perform their civic duty (see clause 7.2). The general manager or public officer must state the reasons for the decision if access is refused.

Use of certain council information

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

- 7.9 You must maintain the integrity and security of confidential documents or information in your possession, or for which you are responsible.
- 7.10 In addition to your general obligations relating to the use of council information, you must:
- a) protect confidential information
 - b) only release confidential information if you have authority to do so
 - c) only use confidential information for the purpose it is intended to be used
 - d) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
 - e) not use confidential information with the intention to cause harm or detriment to your council or any other person or body
 - f) not disclose any information discussed during a confidential session of a council meeting.

Personal information

- 7.11 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) council's privacy management plan
 - e) the Privacy Code of Practice for Local Government

Use of council resources

- 7.12** You must use council resources ethically, effectively, efficiently and carefully in the course of your official duties, and must not use them for private purposes (except when supplied as part of a contract of employment) unless this use is lawfully authorised and proper payment is made where appropriate.
- 7.13** Union delegates and consultative committee members may have reasonable access to council resources 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.
- 7.14** You must be scrupulous in your use of council property, including intellectual property, official services and facilities, and must not permit their misuse by any other person or body.
- 7.15** 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.
- 7.16** You must not use council resources, property or facilities for the purpose of assisting your election campaign or the election campaign 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.
- 7.17** You must not use council letterhead, council crests and other information that could give the appearance it is official council material for:
- a) the purpose of assisting your election campaign or the election campaign of others, or
 - b) for other non-official purposes.
- 7.18** You must not convert any property of the council to your own use unless properly authorised.
- 7.19** You must not use council's computer resources to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature.

Councillor access to council buildings

- 7.20 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.
- 7.21 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or delegate) or as provided in the procedures governing the interaction of councillors and council staff.
- 7.22 Councillors and administrators must ensure that when they are within a staff area they avoid giving rise to the appearance that they may improperly influence council staff decisions.

PART 8

MAINTAINING THE INTEGRITY OF THIS CODE

8.1 You must not conduct yourself in a manner that is likely to undermine confidence in the integrity of this code or its administration.

Complaints made for an improper purpose

8.2 You must not make a complaint or cause a complaint to be made under this code for an improper purpose.

8.3 For the purposes of clause 8.2, 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:

- a) to intimidate or harass another council official
- b) to damage another council official's reputation
- c) to obtain a political advantage
- d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
- e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
- f) to avoid disciplinary action under this code
- g) to take reprisal action against a person for making a complaint under this code except as may be otherwise specifically permitted under this code
- h) to take reprisal action against a person for exercising a function prescribed under the procedures for the administration of this code except as may be otherwise specifically permitted under this code
- i) to prevent or disrupt the effective administration of this code.

Detrimental action

8.4 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 under this code except as may be otherwise specifically permitted under this code.

8.5 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 this code except as may be otherwise specifically permitted under this code.

- 8.6** For the purposes of clauses 8.4 and 8.5 detrimental action is an action causing, comprising or involving any of the following:
- a) injury, damage or loss
 - b) intimidation or harassment
 - c) discrimination, disadvantage or adverse treatment in relation to employment
 - d) dismissal from, or prejudice in, employment
 - e) disciplinary proceedings.

Compliance with requirements under this code

- 8.7** You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under this code.
- 8.8** You must comply with a reasonable and lawful request made by a person exercising a function under this code.
- 8.9** You must comply with a practice ruling made by the Office of Local Government.
- 8.10** Where you are a councillor or the general manager, you must comply with any council resolution requiring you to take action as a result of a breach of this code.

Disclosure of information about the consideration of a matter under this code

- 8.11** You must report breaches of this code in accordance with the reporting requirements under this code.
- 8.12** You must not make allegations of suspected breaches of this code at council meetings or in other public forums.
- 8.13** You must not disclose information about the consideration of a matter under this code except for the purposes of seeking legal advice unless the disclosure is otherwise permitted under this code.

Complaints alleging a breach of this part

- 8.14** Complaints alleging a breach of this Part (Part 8) by a councillor, the general manager or an administrator are to be made to the Office of Local Government.
- 8.15** Complaints alleging a breach of this Part by other council officials are to be made to the general manager.

PART 9

DEFINITIONS

In the Model Code of Conduct the following definitions apply:

the Act	the <i>Local Government Act 1993</i>
act of disorder	see the definition in clause 256 of the Local Government (General) Regulation 2005
administrator	an administrator of a council appointed under the Act other than an administrator appointed under section 66
Chief Executive	Chief Executive of the Office of Local Government
committee	a council committee
conflict of interests	a conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty
council committee	a committee established by resolution of council
“council committee member”	a person other than a councillor or member of staff of a council who is a member of a council committee
council official	includes councillors, members of staff of council, administrators, council committee members, conduct reviewers and delegates of council
councillor	a person elected or appointed to civic office and includes a Mayor
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	see the definition in section 441 of the Act
election campaign	includes council, State and Federal election campaigns
personal information	information or an opinion about a person whose identity is apparent, or can be ascertained from the information or opinion
the Regulation	the Local Government (General) Regulation 2005

The term “you” used in the Model Code of Conduct refers to council officials.

The phrase “this code” used in the Model Code of Conduct refers also to the procedures for the administration of the Model Code of Conduct prescribed under the Local Government (General) Regulation 2005.

For more information on the Office of Local
Government Code of Conduct visit our website

www.olg.nsw.gov.au



Office of
Local Government

	Date	Minute
Adopted:	12/8/1996	651
Last Reviewed:	14/02/2005	7
	14/05/2007	07/094
	14/07/2008	08/177
	12/11/2012	1211/014
	11/02/2013	1301/003
	15/02/2016	1602/017
	20/08/2018	
Next Review	17/05/2021	



Blayney Shire Council Register of Delegations

Section 377 Local Government Act 1993 Register of Delegations to the General Manager

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MAYOR

Pursuant to the Local Government Act and Regulations, and any expressed policy or direction of Council, that Council in accordance with the provisions of Section 377 of the Local Government Act 1993 and every other enabling statutory power, delegates to the person who occupies the position of Mayor, to perform on behalf of Council the following powers, authorities, duties or functions.

