



**ATTACHMENTS TO REPORTS OF THE BLAYNEY SHIRE COUNCIL MEETING  
HELD ON MONDAY 27 JUNE 2022**

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**03 Orange Region Destination Management Plan**

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# Orange Region

## Destination Management Plan

2022-2026

**Urban Enterprise**  
For Orange City Council, Cabonne Council and  
Blayney Shire Council

Draft Report | June 2022



**AUTHORS**

Mike Ruzzene

Agathy Patsouris

Alana Grollo

**FILE**

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**VERSION**

1

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L1 302-304 Barkly St, Brunswick  
VIC 3056

+61 3 9482 3888

[urbanenterprise.com.au](http://urbanenterprise.com.au)

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#### ACKNOWLEDGMENTS

Urban Enterprise would like to gratefully acknowledge the support, assistance and input by the visitor economy and economic development teams at Orange City Council, Blayney Shire Council and Cabonne Council, as well as Orange 360, in the preparation of this Destination Management Plan.

#### ACRONYMS

ABS	Australian Bureau of Statistics
BSC	Blayney Shire Council
CC	Cabonne Council
DMP	Destination Management Plan
IVS	International Visitor Survey
LGA	Local Government Area
O360	Orange 360
OCC	Orange City Council
PA	Per Annum
NVS	National Visitor Survey
TRA	Tourism Research Australia
VIC	Visitor Information Centre

#### GLOSSARY OF TERMS

<b>Orange Region</b>	The area defined by the local governments of Orange, Blayney and Cabonne Councils.
<b>Daytrip Visitor</b>	Those who travel for a round trip distance of at least 50 kilometres, are away from home for at least 4 hours, and who do not spend a night away from home as part of their travel. Same day travel as part of overnight travel is excluded.
<b>International Visitor</b>	A person is defined as an international visitor to Australia if they are currently a resident overseas, have been in Australia for less than one year and are aged 15 years or over.
<b>Overnight Visitor</b>	People aged 15 years and over who undertake an overnight trip of one night or more and at least 40 kilometres away from home are referred to as overnight visitors. Only those trips where the respondent is away from home for less than 12 months are in scope of the NVS.

# Executive Summary





## Executive Summary

### About the Destination Management Plan

Orange City Council have engaged Urban Enterprise to prepare a Destination Management Plan (DMP) for the Orange Region, in collaboration with Blayney Shire Council and Cabonne Council. Together, the three Local Government Areas form the Orange Region.

This Plan has been informed by independent research and analysis, as well as consultation with industry representatives, community groups, businesses, Council and Government stakeholders.

*The Destination Management Plan aims to provide a strategic and unified direction for the development of the visitor economy between 2022 and 2026, with a focus on awareness, product development, and enabling infrastructure. This will be achieved by empowering and supporting the local tourism industry.*

### Orange Region Visitor Economy Overview

The Orange Region has a vibrant visitor economy, attracting 1.3 million visitors. The visitor economy contributes \$377 million in direct expenditure to the Orange Region. Spend for overnight visitors is high with an average spend of \$547 per visit.

The Orange Region has experienced considerable growth in its visitor economy over the past 10 years. Investment in the wine sector, followed by investment in dining, retail and quality accommodation has led to the region attracting an exceptionally high yield market. The three Council's collaborating together with industry through Orange 360 has solidified the Orange Region brand and it is expected that strong growth will continue.

Tourist Tracka data highlights strong dispersal from Orange City to Blayney and Cabonne LGAs with more than a third of visitors to Orange City also visiting the two surrounding LGAs. The strength of the regional experience including wineries, farm gates, villages and natural attractions is important to the region's overall appeal.

## Orange Region Visitor Economy Overview

**1.3M**  
Visitors

**\$106M**  
Expenditure

**\$126**  
Spend per  
daytrip visitor



**63%**  
Daytrip visitors



**28%**  
Daytrip visitors



**37%**  
Overnight visitors



**72%**  
Overnight visitors



**\$547**  
Spend per  
overnight visitor



#### Existing Product Strengths

The table below highlights the existing product strengths of the Orange Region.

The Orange Region is well placed in terms of products targeted to the couples and singles markets, with quality cellar door and food experiences. The family market however is not well catered for in terms of product offer given the size of the market.

There is a need for continued investment in products and experiences that support the family market, as well as provide a more rounded experience for higher yield adult couple and singles visitors. This will lead to increase in length of stay and greater yield from visitors.

<b>Primary Strength</b>	
<b>Wine, Food, Beverage and Agritourism</b>	
<b>Emerging Strengths</b>	
<b>Nature-based</b>	<b>Arts, Culture and Heritage</b>
<b>Events and Festivals</b>	<b>Boutique Accommodation</b>
<b>Gaps / Opportunity</b>	
<b>Business Events</b>	<b>Night-time Economy</b>
<b>Large-scale Accommodation</b>	<b>Family-friendly Activities and Product</b>

#### What the Tourism Industry Have Said

The tourism industry of Orange Region was engaged through a survey questionnaire and workshop. Industry acknowledged the importance of food and wine as the primary strength of the visitor economy in the Orange Region, however there was wide agreement that activities, products and experiences beyond this are needed to provide a rounded visitor experience.

Specific ideas identified by industry include:

- Strengthening of existing markets and attraction of new markets to the region.
- Expansion of the tourism offering beyond wine and food.
- Promotion of the abundance of natural assets available throughout the region.
- Suitable accommodation for the tourism-based workforce.
- Enhancement of visitor amenities at nature-based attractions.
- Promotion of the smaller towns and villages.
- Diversification of the events calendar.
- Strengthening marketing and promotion undertaken by Orange 360; and
- Development of new tracks and trails.

#### STRATEGIC CONSIDERATIONS

The following strategic considerations draw on the research and assessment undertaken. The vision, objectives and strategies identified in the Destination Management Plan respond to these.

EVENTS	PRODUCTS AND EXPERIENCES
<ul style="list-style-type: none"> <li>• Need for increased accommodation capacity to support large-scale events</li> <li>• Opportunity to grow events during the off-peak season</li> <li>• Need for investment in mid-scale conferencing centres / facilities</li> <li>• Opportunity to develop events with strategic alignment to key product pillars, such as wine, culinary, nature, cycling etc.</li> <li>• Need to streamline and enhance events permit processing, funding and management</li> </ul>	<ul style="list-style-type: none"> <li>• Need for cycling and walking trail links to wineries, nature-based attractions and towns and villages</li> <li>• Investment in natural assets is needed to create motivating attractions and add depth to the visitor experience</li> <li>• Need for investment in products and experiences targeted to the family market</li> <li>• Opportunity for the development of arts, culture and Indigenous cultural experiences to enrich the visitor experience</li> <li>• Need to improve high quality dining experiences, particularly in smaller townships</li> <li>• Need for further on-farm experiences, such as foraging, cafes and restaurants, and educational experiences</li> <li>• Opportunity to deliver higher-end experiences for the adult couple market, such as spa and wellness, retreats, and other boutique experiences</li> </ul>
ACCOMMODATION	ENABLING INFRASTRUCTURE
<ul style="list-style-type: none"> <li>• Accommodation often at capacity, impacted by AIRBNB, large transient workforce and lack of housing supply</li> <li>• Difficulty attracting investment in large-scale contemporary accommodation, such as Quest, Mercure etc.</li> <li>• Lack of affordable housing for service sector workers impacts ability to attract and retain workers</li> <li>• Lack of accommodation suited to the family market</li> <li>• Opportunity to attract investment in experiential accommodation that provides a unique experience (farm stays, eco-cabins, eco-retreats etc.)</li> <li>• Attract investment in health and wellness accommodation facilities, aligned to target market preferences and opportunities</li> </ul>	<ul style="list-style-type: none"> <li>• Poor intra-region connectivity, including public transport, walking and cycling, and poor-quality roads</li> <li>• Need for improved public transport connectivity between major surrounding population centres, as well as smaller townships</li> <li>• Improvements to directional signage, as well as poor quality and outdated tourism signage</li> <li>• Continue advocating for increase in flights and new routes, including south-east Queensland destinations</li> <li>• Continue advocating for high-speed trains from Sydney, telecommunications improvements</li> <li>• Ongoing improvements to telecommunications networks and internet access</li> </ul>