- 1. Council Seal**
Authorise the Mayor to be the necessary witness to documents requiring Council's seal.
- 2. Media Relations**
To make media statements or releases on behalf of Council.
- 3. Policy Making**
To exercise in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council.
- 4. Correspondence**
To sign correspondence on behalf of the Council.
- 5. Urgent Works**
To authorise any work which is deemed urgent at a cost not exceeding \$5,000 provided that such expenditure is reported to the Council at its next Ordinary Meeting.
- 6. Complaints Against the General Manager**
The Mayor shall have the power to investigate substantive written complaints against the General Manager and shall, if warranted, report to the next Ordinary meeting of Council.

DEPUTY MAYOR

1. Council Seal

Authorise the Deputy Mayor to be the necessary witness to documents requiring Council's seal.

2. In the absence of the Mayor

In the absence of the Mayor and subject to compliance with the requirements of the Local Government Act 1993, and any expressed policy or direction of the Council, the Council pursuant to the provisions of Section 377 of the Act, and every other enabling statutory power, delegates to the person who occupies the position of Deputy Mayor to exercise and perform on behalf of the Council the powers, authorities, duties and functions of the Mayor including the powers, authorities, duties and functions which the council has delegated by this Instrument to the Mayor.

BLAYNEY SHIRE COUNCIL TRAFFIC COMMITTEE

1. Pursuant to the delegation of powers from the Roads and Maritime Services, the authority for regulation of traffic and traffic control signs on public roads. This authority is limited to the powers, authorities, duties and functions that are specified in the Roads and Maritime Services Instrument of Delegation to Council, from the Roads and Maritime Services. *Refer the following link for more information: http://www.rms.nsw.gov.au/business-industry/partners-suppliers/lgr/downloads/information/committees/traffic_committees.html*

GENERAL MANAGER

The General Manager's powers to act on behalf of Council are given through power of attorney, his/her employment contract and delegations made by Council pursuant to Section 377 of the Local Government Act (1993).

Contracts

The General Manager is employed under contract that is performance based.

The legislative requirements for Council to have a contract with the General Manager results in delegations being included under schedule B of the contract of employment as well as by resolution under the Local Government Act 1993.

Delegation

Pursuant to the provisions of the Local Government Act 1993, and any expressed policy or direction of Council, that Council in accordance with the provisions of Section 377 of the Local Government Act, 1993 and every other enabling statutory power, delegates to its General Manager authority to exercise and to perform on behalf of the Council, all necessary powers, authorities, duties and functions, including but not limited to:

Corporate and Executive Powers

1. To carry on the regular services and operations of the Council within the sums voted by the Council for expenditure thereon and in accordance with any resolution of Council.
2. To carry on the regular services, functions and operations of the Council in accordance with Local Government Act 1993, and other Legislation, Regulations and or policies of the Council.
3. To authorise any action necessary to comply with any policy or code of Council, any statutory requirements of the Local Government Act or Ordinance or any other law, rule or regulation affecting Council.
4. To obtain legal advice from Council's Solicitors or Counsel where necessary.
5. To institute, conduct and defend legal proceedings with respect to Council's activities in all Courts, and instruct and engage Council's Solicitors and Counsel where necessary.
6. Be authorised to respond to notices in respect of such applications to the Independent Liquor & Gaming Authority for Liquor licences for functions.
7. Authorise action to be taken in connection with any complaints or requests received.

8. Provide interpretation, counsel and advice on applicable Statutes, and Council's existing and proposed policies; and on statutory limitations during the deliberative and decision making process and provide to the Mayor, individual Councillors and senior staff, a common source of statutory and policy interpretation.
9. To affix the seal of Council to a document.
10. To prepare and lodge applications for grants provided such action is consistent with Council's Strategic & Business Plan or Council Policy.
11. To authorise any works which is deemed urgent, provided that such expenditure is reported to the Council at its next Ordinary meeting, where funds have not been voted by Council.
12. Control communications internally and externally.
13. Rearrange and reorganise staff in all departments.
14. Sign legal contracts where Council has approved the making of that Contract.
15. Internal and external projection and promotion of Council's mantle of dignity, together with its image of efficiency and effectiveness.
16. To approve/refuse public access to Council books or documents which are required to be produced for any legal proceedings.
17. Be authorised to perform all necessary activities, to serve any notices or orders, undertake inspections, issue or refuse license and permits, to exercise the power of entry, to appoint appropriate staff as an authorised officer, authorised person, authorised Council employee, or impounding officer as the case may be, to exercise the functions of those positions under the following acts and associated regulations and to implement the provisions as relating to the operation of Council of the following Acts and associated regulation, including but not limited to:
 - (i) Companion Animals Act 1998
 - (ii) Community Land Development Act 1989
 - (iii) Conveyancing Act 1919
 - (iv) Crown Lands Act 1989
 - (v) Environmental Planning and Assessment Act, 1979 as amended
 - (vi) Food Act 2003 and Food Regulation 2015
 - (vii) Government Information (Public Access Act) 2009
 - (viii) Fire Brigades Act 1989
 - (ix) Impounding Act, 1993 as amended
 - (x) Interpretation Act 1987
 - (xi) Interstate Road Transport Act 1985
 - (xii) Land Acquisition (Just Terms Compensation) Act 1991
 - (xiii) Library Act 1939
 - (xiv) Local Government Act 1993

- (xv) Native Title Act 1993, as amended
- (xvi) Noxious Weeds Act, 1993 as amended
- (xvii) Workplace Health & Safety Act 2011
- (xviii) Ombudsman Act 1976
- (xix) Protection of Environment Operations Act 1997; Protection of the Environment Operations (Waste) Regulation 2014; Protection of the Environment Operations (Clean Air) Regulations, 2010 and related legislation
- (xx) Public Health Act 2010 and Public Health Regulation 2012
- (xxi) Recreation Vehicles Act, 1983
- (xxii) Roads Regulation 2008.
- (xxiii) Roads Act 1993.
- (xxiv) Roads Transport (General) Act 2005
- (xxv) Rural Fires Act 1997.
- (xxvi) Local Lands Services Act 2013
- (xxvii) Strata Schemes (Freehold Development) Act 1973
- (xxviii) Strata Schemes (Leasehold Development) Act 1986
- (xxix) State Emergency and Rescue Management Act 1989
- (xxx) State Emergency Service Act 1989
- (xxxi) Swimming Pools Act 1992 and Swimming Pools Regulation 2008.
- (xxxii) Transport Administration Act 1988
- (xxxiii) Tobacco Advertising Prohibition Act 1992
- (xxxiv) Transport Administration Act 1988
- (xxxv) Unclaimed Money Act 1995