INDUSTRY COLLABORATION AND NEEDS	MARKETS, AWARENESS AND MARKETING
<ul style="list-style-type: none"> <li>• Lack of industry collaboration and communication, as well as large proportion of the service sector not perceiving their business as part of the visitor economy</li> <li>• Support from Council for events and festival organisers and streamlined event permit processing for multi-Council events</li> <li>• Need to streamline development approvals processes</li> <li>• Customer excellence education and training for operators and staff</li> <li>• Need for enhanced industry collaboration to deliver product packaging</li> <li>• Reduced business operating hours on weekends impacts visitor experience and satisfaction</li> </ul>	<ul style="list-style-type: none"> <li>• Continued support for and collaboration with Orange360</li> <li>• Need to expand marketing to emerging/new markets</li> <li>• Limited resources and funding for Orange360 prevent the organisation from performing at its full capacity</li> <li>• Need for enhanced collaboration with major regional cities, to capitalise on international and domestic touring opportunities, to align events calendars and develop product packaging</li> </ul>



## VISION

The following section outlines the strategic framework to guide development of the Orange Region visitor economy. This includes a vision for tourism across the Region, objectives and success measures, and seven key themes to guide public and private sector investment.

**VISION**

*The Orange Region will be a leading Australian visitor destination, enriched by vibrant towns and villages, providing the highest quality wine, food and escape to nature experiences.*

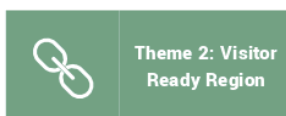
OBJECTIVES	TARGET	MEASURE/SOURCE
<b>Grow the value of the visitor economy</b>	Increase in visitor expenditure	Visitor expenditure in the Orange Region using data from Tourism Research Australia
<b>Create a visitor ready and unified industry</b>	Increased industry engagement, communication and networking	Industry engagement and attendance at events
	Improvement in customer satisfaction	Qualitative and quantitative performance of tourism related businesses on social media
<b>Grow awareness of the regional brand</b>	Increase in visitation from target markets	Visitation from Sydney and SE Queensland to the Orange Region using annual Tourism Research Australia data
<b>Encourage visitor dispersal to towns and villages</b>	Increase in visitation to towns and villages	Regional visitor dispersal from Orange City to Cabonne and Blaney, using Tourist Tracka data
<b>Grow visitor yield</b>	Increase in length of stay, additional overnight visitation and visitor spend	Increase in length of stay, overnight visitation and spend per visitor using annual Tourism Research Australia data
<b>Encourage off peak and mid-week visitation dispersal</b>	Increase in off peak and mid week visitation	May – November and midweek visitation using annual Tourism Research Australia data

## THEMES

Key themes to guide future investment have been identified in response to strategic considerations. A range of priority initiatives have been identified for each project.



Provide enabling infrastructure and attract investment in accommodation and facilities that will support visitor economy growth.



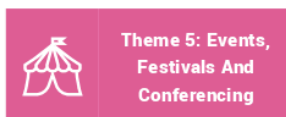
Ensure the soft infrastructure is in place to empower a capable and connected industry to work together towards a unified vision.



Reinforce and strengthen the Orange Region brand through marketing, positioning and placemaking.



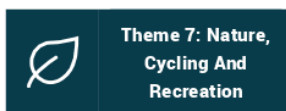
Showcase and celebrate local culture, creativity, and heritage to provide a rich visitor experience.



Build a strong tourism events and festivals brand and grow business and conferencing events to develop a well-rounded and sustainable events calendar.



Deliver high quality, contemporary and authentically Orange Region wine, ferments and culinary experiences, and activate a vibrant night-time economy.



Leverage the growth in nature-based and cycle tourism through investment in nature-based experiences, infrastructure, promotion and activations.

## PART A

# Assessment

This section provides a detailed assessment of the Orange Region visitor economy, underpinned by primary and secondary research, data and engagement with local stakeholders. This includes an analysis of:

- Visitor economy and target markets
- Products, events and supporting infrastructure
- Governance, marketing and visitor servicing

All assessment work undertaken is guided by best practice destination management principles, and has culminated in the identification of key considerations for development of the DMP Framework.



## 1. INTRODUCTION

The Orange Region Destination Management Plan will provide a strategic and unified direction for the development of the visitor economy between 2022 and 2026, with a focus on awareness, product development, and enabling infrastructure. This will be achieved by empowering and supporting the local industry.

### About This Project

Orange City Council have engaged Urban Enterprise to prepare a Destination Management Plan (DMP) for the Orange Region, in collaboration with Blayney Shire Council and Cabonne Council. Together, the three Local Government Areas form the Orange Region.

This Plan has been informed by independent research and analysis, as well as consultation with industry representatives, community groups, businesses, Council and Government stakeholders.

The Orange Region is situated within four hours' drive from Sydney and Canberra, providing access to a drive market of almost six million people.

The Region encompasses an area of approximately 7,800 square kilometres and is located around 1,000 metres above sea level. This provides the perfect climate for yielding high-quality cool climate produce.

### Project Process

The following process was undertaken to inform the development of the Destination Management Plan.

The Plan has been informed by significant research, which has been drawn on as evidence as required. This includes engagement with key stakeholders, a business and community survey, and detailed product and experience assessments.



#### Research, Discovery & Assessment

- Reviewed 20+ documents
- Research into target markets (TRA)
- Site visits to key towns and attractions
- Tourism product, accommodation and events assessment



#### Engagement

- Industry workshop
- Council and councillor workshops
- Consultation with state government agencies and private operators
- Community and Business Survey (250 responses)