Corporate Services/Administration

- 101 To determine the matters which are to be included in the business papers, subject to the inclusion of the following items whenever they arise:
- (a) Reports on matters that cannot be determined under delegated authority;
 - (b) Reports required to be submitted under any Act or Ordinance;
 - (c) Reference to any deputation's which the Council has agreed to receive;
 - (d) Matters requiring a determination of Policy;
 - (e) Reports directed by Council to be submitted;
 - (f) Matters essential for the Council's information;
 - (g) Matters requiring a vote;
 - (h) Matters or decisions of a potentially contentious nature, or involving a significant variation of Council's policy or standard practice relating to Development Applications.
- 102 Have charge of the records of Council, except as otherwise specifically provided, and be responsible for the recording, filing and safe keeping of such records.
- 103 Keep accurate, permanent records of all properties purchased, leased or sold by, or in the possession of Council. Sign contracts for the sale and purchase price of land where Council has approved the sale or purchase price.
- 104 Authority to terminate any lease or rental agreement on any Council owned property where the terms of the lease have been breached, and accounts fall into arrears.
- 105 Sign all applications addressed to the Registrar General to record the Council as the registered owner of resumed land.
- 106 Authority to establish, maintain, alter or terminate leaseback agreements with employees.
- 107 To approve payment of expenses for elected members.
- 108 Authorise such employees time off for fighting fires within the boundaries of the Blayney Shire without loss of pay if properly called out by the Fire Brigade or the Bush Fire Brigade, where employees of the Council are members of the Blayney Voluntary Fire Brigade or the voluntary bush fire brigade.
- 109 Review Council's exposure to risk on a continuing basis and effect any changes by way of insurance, retention or transfer to protect Council's interest.
- 110 To determine levels of public liability insurance required in accordance with Council's adopted policy.
- 111 The authority to exercise and perform on behalf of Council, all powers, authorities, duties, functions and matters in relation to Strategic Defence Initiatives applying to:
- (a) Public roads;
 - (b) Footpaths;
 - (c) Carparks;
 - (d) Parks, reserves, recreational facilities, gardens and cemeteries;
 - (e) Solid Waste Disposal Depot;

- (f) Council owned and managed public buildings and facilities;
 - (g) Floodplain Management.
- 112 Be authorised to offer a reward for information leading to the conviction of people found vandalising Council property, and further, that Council, without exception, takes all legal steps available to it to prosecute people found vandalising Council property.

Finance

- 201 To authorise the payment of salaries and wages of the staff of the Council.
- 202 To authorise the purchase of goods, works and services and to obtain tenders for items over \$150,000.
- 203 To keep accounts of the Council and present to audit in accordance with the requirements made by or under the Local Government Act, 1993 and regulations.
- 204 Determine the categorisation of each parcel of rateable land in accordance with Section 514 of the Local Government Act, 1993.
- 205 Sign cheques and vouchers on behalf of Council
- 206 To authorise the investment of surplus Council funds and sign such application and redemption documents as may be required.
- 207 To determine applications for reductions of rental charges for Council facilities in accordance with Council's policy.
- 208 To determine applications for pensioner rate reduction in accordance with the provisions of Section 575 of the Local Government Act.
- 209 To take action at any time for recovery of unpaid rates and any other amounts owing to Council.
- 210 To approve applications for extension of time to pay accounts.
- 211 To lay information, issue Summonses, swear statements and Affidavits for enforcing Default Judgements and institute any other legal and approved procedure necessary for the recovery outstanding amounts and debts owing to the Council.
- 212 To determine assistance to ratepayers experiencing genuine and substantial hardship.
- 213 To certify that prices and computations on vouchers have been checked and are correct, and as far as able to be ascertained, are fair and reasonable and are in accordance with any quotation/contract under which the goods/services were supplied.
- 214 To determine the amount of bond required to be lodged by developers as surety for completion of works under Council's control.
- 215 To write-off rates or debts which are determined not financially viable to recover to a limit in any one case not exceeding \$1,000.
- 216 To authorise Public Liability/Public Indemnity Claims goodwill payments up to \$500

- 217 To sign Section 603 Certificates on behalf of Council.
- 218 To authorise the disposal of surplus materials and goods.
- 219 To sign as the responsible accounting officer the statement of financial position with respect to Budget Review Statements [Local Government (General) Regulation 2005 – Part 9 Division 3].

Engineering

- 301 To organise and allocate the priority of all construction and maintenance works, subject to any direction of the Council.
- 302 To determine applications for the use of (approve, subject to conditions, or refuse) public roads.
- 303 Be authorised to issue permits for holding of street stalls, processions on roads; holding of meetings in public places; and use of roads during building operations and standing of vehicles in restricted parking areas for any specific purposes and any other Act regulating functions under the control of the Council.
- 304 To sign and issue approval of engineering plans/designs for subdivision and engineering works and related construction certificates.
- 305 To order the removal of obstructions placed illegally on road reserves, footpaths and public places.
- 306 To close roads, or parts thereof, temporarily for repairs or construction.
- 307 To issue/refuse compliance and construction certificates in relation to subdivisions and engineering works.
- 308 Determine the extent and design of works associated with subdivisions and other development applications in accordance with Council Policies and Codes and to determine whether such works have been completed to a satisfactory standard.
- 309 To write to affected landowners seeking an indication on whether they wish the construction of concrete foot paving to be done, upon receipt of such requests for such work, and then arrange a report to Council.
- 310 Grant approval for helicopter touchdowns on Public Reserves in a manner and at a time under such conditions as may be appropriate.
- 311 Authorise the private planting of trees and /or shrubs on footpaths.
- 312 To remove dangerous trees on public works' construction sites under the control of the Council, where such removal is necessary, to allow work to proceed immediately.
- 313 To carry out private works and authorise the hire of Council plant subject to satisfactory arrangements being made for the payment of such works.
- 314
 - i. To purchase new vehicles and dispose of existing vehicles where the standard of the vehicle remains the same;
 - ii. To have the discretion to dispose of vehicles at other than in accordance with Council current accepted practice;
 - iii. Obtain trade prices when replacing vehicles; and
 - iv. To have the discretion to dispose of vehicles by either auction, trade-in or public tender.

- 315 To authorise the release of Council plant and other resources to assist firefighting, emergency work, and assist the Local Emergency Management Committee in emergency work.
- 316 Authorise the carrying out of sewer extensions up to 75m per tenement.
- 317 To determine the conditions of use of parks, gardens, reserves and other public places under Council's control.
- 318 To appoint a representative of Council as the Chairperson to the Local Emergency Management Committee in accordance with Section 28 of the State Emergency and Rescue Management Act (1989) as amended.

Planning & Development

- 401 To determine Development Applications, Complying Development Certificates, Construction Certificates and Building Applications.
- 402 To determine the fast tracking of Development Applications.
- 403 To issue or refuse to issue compliance, construction, subdivision and occupation certificates under Part 4A of the Environmental Planning and Assessment Act 1979.
- 404 To defend appeals against failure or refusal to issue Part 4A certificates.
- 405 To give notice of intention to serve orders, and modify or revoke orders pursuant to Division 6 of Part 2A.
- 406 To issue or refuse to issue a complying development certificate.
- 407 To modify or refuse to modify a complying development certificate.
- 408 To vary or extend the lapsing period of a consent in accordance with Sections 95 and 95A.
- 409 To approve or refuse applications to modify development consents.
- 410 To refer for comment Development Applications within a Conservation area to the National Trust, where deemed appropriate.
- 411 That Council delegate to the General Manager the powers, authorities, duties and functions delegated to Council pursuant to Section 745 of the Local Government Act 1993, as amended in respect to Section 82(3) of that Act in relation to modification of the provisions of Clauses 50 or 51 of the Local Government (General) Regulation 2005.
- 412 To ensure that premises used for the preparation, storage and/or sale of food are maintained.
- 413 To commence legal proceedings pursuant to the Environmental Planning and Assessment Act 1979, the Local Government Act 1993 and the Food Act 2003.
- 414 To exercise powers conferred under the Protection of Environment Operations Act 1997; Protection of the Environment Operations (Waste) Regulation 2005 and related legislation.
- 417 Sign applications on behalf of Council as applicant and/or owner for works previously approved by Council to be undertaken by Council or on Council's behalf.
- 418 To sign Section 149 and Section 149A Certificates.
- 419 To sign and issue Section 121ZP and Section 735A Certificates on behalf of Council.

- 420 To exercise all of the powers of Council in respect of:
- (a) Applications for all those matters listed in Part A of the Table contained in Section 68 of the Local Government Act 1993.
 - (b) The variation of building lines made under Council's Approvals Policy.
 - (c) The variation of Restrictive Covenants created pursuant to Section 88B of the Conveyancing Act 1919, as amended, provided that the subject of the variation complies with the relevant planning instrument.
 - (d) Applications for those matters contained in Items 5 and 6 of Part B of the Table contained in Section 68 of the Local Government Act 1993.
 - i. Applications for all those matters listed in Part C of the Table contained in Section 68 of the Local Government Act 1993.
 - ii. Applications for those matters contained in Items 3, 4, 5 and 6 of Part D of the Table contained in Section 68 of the Local Government Act 1993.
 - iii. Applications for all those matters listed in Part E of the Table contained in Section 68 of the Local Government Act 1993.
 - iv. Applications for all those matters listed in Part F of the Table contained in Section 68 of the Local Government Act 1993.
- 421 Determine applications for the creation of temporary construction zones on public roads restricting public parking in such zones.
- 422 To administer the policy in relation to advertising on light standards.
- 423 To undertake all associated duties to prepare Environmental Planning Instruments and Development Control Plans in accordance with Part 3 of the Environmental Planning and Assessment Act 1979.
- 424 To assume the concurrence of the Director General of the Department of Urban Affairs and Planning for variations of development standards in accordance with State Environmental Planning Policy 1 and Department of Environment and Planning Circular 117.
- 425
- i. To sign and issue approval of designs for subdivision plans and construction certificates.
 - ii. To sign survey requests/amendments to the Land Titles Office.
 - iii. To sign property identification reports.
 - iv. To sign survey plans.
- 426 To refund unexpended Development Application fees on actual costs basis.

1. Administration – Accounting

Subject	Description	Delegation	S.378 Delegation
1A – Cheque Signatory	That the General Manager be delegated authority to act as a cheque signatory to for Council's bank accounts.	GM	DCS DIS DPES A CFO
1B – Authorisation of Invoices	That the General Manager be delegated authority to authorise invoices for the payment of goods and services received by Council, to the limits authorised by the General Manager, in accordance with the Local Government Act 1993 within the votes of expenditure approved by Council	GM	DCS DIS DPES EAGM MHR MIT CFO SH&BS MO MWW AO SF RS MCSL MP MTC FM PE

1C – Sign Purchase Orders	That the General Manager be delegated authority to obtain quotations and authorise the purchase of goods, works and services to the limits authorised by the General Manager, in accordance with the Local Government Act 1993 and Council’s Purchasing Policy, sign orders for the Supply and Delivery of Goods and Services within the votes of expenditure approved by Council.	GM	DCS DIS DPES CFO MIT SH&BS MP MO MI MWW SF PE
1D – Recover Outstanding Debts (other than Rates)	That the General Manager be delegated authority to Recover Outstanding Debts (other than Rates).	GM	DCS CFO RO
1E – Write off Debts (other than Rates)	That the General Manager be delegated authority to write off all debts, other than rates, charges and interest, not exceeding \$1,000, and that the General Manager report half yearly on the amounts written-off.	GM	-
1F – Disposal of Assets <\$1,000	To approve disposal of assets that are surplus to requirements in accord with Council’s Operational Plan. To approve disposal of assets that are surplus to requirements with a book value of less than \$1,000.	GM	DCS DIS DPES
1G – Disposal of Assets >\$1,000	To approve disposal of assets that are surplus to requirements in accord with Council’s Operational Plan. To approve disposal of assets that are surplus to requirements with a book value of greater than \$1,000 pursuant to Council’s Disposal of Assets Policy.	GM	-