#### Issues & Opportunities

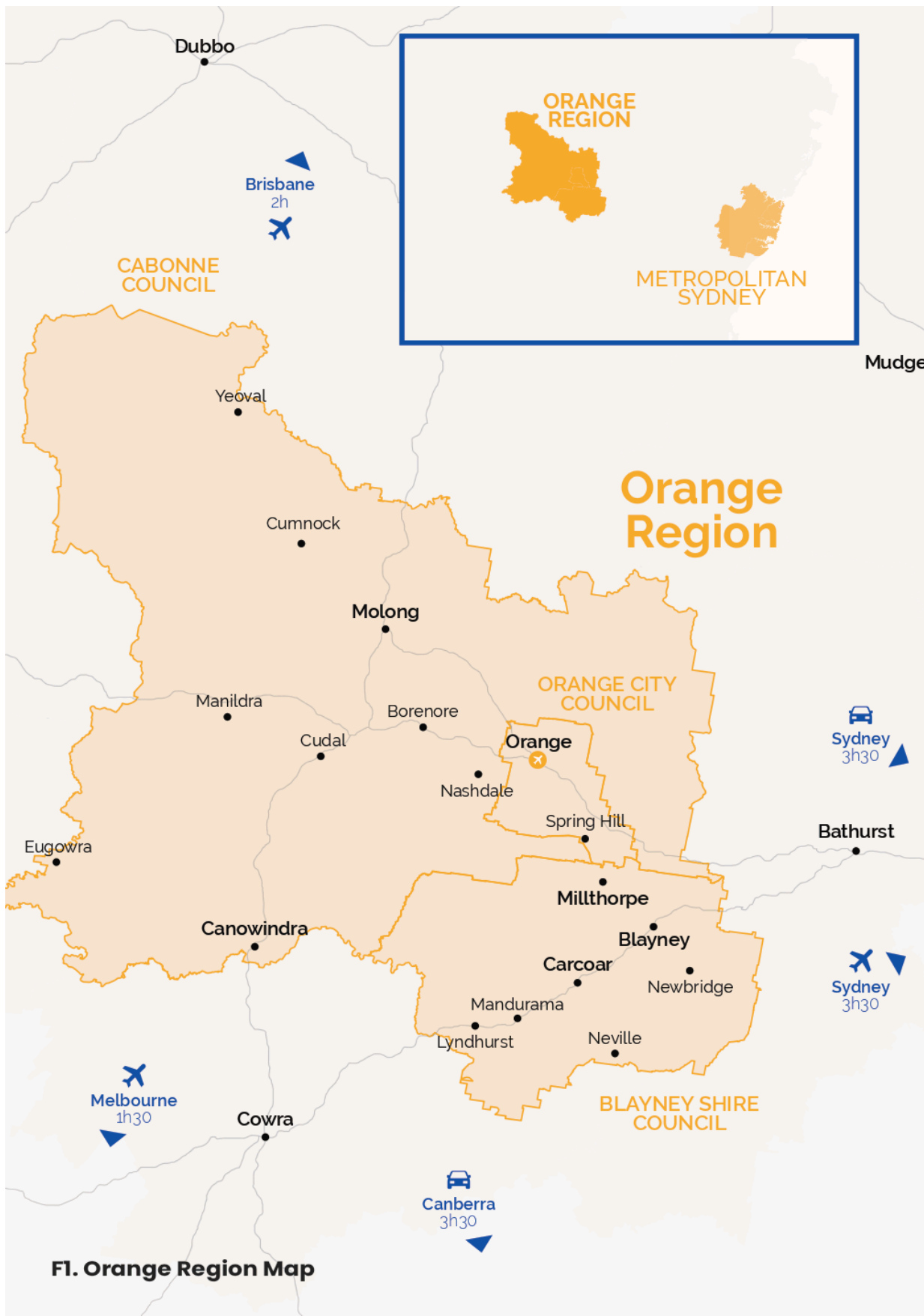
- Identification of issues and opportunities based on assessment, engagement, site visits and product assessments



#### Strategy

- Development of strategic framework, including vision, objectives and identification of priority projects





## 2. INFORMING THE DMP

### 2.1. Successful Destination Management

#### Best Practice Destination Management

Successful destination management is a holistic process that ensures tourism adds value to the economy, social fabric and ecology of our communities. It is achieved through strong leadership with consideration of the following factors.

#### The 3 Key Elements of Destination Management



Place

Defining the destination in the eyes of the visitor and communities of interest and understanding the visitor journey to and within the region.



People

Cohesive governance and strong leadership, engaged industry and qualified and experiences labour force.



Product

Motivating products, quality infrastructure and experiences on offer that draw visitors and provide to visitor needs.

**The Destination Management Plan for the Orange Region follows the Guide to Best Practice in Destination Management, as developed by the Australian Regional Tourism Network (ARTN).**

#### Understanding the Destination Lifecycle

Visitor destinations journey through a destination lifecycle across their development, as depicted below.

The Orange Region is within the growth phase, where significant demand has been built by the wine industry and regional marketing undertaken by Orange 360. This has supported growth in the destination, and development of new products and experiences.

In the growth stage, it is important that Councils support industry growth through appropriate infrastructure planning and delivery, training and capacity building, and other facilitative activities.

#### Stages of the Destination Lifecycle

Introduction	Growth
The early development of a destination, typically driven by one sector – the wine industry in the case of the Orange Region.	This is characterized by growing demand and awareness, an increase in visitation, and increasing product development.
Maturity	Decline / Revitalisation
Products and experiences are refined, the destination brand and position is strong, and visitor yield is high.	The destination either begins to lose market share due to stagnation, or is re-ignited through revitalisation work.

#### Local Government's Visitor Economy Role

Local Government plays an essential role in the visitor economy of its region, acting as an enabler for the visitor economy by providing the foundations, including infrastructure, visitor information services, and support to the local industry.

The role of Local Government, at its essence, is to ensure liveability for its residents. By continually investing in liveability, Local Governments provide an investment climate that encourages the private sector to invest in products and experience, in turn facilitating the growth and vibrancy of the visitor economy.

**Orange Region provides a strong example of Local Government leadership in tourism, with the three Local Government's working together to fund and support Orange 360 in conjunction with industry. This helps to provide consistent messaging and a consistent brand for the Orange Region.**

## 2.2. Strategic Policy Context

Alignment to existing strategic policy and direction is critical to the success of the Orange Region Destination Management Plan. Key documents reviewed are listed in Appendix A0.

The NSW Visitor Economy Strategy 2030, the NSW Government State-wide DMP (2019) and the DNCO NSW DMP (2018-2020) are the key strategies guiding visitor economy development across the State.

These documents provide a range of findings and strategic directions relevant to development of the Orange Region visitor economy. These have informed the development of the Destination Management Plan, to ensure alignment with State and regional tourism directions.

The NSW Visitor Economy Strategy outlines five strategic pillars, each with key areas of focus, set to achieve the NSW Government's vision to ensure the state becomes the premier visitor destination in the Asia Pacific. These five strategic pillars include:

- Road to Recovery
- Build the brand
- Showcase our strengths
- Facilitate growth
- Invest in world-class events

The State-wide DMP identifies the Orange Region as one of seventeen current hero destinations within NSW.

### 2.3. Local Insights

The development of the Strategy was underpinned by in-depth stakeholder engagement, which facilitated a comprehensive understanding of the unique local conditions, challenges and opportunities.

The engagements were undertaken virtually via videoconferencing, across November and December 2021, due to COVID-19 restrictions.

Stakeholder engagements include:



#### Internal Council Workshops

Internal Council Workshops were held with Council Executives and Councillors at the commencement of the project.



#### 1:1 Stakeholder Engagements

One to one stakeholder engagements with key government agencies and key local operators identified by Council. These stakeholders included:

- Destination Country and Outback
- Regional Development Australia
- Regional Development NSW
- Central NSW Joint Organisation
- Orange 360
- Orange Regional Vignerons Association



#### Industry workshop

An industry workshop with key stakeholders identified by Council.



#### 250 survey responses

Community and business survey, distributed by Council to members of the community and local operators.



**Actions for Tourism in the Orange Region**

The business and community survey, which received 250 responses, sought to understand local aspirations for the visitor economy and key outcomes desired from delivery of this Plan.

Through this survey, it was found that the local community has a strong desire for:

- Strengthening of existing markets and attraction of new markets to the region;
- Expansion of the tourism offering beyond wine and food;
- Promotion of the abundance of natural assets available throughout the region;
- Suitable accommodation for the tourism-based workforce;
- Enhancement of visitor amenities at nature-based attractions;
- Promotion of the smaller towns and villages;
- Diversification of the events calendar;
- Strengthening marketing and promotion undertaken by Orange 360; and
- Development of new tracks and trails.

Additionally, key words and phrases taken from the unprompted question in the survey have been highlighted adjacent.

**Businesses acknowledged the importance of food and wine as the primary strength of the visitor economy in the Orange Region, however, there was a consensus that activities, products and experiences beyond this are needed to provide a rounded visitor experience, in addition to meeting the needs of the family market, which is not adequately serviced at present.**



Source: Orange Region Business and Community Survey, 2021.

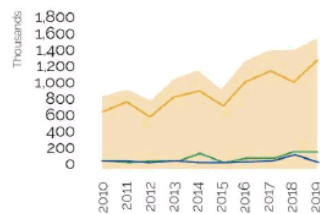
### 3. VISITOR ECONOMY

#### 3.1. Visitor Economy Snapshot

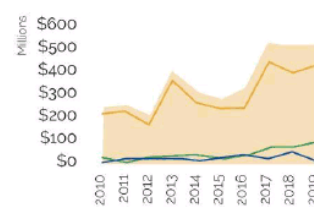
The Orange Region has experienced considerable growth in its visitor economy over the past 10 years. Investment in the wine sector, followed by food and quality accommodation has led to the region attracting an exceptionally high yield market. The three Council's collaborating together with industry through Orange 360 has solidified the Orange Region brand in the marketplace and it is expected that strong growth will continue.



Visitation Trends



Expenditure Trends



Orange Region  
Blayney Shire  
Cabonne  
Orange City

Source: Tourism Research Australia National Visitor Survey and International Visitor Survey, 2015-2019. An average of Tourism Research Australia visitation data from 2015-2019 has been used to reflect a business-as-usual scenario, prior to the COVID-19 pandemic.

The Orange Region has a vibrant visitor economy, attracting 1.3 million visitors.

Majority of visitors to the Orange Region are daytrip visitors (63%). The Orange Region owes its strong daytrip visitation to its proximity to major cities, such as Canberra and Sydney, as well being a major population centre for regional NSW in its own right. Daytrip visitors are relatively low yielding, accounting for \$106 million in visitor spend (28% of total spend), with a low average expenditure of \$126 per visitor.

Whilst overnight visitation only accounts for 37% of total visitors, it accounts for the majority of visitor expenditure (\$271 million). This is due to the high

average expenditure of visitors to the Orange Region, \$547 per visitor.

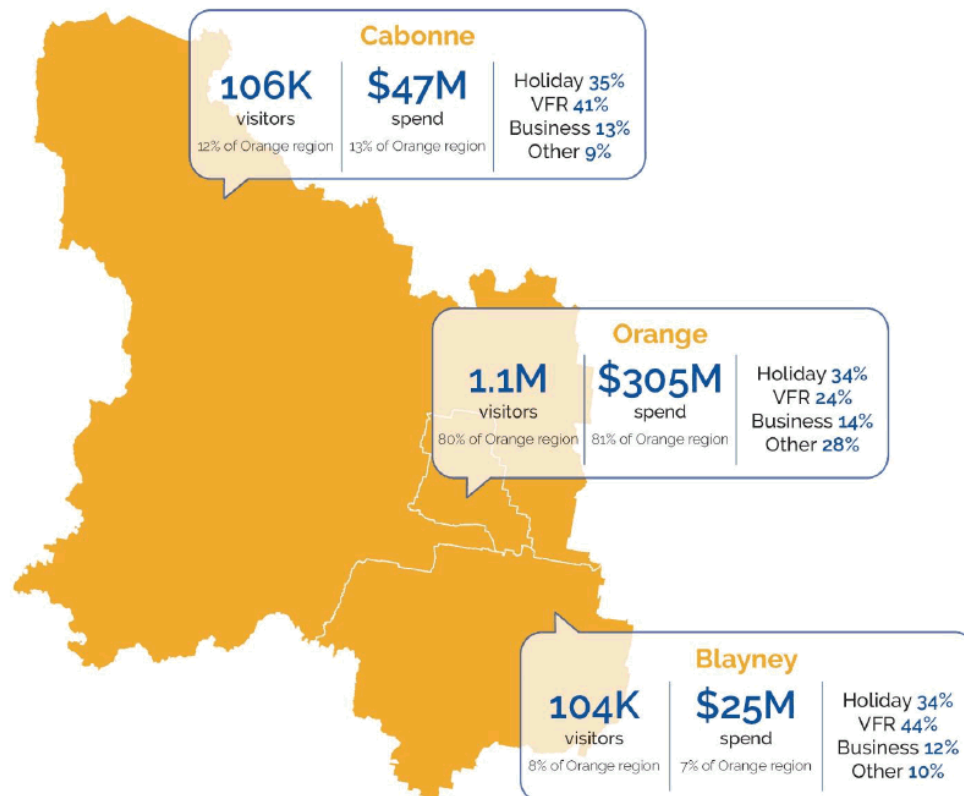
The Orange Region has experienced strong growth in visitation over the 10-year period between 2010 and 2019. However, majority of this growth has been driven by Orange City, with Blayney and Cabonne LGAs experiencing little to no growth during this period.

Expenditure in the Orange Region during the same period shows similar trends in growth to visitation. Expenditure growth has largely been driven by Orange City, with small growth seen in Cabonne LGA and no growth seen in Blayney LGA.

### 3.2. Sub-Regional Visitation<sup>1</sup>

A comparative analysis of visitation and expenditure across the Orange Region was undertaken to understand the dispersal of the visitor economy across the three LGAs.

Tourism Research Australia data shows that the majority of visitors to the Orange Region are travelling to Orange City (80%). The large population in Orange City helps to service visitor amenities and services. This is reflected in the high proportion of visitors who travel to Orange City for other reasons which include employment, education medical and personal reasons.



<sup>1</sup> Source: Tourism Research Australia National Visitor Survey, 2015-2019.

\*Other reasons include employment, education, medical reasons, personal appointment/business (excluding health), providing transport, attending funeral and other nfd.

**Visitor Dispersal within the Orange Region**

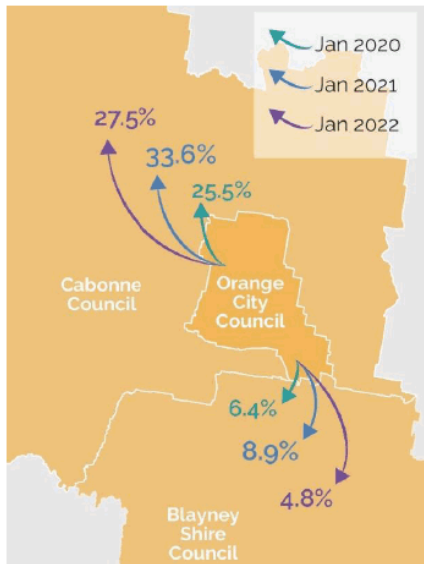
Tourism Research Australia data does not present an accurate account of the way visitors travel through the Orange Region. Due to the questions used as part of the National Visitor Survey it is difficult for visitors to understand the location they are in and hence lack of representation in visitation in Cabonne and Blayney LGAs, even though almost all of the winery product is in Cabonne LGA.

Tourist Tracka data was utilised to analyse visitor dispersal throughout the Orange Region as TRA data understated the strength of the visitation to Orange City.

Approximately a third of visitors also travel to Blayney and Cabonne LGAs on their trip to Orange City<sup>2</sup>. A greater proportion of these visitors are travelling to Cabonne LGA than Blayney LGA.

There is a need for the DMP to explore opportunities for further tourism development and invest in products and experiences outside of Orange City to continue to encourage visitor dispersal across the region. In particular agri-tourism, cycling and village tourism.

F2. VISITOR DISPERSAL FROM ORANGE CITY



Source: Tourist Tracka, 2022.

<sup>2</sup> Tourist Tracka, 2022..