1H – Request for Refunds	To approve or refuse all applications for the refund of application fees, booking fees, bonds and deposits for the use of Council facilities.	GM	DCS DIS DPES CFO A
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2. Administration – Banking & Investments

Subject	Description	Delegation	S.378 Delegation
2A – Operation of Bank Accounts	That the General Manager be delegated authority to Operate Bank Accounts.	GM	DCS DIS DPES CFO A
2B – Investment of Funds	That the General Manager be delegated authority for investment of surplus Council funds in Authorised Securities, sign such application and redemption documents as may be required in accordance with Council's Investment Policy.	GM	DCS CFO A
2C – Bank Guarantees	That the General Manager be delegated authority to accept Bank Guarantees for due performance.	GM	DCS

3. Administration – Councillors

Subject	Description	Delegation	S.378 Delegation
3A – Councillors	That the General Manager be delegated authority to liaise with Councillors and approve attendance at training and development seminars.	GM	-

4. Administration – Authority to Enter Premises

Subject	Description	Delegation	S.378 Delegation
4A – Authority to Enter Premises - LGA	That the General Manager be delegated authority to enter premises and make an inspection in accordance with Part 2, Chapter 8 of the Local Government Act 1993.	GM	DPES SH&BS R RR STWO SESO MP OS MWW SP&REC CSTPSHBS PE
4B – Authority to Enter Premises - EPA	That the General Manager be delegated authority to enter premises and make an inspection, in accordance with Section 119DA of the Environmental Planning and Assessment Act 1979.	GM	DPES SH&BS R RR MP SESO CSTPSHBS

4C – Authorised Officer, Protection of the Environment Operations Act, 1997	That the General Manager be delegated authority to be the authorised officer under the provisions of the Protection of the Environment Operations Act, 1997.	GM	DPES SH&BS MP R RR SESO CSTPSHBS
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5. Administration – General

Subject	Description	Delegation	S.378 Delegation
5A – Penalty Notices	That the General Manager be delegated authority to issue a Penalty Notice for an offence under any law that confer regulatory functions on council.	GM	DPES SH&BS MP R SESO CSTPSHBS
5B – Bi-Annual Stocktake	That the General Manager be delegated authority to write off stores and materials to a value not exceeding \$1,000, following a Bi-Annual stocktake	GM	-
5C – Insurance Renewals	That the General Manager be delegated authority to negotiate Council's insurance renewals.	GM	DCS CFO RK
5D – Orders	That the General Manager be delegated authority to issue any of the following under any law that confer regulatory functions on council; a) Notice of Order b) Order c) Emergency Order d) Revoke any Notice of Order or Order e) Alter any Notice of Order or Order f) Clean up Notice	GM	DPES SH&BS R MP SESO CSTPSHBS
5E – Donations – Delegation to Refuse Requests	That the General Manager be delegated authority, to consider applications for financial assistance, & determine which requests are to be referred to Council for decision.	GM	-
5F – Community Financial Assistance Program	That the General Manager be delegated authority to approve Financial Assistance Program applications pursuant to the <i>Community Financial Assistance policy</i> .	GM	-

5G – Press Statements	That the General Manager be delegated authority to authorise and issue press statements on Council's behalf.	GM	-
5H – Public Liability & Professional Indemnity Claims	That the General Manager be delegated authority to deny or accept liability for public liability and professional indemnity claims up to the excess as determined from time to time by Statewide.	GM	-
5I – Motor Vehicle Insurance Claims	That the General Manager be delegated authority to deny or accept liability for motor vehicle insurance claims up to \$1,000.	GM	-
5J – Legal Proceedings	That the General Manager be delegated authority to represent Council as required in any legal or court proceedings.	GM	DCS DPES DIS SESO R RR SH&BS MP CSTPSHBS
5K – Access to Information	That the General Manager be delegated authority to exercise functions under the Government Information (Public Access) Act 2009, and as the officer authorised to: i. To be responsible for responding to formal access applications under Part 4 of the Government Information (Public Access) Act ii. To be responsible for responding to applications for an internal review under Part 5 of Government Information (Public Access) Act.	GM	DCS

<p>5L – Informal release of Information</p>	<p>That the General Manager be delegated authority to exercise functions under the Government Information (Public Access) Act 2009, and as an officer authorised to:</p> <ol style="list-style-type: none"> 1. Informally release information identified as being held by Council and not subject to a 'formal' Access Application. <p><u>Exemptions</u></p> <ol style="list-style-type: none"> 1. Any personal information covered under the Privacy and Personal Information Protection Act 1998; 2. Any information for which a formal access application is required under the Government Information (Public Access) Act 2009; 3. Any information deemed for which it is to be conclusively presumed that there is an overriding public interest against disclosure and is therefore exempt under the provisions of the Government Information (Public Access) Act 2009 - s14 (and Schedule 1); and 4. Exempt documents under interstate FOI legislation - corresponding laws under the provisions of the Government Information (Public Access) Regulation 2009 – s10. 	<p>GM</p>	<p>All staff</p>
<p>5M – Destruction of Records</p>	<p>That the General Manager be delegated authority to authorise the destruction of appropriate Council records in accordance with the Local Government Retention and Disposal Manual.</p>	<p>GM</p>	<p>-</p>
<p>5N – Filming on Council Reserves and Property</p>	<p>To approve, approve with conditions as may be appropriate in the circumstances and subject to the payment of charges and fees as determined by Council, or disapprove of applications to use public reserves, beaches, public roads or Council property for filming or photographic purposes.</p>	<p>GM</p>	<p>-</p>

5O – Applications under Privacy and Personal Information Act	To determine applications made under the Privacy and Personal Information Protection Act 1998.	GM	DCS
5P – Internal Reviews under Privacy and Personal Information Act	To determine applications for internal reviews made under the Privacy and Personal Information Protection Act 1998.	GM	-
5Q – Signature of Correspondence	Sign correspondence in relation to the business of Council.	GM	-
5R – Signature of Department Correspondence	Sign standard correspondence in relation to day to day operations of the officers' department with the exception of:- <ul style="list-style-type: none"> • contracts and lease documents • letters of appointment for new employees • letters to employees regarding disciplinary matters and grievances • responses to complaints against staff 	GM	DCS DIS DPES EAGM

<p>5S – Signature of Department Correspondence</p>	<p>Sign standard correspondence in relation to day to day operations of the officers' department with the exception of:-</p> <ul style="list-style-type: none"> • correspondence to any Federal or State Minister or Member of Parliament • correspondence or memo advice to Councillors • contracts and lease documents • letters of appointment for new employees • letters to employees regarding disciplinary matters and grievances • responses to complaints against staff 	<p>GM</p>	<p>A AC CFO MCSL MTC MHR MI MO MWW PO SH&BS MP SESO RO AO RK RS CSTPSHBS PE</p>
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6. Administration – Rating

Subject	Description	Delegation	S.378 Delegation
6A – Write off Rates & Charges	That the General Manager be delegated authority to Write-Off Rates, Charges and Interest debtors not exceeding \$1,000.	GM	-
6B – Section 603 Certificates	That the General Manager be delegated authority to issue Section 603 Rating Certificates.	GM	DCS CFO RO
6C – Change in Rate Category	That the General Manager be delegated authority to approve or refuse Applications for Change in Rate Category.	GM	DCS CFO
6D – Recovering Outstanding Rates	That the General Manager be delegated authority to recover Outstanding Rates, Charges and Interest.	GM	DCS CFO RO
6E – Rating Certificate	That the General Manager be delegated authority to issue the appropriate Rating Certification under the Local Government Act 1993.	GM	-

7. Administration – Staff

Subject	Description	Delegation	S.378 Delegation
7A – Staff Training, Seminars & Conferences	That the General Manger be delegated authority to approve staff attendance at Training Seminars and Conferences, in accordance with the Staff Training Program and within the approved Budget.	GM	DCS DIS DPES CFO MIT MO MI MWW MP
7B – Public Officer	That the General Manager be delegated authority to undertake the duties as Public Officer, as prescribed by Section 343 of the Local Government Act 1993.	GM	DCS
7C – Staff	Direct staff within the Manager's area of operations, in accordance with an organisation structure and resources approved by the Council. Make recommendations to the General Manager in respect of the employment / dismissal of employees within the Director's area of operation, in accordance with Council's organisation structure, resources, procedures and adopted policies.	GM	DCS DIS DPES CFO MIT MO MI MWW MP CSTPSHBS

8. Administration – Tenders & Contracts

Subject	Description	Delegation	S.378 Delegation
8A – Tender & Quotations	That the General Manager be delegated authority to open Tenders & Quotations.	GM	DCS DIS DPES CFO SH&BS MP MO MI MWW
8B – Works & Services Contracts	That the General Manager be delegated authority to sign contracts for works and services in accordance with the resolution of Council.	GM	-

9. Plant

Subject	Description	Delegation	S.378 Delegation
9A – Purchase of Motor Vehicles, Plant and Equipment	That the General Manager be delegated authority to purchase Motor Vehicles, Plant and Equipment, within the approved budget allocations.	GM	DIS MO SF SD
9B – Registration of Motor Vehicles	Sign as nominee for vehicle registrations.	GM	DIS MO SF SD

10. Companion Animals

Subject	Description	Delegation	S.378 Delegation
10A – Companion Animals	That the General Manager be delegated authority to act on Council's behalf under all sections of the Companion Animals Act 1998 and regulations.	GM	DPES SH&BS SESO R RR CSTPSHBS

11. Impounding

Subject	Description	Delegation	S.378 Delegation
11A – Impounding Officer	That the General Manager be appointed Impounding Officer in accordance with Section 5(1) of the Impounding Act 1993.	GM	DPES SH&BS SESO R RR CSTPSHBS

12. Emergency

Subject	Description	Delegation	S.378 Delegation
12A – Emergency Incidents	That the General Manager be delegated authority to approve the use of Council Plant, Equipment and Employees in response to Emergency Incidents.	GM	LEMO DIS MO OS SF MWW PE
12B – Chairperson of Local Emergency Management Committee	That the General Manager delegate a representative of Council as the Chairperson to the Local Emergency Management Committee in accordance with Section 28 of the State Emergency & Rescue Management Act (1989) as amended.	GM	DIS MO

13. Health

Subject	Description	Delegation	S.378 Delegation
13A – Health Matters	That the General Manager be delegated authority to exercise each of the powers, authorities, duties and functions conferred by the Food Act 2003 and Food (General) Regulations 2010 as amended.	GM	DPES SH&BS SESO CSTPSHBS
13B – Inspect Regulated Premises	That the General Manager be delegated authority to inspect Regulated Premises, in accordance with the Public Health Act 2010 and Regulations made thereunder.	GM	DPES SH&BS SESO CSTPSHBS
13C – Issuing of Orders	That the General Manager be delegated authority to issue orders as listed in the Local Government Act and the Public Health Act and Regulations thereunder.	GM	DPES SH&BS SESO CSTPSHBS

14. Town Planning

Subject	Description	Delegation	S.378 Delegation
<p>14A – Development Application Consent</p>	<p>That the General Manager be delegated authority to;</p> <ul style="list-style-type: none"> a) Determine any application in accordance with the Environmental Planning and Assessment Act 1979, together with any other relevant Acts, Regulations, applicable LEP, DCP and relevant Council policies, and where no material objections have been received (Delegated approval is permissible if any objection can be resolved through a condition of consent or lodgement of amended plans). b) Determine any development to be Complying Development under any State Environmental Planning Policy and issue a Complying Development Certificate. c) Determine any application lodged under section 96, 96A and 96AA of the Environmental Planning and Assessment Act 1979. d) Review a determination of a development application in accordance with section 82A of the Environmental Planning and Assessment Act 1979 e) Determine any development application which proposes the variation of a standard within a Development Control Plan where the variation is equal to or less than 10% where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary. f) Determine any application for an activity as specified under section 68 of the Local Government Act 1993. 	<p>GM</p>	<p>DPES MP SH&BS SESO CSTPSHBS * *excluding e)</p>