### 3.4. Domestic Visitor Profile

The Orange Region visitor economy is driven by a variety of visitation purposes.

Holiday visitors (34%) account for a small proportion of visitation. There is opportunity to grow the holiday market throughout the region in line with comparative destinations, such as the Hunter Region.

Visiting friends and relatives is a strong motivation for visit (28%). This is confirmed by visiting friends and relatives (37%) being the second most undertaken activity for visitors to the region.

Other reasons for visit, which includes activities such as medical services, account for 25% of visitation to the Orange Region, which is significantly higher than the Hunter Region. This reinforces the strength of Orange City as a regional centre providing a range of services to the surrounding regional population.

Visitors to the Orange Region are primarily older couples (27%) and parents with children under 14 years (25%). With a high proportion of older couples, the Orange Region is in a strong position to grow mid-week travel.

The Orange Region has low levels of visitors staying in commercial accommodation, due in part to a large proportion of visitors staying at a friend or relatives' property (44%). This likely also reflects the limited supply of commercial accommodation. As a result, expenditure on accommodation is significantly less in the Orange Region than in comparable destinations such as the Hunter Region.

Whilst a high proportion of visitors to the Orange Region are dining out at a café or restaurant (55%), visitor expenditure on restaurant meals is considerably less in the Orange Region than in comparable destinations, highlighting a gap in motivating dining experiences.

**The Orange Region is well placed in terms of products and experiences targeted to the couples and singles markets, with quality cellar door experiences and food experiences.**

**The family market however is not well catered for in terms of product offer given the size of the market. There is opportunity to extract greater yield and deliver a better visitor experience for the family market.**

VISITOR PROFILE

**Purpose of Visit**



**Holiday**

34% Orange Region  
39% Hunter Region



**Visiting Friends and Relative**

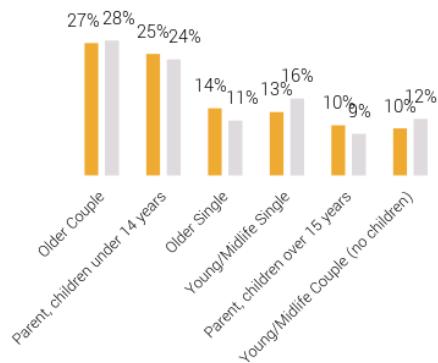
28% Orange Region  
35% Hunter Region



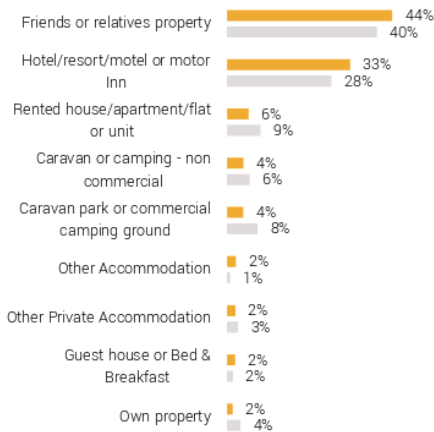
**Other Reason\***

25% Orange Region  
14% Hunter Region

**Lifecycle Group**

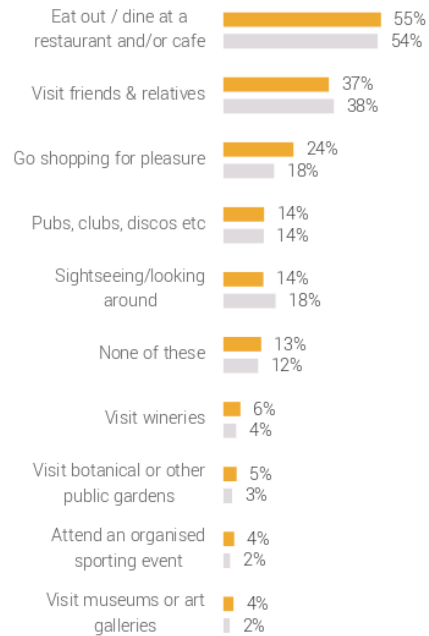


**Accommodation**

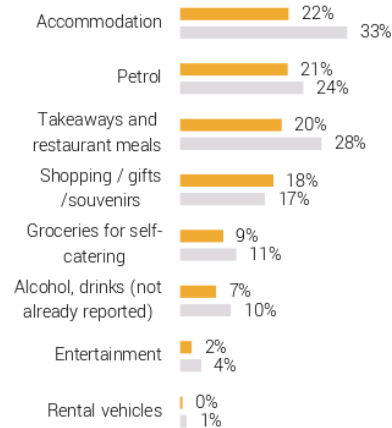


Orange Region  
Hunter Region

**Activity Profile**



**Visitor Spend**



Source/s: Tourism Research Australia, National Visitor Survey 2015-2019



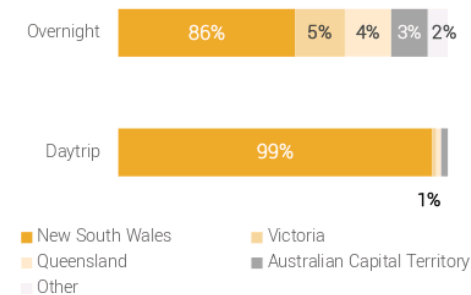
### 3.5. Source Markets

#### Average Annual Visitor Origin (TRA – 5 Year Average 2015-19)

Tourism Research Australia data was utilised to analyse the source markets for the Orange Region. This data is a snapshot of the visitor economy in January 2020, 2021, and 2022.

The Orange Region is predominately an intrastate destination, with NSW making up the majority of domestic visitors (94%). Queensland, Victoria and the ACT are the strongest interstate source markets for the Orange Region.

F3. VISITOR ORIGIN – TOURISM RESEARCH AUSTRALIA



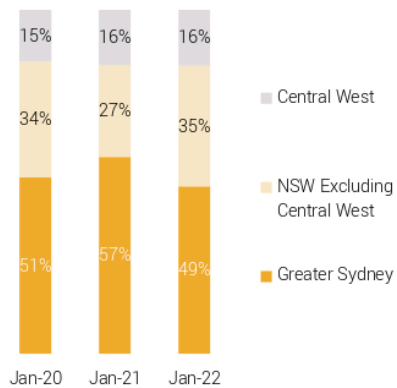
Source: Tourism Research Australia, National Visitor Survey, 5-year average (2015-2019)

#### Origin of NSW Visitors (Tourist Tracka – Jan 2020-21-22)

Tourist Tracka data was utilised to analyse the source markets for the Orange Region. This data draws on mobile phone GPS signals, and provides a snapshot in time of the visitor economy in January 2020, 2021, and 2022.

Origin of intrastate visitors are almost equally split between Greater Sydney and Regional NSW. In January 2022, Greater Sydney made up 49% of visitation to the Orange Region, with majority of these visitors originating from the Outer West and Blue Mountains (13%), Blacktown (10%), City and Inner South Sydney (10%), South West Sydney (10%) and Parramatta (10%).

F4. ORIGIN OF NSW VISITORS – TOURIST TRACKA



Source: Tourist Tracka, 2022.

**NSW will remain the primary market for the Orange Region, however there is potential to target the South East Queensland market for weekend escapes or drive tourism. The unique cool climate wines, quality food and agriculture of the region would position it well in the South East Queensland market.**

### 3.6. Consumer Trends

*Tourist Tracka data was utilised to analyse the consumer trends for the Orange Region. This data is a snapshot of the visitor economy in January 2020, 2021, and 2022.*

In January 2022, families made up 43% of the visitor market from Greater Sydney. Similar trends were seen in January 2020 and 2021. The strongest family market from Greater Sydney is the Mainstream Family Market. In January 2022, this market grew by 4% in comparison to January 2020.

The strength of the family market highlights the need for investment in family-friendly accommodation and activities throughout the region.

Comfortable Cruisers are also a strong visitor market from Greater Sydney, however decreased by almost 10% in January 2022 compared to January 2020. This decrease in visitation from the Comfortable Cruisers market is likely due to the apprehension of older demographics to travel during the pandemic.

The Regional NSW market contributes significantly to visitation in the Orange Region. Majority of these markets are an older demographic that is typically low yielding.

The predominate consumer markets are the Golden Ages and Savvy Retirees. Targeting the friends and relatives of these travellers provides a strong opportunity for growth in the Orange Region visitor economy.

**The Tourist Tracka data highlights vastly different trends in consumers from Regional NSW and Sydney. The Sydney market segments that visit Orange Region are much higher yielding and are likely to have a much more significant impact on the visitor economy.**

#### F5. CONSUMER TRENDS

##### Consumer Trends from Greater Sydney



###### Mainstream Families

- Family orientated
- 71% are in fulltime employment
- 30% live in rural locations



###### Comfortable Cruisers

- Financially secure, affluent,
- Aged between 50 and 65
- High income households (more than \$150k p.a.)

##### Consumer Trends from Regional NSW



###### Golden Ages

- Aged 65-100
- Live in rural areas (39%)
- Most retired (74%) with a household income \$20k - \$40k
- Seek traditional media including newspapers and magazines



###### Savvy Retirees

- Retired but actively participate in cultural and sporting activities
- Largely metro dwelling to be near family and services.
- A keen interest in travel and current affairs

Source: Tourist Tracka, 2022.

### 3.7. Target Markets

The following have been identified as the target markets for the Orange Region. Whilst some are existing markets, emerging markets have also been identified in terms of their potential to drive visitation and yield.

Target markets have been summarised below based on existing visitor patterns and understating of market potential, as demonstrated in this section.

#### T1. TARGET MARKETS OVERVIEW

	PRIMARY / CURRENT MARKETS	SECONDARY / EMERGING MARKETS	
<b>GEOGRAPHIC MARKETS</b>	<p><b>Sydney and surrounds</b></p> <p>Sydney and surrounds are already the largest market for the Orange Region, contributing 49% of visitation, however with a population of 5.3+ million people there remains significant growth potential. Areas of western Sydney are within an easy 3.5 hours drive of the Orange Region. There is however also opportunity to target affluent suburbs of inner and coastal Sydney.</p>	<p><b>Regional NSW</b></p> <p>Regional NSW remains the second largest market for Orange Region. It is not considered as important as Sydney in terms of yield with higher levels of day tripping, however, remains critical in terms of economic benefit to the region. There are a number of Cities with large regional population bases within 1.5 hours drive that should be targeted including Forbes, Parkes, Dubbo and Corowa.</p>	<p><b>Brisbane and S.E. Queensland</b></p> <p>South-east Queensland lacks strong food and wine destinations similar to the Orange Region. This presents as a strong competitive advantage for the region in attracting this emerging market who seek to experience a high-quality food and wine region. Rex flies regularly between Brisbane and Orange.</p>
<b>TOURING MARKETS</b>	<p><b>Domestic Touring Visitors</b></p> <p>Touring from Adelaide/Melbourne to Brisbane presents an opportunity for the Orange Region. Melbourne and Adelaide have highly mobile populations, with 5 million residents in Melbourne and 1 million residents in Adelaide. The region presents a unique stopover point for visitors seeking quality wine and dining experiences on journeys to Northern NSW and Queensland.</p>	<p><b>International Touring Visitors</b></p> <p>The international market has been significantly impacted by pandemic induced travel restrictions. However, with these restrictions easing and borders reopening, international travel is beginning to rebound. There is an opportunity to capture greater share of this market with the development of formal touring routes for international visitors to maximise their stay in NSW. Prior to Covid Sydney was attracting over 4 million international visitors per annum. The development of the Western Sydney airport in the long term will support visitation to the Orange Region.</p>	
<b>DEMOGRAPHIC / ACTIVITY MARKETS</b>	<p><b>Comfortable Cruisers (55+)</b></p> <p>40% of the visitor market in the Orange Region is aged over 55 years. This market is strategically important as many are retired or semi-retired, with the flexibility to travel mid-week and during off-peak seasons.</p>	<p><b>Visiting Friends and Relatives</b></p> <p>28% of visitors to the Orange Region are visiting friends and relatives and further 44% of visitors are staying with friends and relatives overnight. With the strength of the VFR market in the region, there is opportunity to undertake a campaign targeted to educate residents on local products and experiences and increase awareness of the destination.</p>	<p><b>Young Professionals</b></p> <p>26% of the Orange Region market is aged between 15 and 34 years of age. The compelling wine and food products within the region make it an enticing destination for weekend escapes for this market.</p>

## 4. PRODUCTS, EVENTS & SUPPORTING INFRASTRUCTURE

### 4.1. Product Profile

*The following product and experience assessment is a strategic review of the regions current experience offering. The review included existing inventories and desktop research of products, events and experiences, physical visitor information, site visits and consultation findings.*

The Orange Region is characterised by its authentic experiences in wine and food. The high-quality wine, wineries, emerging breweries and distilleries, farmgate experiences and dining offerings are the main motivator and driver of visitation to the Orange Region.

Emerging strengths within the Orange Region include nature-based assets, arts, culture and heritage, events and festivals and boutique accommodation. These experiences require further investment and activation to become hero experiences. Although relatively untapped, these products are well-aligned to the Orange Region's primary strength of wine and food.

Although the Orange Region is well-developed, there are opportunities for further development to enhance the visitor experience throughout the Region. Gaps in the current product offering include large-scale accommodation, night-time economy, business events and family-friendly activities and products. Targeted and ongoing investment is required to meet the standards of the contemporary visitor market and attract target markets.

EXISTING PRODUCT PROFILE

<b>PRIMARY STRENGTH</b>			<p>Wine, Food, Beverage and Agritourism</p>
<b>EMERGING STRENGTH</b>	 <p>Nature-based</p>	 <p>Arts, Culture &amp; Heritage</p>	
	 <p>Events and Festivals</p>	 <p>Boutique Accommodation</p>	
<b>PRODUCT GAPS / OPPORTUNITIES</b>	 <p>Business Events</p>	 <p>Night-time Economy</p>	
	 <p>Large-scale Accommodation</p>	 <p>Family-friendly Activities and Product</p>	

## 4.2. Supporting Infrastructure

*Supporting infrastructure, including towns and amenities, transport and access, and accommodation are crucial to the overall visitor experience, and the strength of the visitor economy industry.*

*The supporting infrastructure across the Orange Region does not appropriately service the growing visitor economy. The towns and villages within the Orange Region have potential to be vibrant destinations, however lack the supporting amenities and infrastructure to grow as visitor destinations.*

### Towns and Amenities

Orange City is a hub for business, retail and medical services for Regional NSW. As the primary visitor destination of the Orange Region, Orange City is well serviced and supported by a strong population and subsequent workforce.

There is an opportunity for Blayney and Cabonne LGAs to strengthen their services industry within their towns and villages by leveraging the strength and scale of the Orange regional city brand to support a growing visitor economy.

Telecommunication black spots and areas with poor services negatively impact the Orange Region visitor economy. Poor telecommunication infrastructure limits the ability of visitors to access visitor information, hinders business operations and impacts new business entrants. There is a need to improve telecommunications infrastructure throughout the region, particularly in Cabonne and Blayney LGAs.