14B – Section 149 Certificates	That the General Manager be delegated authority to issue any certificates under Section 149 of the Environmental Planning and Assessment Act 1979.	GM	DPES MP CSTPSHBS
14C – Subdivision Certificates	That the General Manager be delegated authority to issue Subdivision Certificates.	GM	DPES
14D - Environmental Planning Instruments and Development Control Plans	That the General Manager be delegated authority to undertake all associated duties to prepare Environmental Planning Instruments and Development Control Plans in accordance with Part 3 of the Environmental Planning and Assessment Act 1979.	GM	DPES MP CSTPSHBS
14E – Heritage Matters	That the General Manager be delegated authority to approve the Local Heritage Assistance Fund applications. That the General Manager be delegated authority to approve the Heritage Advisory service.	GM	DPES MP
14F – Use of Footpaths	That the General Manager be delegated authority to approve the use of the footpath area for commercial activities.	GM	DPES MP CSTPSHBS
14G – Environmental Planning & Assessment	That the General Manager be delegated authority to issue orders as listed in the Environmental Planning & Assessment Act 1979 as amended.	GM	DPES SH&BS MP CSTPSHBS
14H – Development Application Consent – Exempt Development	That the General Manager be delegated authority to; a) Classify development to be Exempt Development under any State Environmental Planning Policy.	GM	DPES MP SH&BS CSTPSHBS

15. Environment

Subject	Description	Delegation	S.378 Delegation
15A – Blayney Waste Disposal Depot Operation	That the General Manager be delegated authority for the day to day operation of the Blayney Waste Facility and Neville Landfill.	GM	DPES SESO
15B – Waste Minimisation & Management	That the General Manager be delegated authority to exercise the powers and functions under Protection of Environment Operations Act 1997 and Protection of the Environment Operations (Waste) Regulation 2005.	GM	DPES SH&BS SESO CSTPSHBS
15C – Environment Protection	That the General Manager be delegated authority to be the authorised officer under the provisions of the Protection of the Environment Operations Act, 1997.	GM	DPES SH&BS SESO R RR CSTPSHBS
15D – Clean Air Regulations	That the General Manager be delegated authority to exercise the Powers and Functions under the Protection of the Environment Operations (Clean Air) Regulations, 2002.	GM	DPES SH&BS SESO R RR CSTPSHBS
15E – Waste Contract	That the General Manager be delegated authority for the day to day operation of the Waste Collection Contract	GM	DPES SESO

16. Cemeteries

Subject	Description	Delegation	S.378 Delegation
16A – Exhumations	That the General Manager be delegated authority to supervise Exhumations in accordance with the Public Health Regulation 2012.	GM	DPES SH&BS SESO CSTPSHBS

17. Playing Fields / Swimming Pool / Reserve

Subject	Description	Delegation	S.378 Delegation
17A – Approve use of Swimming Pools & Reserves	That the General Manager be delegated authority to approve the use of Playing Fields, Swimming Pool and Reserves.	GM	DCS DIS DPES
17B – Ordering Swimming Pool Closure	That the General Manager be delegated authority to issue an Order to Close the Swimming Pool, in accordance with Clause 8 of the Public Health Regulation 2012.	GM	DIS DPES SH&BS R SESO CSTPSHBS
17C – Revoking Order to Close Swimming Pool	That the General Manager be delegated authority to revoke an Order to Close a Swimming Pool, in accordance with the Public Health Regulation 2012.	GM	DIS DPES SH&BS SESO CSTPSHBS
17D – Carnivals and Circuses	That the General Manager be delegated authority to consider, approve or refuse applications for the operation of carnivals, circuses and the like and when approved, impose conditions deemed necessary. That all other applications be referred to Council for consideration on their merits.	GM	SESO

18. Sewerage

Subject	Description	Delegation	S.378 Delegation
18A – Drainage Diagrams	That the General Manager be delegated authority to issue Drainage Diagrams.	GM	DPES SH&BS SESO MP AO CSTPSHBS
18B – Annual Treatment Works Return	That the General Manager be given delegated authority to sign future returns for the Blayney Sewerage Treatment Works.	GM	DIS MWW

19. Building

Subject	Description	Delegation	S.378 Delegation
19A – Temporary Occupation of Land	That the General Manager be delegated authority to Consent to applications for temporary occupation of land, in terms of Council policy.	GM	DIS DPES SH&BS MP CSTPSHBS
19B – Issuing of Building Certificates	That the General Manager be delegated authority to the Issue of Building Certificates in accordance with the Environmental Planning and Assessment Act 1979.	GM	DPES SH&BS CSTPSHBS
19C – Determining Objections	That the General Manager be delegated authority to Determine Objections in accordance with Section 82(3A) of the Local Government Act 1993, in relation to the Local Policy.	GM	DPES SH&BS CSTPSHBS

19D – Inspection of Regulated Premises	That the General Manager be delegated authority to inspect regulated premises in accordance the Public Health Act 2010.	GM	DPES SH&BS SESO CSTPSHBS
19E – Swimming Pools Act	That the General Manager be delegated authority to exercise functions under the Swimming Pools Act 1992.	GM	DPES SH&BS SESO R CSTPSHBS
19F – Issue Construction, Compliance and Occupation Certificates	That the General Manager be delegated authority to issue certificates in accordance with Part 4A of the Environmental Planning and Assessment Act 1979 and Regulations thereunder	GM	DPES SH&BS CSTPSHBS
19G – Footpath Deposits	That the General Manager be delegated authority to authorise the refund of footpath deposits and to determine road restoration charges.	GM	-
19H – Minor Numerical Variations to Council Policy	That the General Manager be delegated authority to approve minor numerical variations to Council policy where variations are not greater than 10%.	GM	DPES SH&BS
19I – Plumbing and Drainage Act	That the General Manager be delegated authority to exercise functions under the Plumbing and Drainage Act 2012.	GM	DPES SH&BS SESO CSTPSHBS