### Transport and Access

The Orange Region is well connected by road, with Orange City located on the Mitchell Highway. The highway experiences significant congestion on peak weekends across the Blue Mountains. The region is also connected by rail, which takes approximately five hours from Sydney, as well as by air through the Orange Regional Airport.

The Orange Region is well positioned for growth in visitation due to the region's proximity to Sydney, Canberra and other population centres, including Bathurst and Dubbo, as well as its strategic location on the Mitchell Highway.

Whilst the Orange Region is also well-connected to Sydney via the Orange Regional Airport, there could be improved passenger services across Australia,

including destinations in South-East Queensland, South Australia and Victoria.

Through the introduction of additional flights and new flight paths, the Orange Region is well-positioned to attract new markets and strengthen access for existing markets, such as Melbourne and Canberra.

Intra-region connectivity is poor. The Orange Region is poorly serviced by public transport, with infrequent bus routes and limited stops. Access between towns and villages via walking and cycling paths is also limited.

### Accommodation

Accommodation in the Orange Region is often at its capacity due to its small accommodation stock and large transient workforce. The lack of capacity limits the regions' ability to support large-scale events and festivals.

Analysis of the current accommodation stock and consultation with stakeholders has highlighted the need for large-scale contemporary accommodation, such as Mercure, to accommodate the business market and fill gaps in current capacity.

Additionally, this analysis identified a need for accommodation suited towards family groups, such as self-contained apartments and houses. With a strong VFR market, the Orange Region must focus on providing adequate accommodation for this market.

There is an opportunity for the Orange Region to support investment in experiential accommodation that will provide a unique point of difference for the region and meet contemporary market expectations. Experiential accommodation includes farm stays, eco-cabins and eco-retreats.



## 5. GOVERNANCE, MARKETING & VISITOR SERVICING

### 5.1. Governance

The governance structure for tourism in the Orange Region is provided in the chart below, which outlines the responsibilities for each of the key organisations.

**The structure below highlights how important Local Government is for supporting the visitor economy, particularly in terms of working closely with**

**industry and product development. There is opportunity for Orange 360 to support some of this at a regional level to reduce duplication if resources were provided.**

F6. REGIONAL GOVERNANCE STRUCTURE

Organisation / Overview	Visitor services	Destination marketing	Investment attraction/facilitation	Industry support and engagement	Industry training	Product development
<p><b>Destination NSW</b></p> <p>Lead government agency for the NSW tourism and major events sectors. Role is to position NSW as one of the world's premier tourism and events destinations and achieve the NSW Government's goals of tripling visitation expenditure by 2030.</p>		✓✓		✓	✓	✓
<p><b>Destination Central West NSW</b></p> <p>One of six NSW Destination Networks responsible for delivering on the NSW Government's objective to triple visitor expenditure by 2030.</p>		✓		✓	✓	
<p><b>Central West Joint Organisation</b></p> <p>The Joint Organisation (JO) consists of 10 member Councils in the Central West region of NSW. The JO establishes strategic priorities, provides leadership, advocacy and identifies opportunities for the region.</p>			✓	✓		
<p><b>Orange 360</b></p> <p>Launched in July 2018, Orange 360 is the primary destination marketing organisation for the Orange region.</p>	✓	✓✓		✓	✓	
<p><b>Councils</b></p> <p>Councils act as enabler for the visitor economy by providing the foundations, including strategic planning, infrastructure services, assistance in product development, investment attraction, and support to the local industry.</p>	✓✓	✓	✓✓	✓	✓	✓✓

Lead Role ✓✓ Supporting Role ✓

## 5.2. Marketing

### Orange 360

Orange360 is the primary destination marketing organisation for the Orange Region. The organisation launched in July 2018 and has since experienced great success through buy-in from the three LGAs and local industry, with close to 350 registered members.

The organisation provides marketing through a unified Orange 360 brand, and undertakes a seasonal approach to marketing the region, with marketing activities undertaken to promote products and experiences within the destination.

The five strategic priorities for Orange360, as outlined in the Orange360 Strategic Plan 2020-2024, include:

- Enhance our visitor experience;
- Build collaborative relationships;
- Integrate premium marketing across all touchpoints to drive demand;
- Position Orange360 as an aspirational destination; and
- Grow and evolve.

The organisation's success has been demonstrated through the growth in visitation to the Orange Region, buy-in and support from local industry, and the anecdotal industry understanding that new markets are being attracted to the region, much of which occurs through digital marketing.

The business and community survey conducted by Urban Enterprise in 2022 (250 responses), found that 87% of businesses are a member of Orange360. Of these businesses, the majority are satisfied with the marketing and promotional activities undertaken by Orange360 (63%).

A high proportion of businesses would like to see Orange 360 attract new markets (43%), undertake more marketing of smaller businesses (35%) and support and organise more festivals (22%).

At present, limited resources and funding prevent Orange360 from performing at its full capacity. Continued support for Orange360 will allow the organisation to expand its marketing to attract new target markets and increase its capacity to take on a greater workload.

### F7. BUSINESS PERCEPTION OF ORANGE360



Q. What has been your experience / perception of the marketing activities undertaken by Orange 360?

Source/s: Orange Region Destination Management Plan 2022-2025 Business and Community Survey

#### **Regional Collaboration**

The Orange Region is poorly connected to surrounding Councils and visitor destinations, limiting collaboration opportunities and the regions ability to leverage visitation to surrounding regional cities and visitor destinations.

Strengthening relationships with surrounding visitor destinations, such as Dubbo, Mudgee and Bathurst, can provide opportunities, such as international and domestic touring opportunities, alignment of events calendars to maximise visitation throughout the region and develop packaged products and experiences.

Partnership with the Central West Joint Organisation will be critical to achieving further regional collaboration. This will allow the Orange Region to leverage the visitation and success of the surrounding destinations for mutual benefit, by providing access to opportunities for joint marketing campaigns and ability to promote regional touring routes.

## 5.4. Visitor Servicing

### Digital Visitor Servicing

The Orange360 website is the primary marketing asset utilised by the organisation, as well as social media accounts.

The website allows users to explore towns and villages through profiles and guides which include an inventory of accommodation, events, activities and dining available within the destination. Additionally, users have the ability to book and compare accommodation available throughout the region.

The Orange 360 website has recently been updated and provides a high quality and engaging user experience. There is a need to continuously maintain and update the website to ensure it is contemporary, provides up to date visitor information, and is engaging for users.

### Physical Visitor Information

The Orange Region is well-served by physical collateral such as visitor guides, brochures and maps developed by Orange 360. The visually attractive physical collateral utilises QR codes to connect visitors to more information online.

There are two accredited Visitor Information Centres (VIC) in the Orange Region, located within the Orange Regional Museum and the Age of Fishes Museum. Both centres are open daily to service visitors.

**There is a need to develop a regional approach to visitor services with consideration of physical collateral, digital information and reinforced branding and wayfinding. Orange, Cabonne and Blayney LGAs should consider collaborating on a regional visitor services and signage strategy.**

### Signage and Gateways

At present, visitors are experiencing a fragmented journey through the Orange Region.

Current tourism wayfinding and signage infrastructure throughout the three LGAs is outdated and varies in terms of colours, fonts and formats. This does not reflect the collective brand of the Orange Region.

The Orange Region lacks gateway signage that formally signals entrance into the region and smaller towns and villages. Gateway signage provides a sense of arrival for visitors and communicates the character and identity of the region.

There is opportunity to deliver gateway signage, as well as other wayfinding and signage infrastructure, that is well aligned to the Orange360 brand and positioning through the development of a signage strategy across the three LGAs.

#### F8. PRECEDENT – BAROSSA COUNCIL



Source: The Barossa Council, 2022.