20. Roads / Streets

Subject	Description	Delegation	S.378 Delegation
20A – Temporary Street Closures	That the General Manager be delegated authority to approve temporary street closures for community functions	GM	DIS MO MI
20B – Traffic Control Signs	That the General Manager be delegated authority to assume all functions in accordance with sections of the Road Transport Act 2013.	GM	DIS MO
20C – Regulation of Traffic by Road Authorities	That the General Manager be delegated authority to assume the functions in accordance with Division 2 of Part 8 (Regulation of Traffic by Roads Authorities) in accordance with Roads Act 1993.	GM	DIS MO MI
20D – Breaches under the Roads Act 1993 & Interstate Road Transport Act 1985	That the General Manager be delegated authority to be the Authorised Officer to commence action for breaches under the Roads Act 1993 & Interstate Road Transport Act 1985.	GM	DIS R RR
20E – Impounding Items Risking Public Safety	That the General Manager be delegated authority to be the Impounding Officer under the Impounding Act 1993.	GM	DIS DPES SH&BS MO R RR SP&REC SESO CSTPSHBS

20F – Matter Escaping onto Road	That the General Manager be delegated authority to be the authorised officer under the Roads Act 1993.	GM	DIS MO MI
20G – Naming of Public Roads	That the General Manager be delegated authority to approve the use of approved road names in accordance with Council guidelines for the naming of public roads, pursuant to the Roads Act 1993.	GM	DIS MI
20H – Works associated with Subdivision and Development Application	Authority to Determine the extent and design of works associated with subdivisions and other development applications in accordance with Council Policies and Codes and to determine whether such works have been completed to a satisfactory standard.	GM	PE

21. Private Works

Subject	Description	Delegation	S.378 Delegation
21A – Private Works	That the General Manager be delegated authority to undertake Private Works in accordance with Council's Policy.	GM	DIS MO OS MWW

22. Schedule of Abbreviations

Abbreviation	Position Title	Abbreviation	Position Title
A	Accountant	MP	Manager Planning
AC	Accounting Officer	MTC	Manager Tourism and Communications
AO	Administration Officer	MWW	Manager Water and Wastewater
DCS	Director Corporate Services	OS	Overseer
CFO	Chief Financial Officer	PE	Projects Engineer
CSTPSHBS	Casual Senior Town Planner & Casual Senior Health Building Surveyor	PO	Payroll Officer
DIS	Director Infrastructure Services	R	Ranger
DPES	Director Planning & Environmental Services	RO	Revenue Officer
EAGM	Executive Assistant to the General Manager	RK	Risk Officer
FM	Fleet Mechanic	RR	Relief Ranger
GM	General Manager	RS	Records Supervisor
LEMO	Local Emergency Management Officer	SESO	Senior Environmental Services Officer
MCSL	Manager CentrePoint Sport and Leisure	SBS	Senior Building Surveyor
MHR	Manager Human Resources	SF	Supervisor Fleet
MI	Manager Infrastructure	SH&BS	Senior Health & Building Surveyor
MIT	Manager Information Technology	SP&REC	Supervisor Parks & Recreation
MO	Manager Operations	STWO	Sewerage Treatment Works Operator

Schedule of Purchase Authorisation Limits

Position Title	Purchase Authorisation Limit	Position Title	Purchase Authorisation Limit
General Manager	Unlimited	Projects Engineer	\$ 25,000
Director Planning & Environmental Services	\$100,000	Executive Assistant to the General Manager	\$ 5,000
Director Corporate Services	\$100,000	Manager Human Resources	\$ 5,000
Director Infrastructure Services	\$100,000	Records Supervisor	\$ 5,000
Chief Financial Officer	\$ 50,000	Manager Information Technology	\$ 5,000
Senior Health & Building Surveyor	\$ 50,000	Manager CentrePoint Sport and Leisure	\$ 5,000
Manager Operations	\$ 50,000	Manager Tourism & Communications	\$ 5,000
Manager Infrastructure	\$ 50,000	Administration Officer	\$ 5,000
Manager Water and Wastewater	\$ 50,000	Manager Planning	\$ 5,000
Supervisor Fleet	\$ 25,000	Fleet Mechanic	\$ 5,000
Supervisor Depot	\$ 25,000		

Audit Trail

Amended/Adopted	Minute/Synergy Reference
13/07/2009	MINUTE NO.: 0907/008
9/08/2010	MINUTE NO.: 1008/022
14/02/2011	MINUTE NO.: <i>Power of Attorney motion lost.</i>
20/06/2011	MINUTE NO.: 1106/007
12/11/2012	MINUTE NO.: 1211/012
10/12/2012	MINUTE NO.: 1212/016
13/05/2013	MINUTE NO.: 1305/004
13/05/2013	MINUTE NO.: 1305/007
12/05/2014	MINUTE NO.: 1205/006
15/02/2016	MINUTE NO.: 1602/022
18/04/2016	MINUTE NO.: 1604/009
9/06/2016	NEM/6153 - Per GM approval on operational amendments to delegations
23/06/2016	NEM/6193 - Per GM approval on operational amendments to delegations
24/08/2016	NEM/8310 - Per GM approval - Delegation given to Supervisor Parks & Recreation
7/03/2017	NMCO/7684 - Per GM approval - Delegation to Fleet Mechanic
29/06/2017	NEM/8140 & NEM/8140 - Per GM approval - Endorsed title position and delegation changes to Senior Environmental Services Officer.
21/12/2017	NEM/9074 – Per GM approval – Delegation to Projects Engineer
25/06/2018	MINUTE NO: 1806/012 – Endorsed Title position change from Senior Town Planner to Manager Planning, Community Development and Tourism Projects Officer to Manager Tourism and Communications, CentrePoint Centre Manager to Manager CentrePoint Sport and Leisure and Assistant Revenue Officer to Revenue Officer. Endorsed removal of Trainee Development Officer role.