#### F9. PRECEDENT – HEPBURN SHIRE COUNCIL



Source: Hepburn Shire Council, 2022.

## 6. KEY CONSIDERATIONS

The following are strategic considerations identified through research, engagement and site visits to the Orange Region.

### EVENTS

- Need for increased accommodation capacity to support large-scale events
- Opportunity to grow events during the off-peak season
- Need for investment in mid-scale conferencing centres / facilities
- Opportunity to develop events with strategic alignment to key product pillars, such as wine, culinary, nature, cycling etc.
- Need to streamline and enhance events permit processing, funding and management

### PRODUCTS AND EXPERIENCES

- Need for cycling and walking path links to wineries, nature-based attractions and towns and villages
- Investment in natural assets is needed to create motivating attractions and add depth to the visitor experience
- Need for investment in products and experiences targeted to the family market
- Opportunity for the development of arts, culture and Indigenous cultural experiences to enrich the visitor experience
- Need to improve high quality dining experiences, particularly in smaller townships
- Need for further on-farm experiences, such as foraging, cafes and restaurants, and educational experiences
- Opportunity to deliver higher-end experiences for the adult couple market, such as spa and wellness, retreats, and other boutique experiences

<p><b>ACCOMMODATION</b></p> <ul style="list-style-type: none"> <li>• Accommodation often at capacity, impacted by AIRBNB, large transient workforce and lack of housing supply</li> <li>• Difficulty attracting investment in large-scale contemporary accommodation, such as Quest, Mercure etc.</li> <li>• Lack of affordable housing for service sector workers impacts ability to attract and retain workers</li> <li>• Lack of accommodation suited to the family market</li> <li>• Opportunity to attract investment in experiential accommodation that provides a unique experience (farm stays, eco-cabins, eco-retreats etc.)</li> <li>• Attract investment in health and wellness accommodation facilities, aligned to target market preferences and opportunities</li> </ul>	<p><b>ENABLING INFRASTRUCTURE</b></p> <ul style="list-style-type: none"> <li>• Poor intra-region connectivity, including public transport, walking and cycling, and poor-quality roads</li> <li>• Need for improved public transport connectivity between surrounding population centres, as well as smaller townships</li> <li>• Improvements to directional signage, as well as poor quality and outdated tourism signage</li> <li>• Continue advocating for increase in flights and new routes, including south-east Queensland destinations</li> <li>• Continue advocating for high-speed trains from Sydney, telecommunications improvements</li> <li>• Ongoing improvements to telecommunications networks and internet access</li> </ul>
<p><b>INDUSTRY COLLABORATION AND NEEDS</b></p> <ul style="list-style-type: none"> <li>• Lack of industry collaboration and communication, as well as large proportion of the service sector not perceiving their business as part of the visitor economy</li> <li>• Support from Council for events and festival organisers and streamlined event permit processing for multi-Council events</li> <li>• Need to streamline development approvals processes</li> <li>• Customer excellence education and training for operators and staff</li> <li>• Need for enhanced industry collaboration to deliver product packaging</li> <li>• Reduced business operating hours on weekends impacts visitor experience and satisfaction</li> </ul>	<p><b>MARKETS, AWARENESS AND MARKETING</b></p> <ul style="list-style-type: none"> <li>• Continued support for and collaboration with Orange360</li> <li>• Need to expand marketing to emerging/new markets</li> <li>• Limited resources and funding for Orange360 prevent the organisation from performing at its full capacity</li> <li>• Need for enhanced collaboration with major regional cities, to capitalise on international and domestic touring opportunities, to align events calendars and develop product packaging</li> </ul>



## PART B

# Destination Management Plan Framework

The Orange Region Destination Management Plan Framework provides a vision, objectives, and measurable goals to guide visitor economy development over the next five years. This will be achieved through delivery of priority initiatives within the seven identified themes.

These have been prepared in response to the issues and opportunities for the region, and the destination management needs going forward.



## 7. Strategic Framework

### 7.1. Vision

The following section outlines the strategic framework to guide development of the Orange Region visitor economy. This includes a vision for tourism across the Region, objectives and success measures, and seven key themes to guide public and private sector investment.

#### VISION

*The Orange Region will be a leading Australian visitor destination, enriched by vibrant towns and villages, providing the highest quality wine, food and escape to nature experiences.*

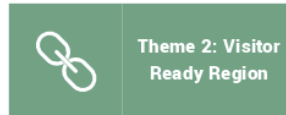
OBJECTIVES	TARGET	MEASURE/SOURCE
<b>Grow the value of the visitor economy</b>	Increase in visitor expenditure	Visitor expenditure in the Orange Region using data from Tourism Research Australia
<b>Create a visitor ready and unified industry</b>	Increased industry engagement, communication and networking	Industry engagement and attendance at events
	Improvement in customer satisfaction	Qualitative and quantitative performance of tourism related businesses on social media
<b>Grow awareness of the regional brand</b>	Increase in visitation from target markets	Visitation from Sydney and SE Queensland to the Orange Region using annual Tourism Research Australia data
<b>Encourage visitor dispersal to towns and villages</b>	Increase in visitation to towns and villages	Regional visitor dispersal from Orange City to Cabonne and Blaney, using Tourist Tracka data
<b>Grow visitor yield</b>	Increase in length of stay, additional overnight visitation and visitor spend	Increase in length of stay, overnight visitation and spend per visitor using annual Tourism Research Australia data
<b>Encourage off peak and mid-week visitation dispersal</b>	Increase in off peak and mid week visitation	May – November and midweek visitation using annual Tourism Research Australia data

## 7.2. Themes

Key themes to guide future investment have been identified in response to strategic considerations.



Provide enabling infrastructure and attract investment in accommodation and facilities that will support visitor economy growth.



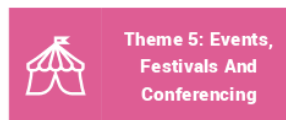
Ensure the soft infrastructure is in place to empower a capable and connected industry to work together towards a unified vision.



Reinforce and strengthen the Orange Region brand through marketing, positioning and placemaking.



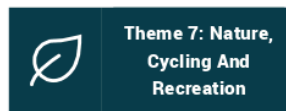
Showcase and celebrate local culture, creativity, and heritage to provide a rich visitor experience.



Build a strong tourism events and festivals brand and grow business and conferencing events to develop a well-rounded and sustainable events calendar.



Deliver high quality, contemporary and authentically Orange Region wine, ferments and culinary experiences, and activate a vibrant night-time economy.



Leverage the growth in nature-based and cycle tourism through investment in nature-based experiences, infrastructure, promotion and activations.

## 8. PRIORITIES AND ACTIONS

### Identifying Priority Projects

In order to identify priorities, each project has been assessed against the overarching objectives.

Projects that align to these objectives and address critical issues or opportunities for the Orange Region have been prioritised above others to be included in the Destination Management Plan.

### Timeframes

Projects have been identified using the following priority levels:

- Short term (within 1 year)
- Medium term (1-3 years)
- Long term (4 years +)

Actions identified as long term priorities are intended to begin during the Destination Management Plan period, however may have a longer delivery timeframe, into the next Destination Management Plan.

### Delivery Responsibility

Stakeholders have been identified for each priority initiative in the action plans. Key stakeholders are:

- Councils (Orange, Blayney and Cabonne)
- Orange 360
- Central West Joint Organisation
- State and Federal Governments and agencies

Current roles and responsibilities of these stakeholders are identified in section 5.1 Governance. Their roles in relation to delivery of the Destination Management Plan have been outlined below.

Council will deliver strategic planning projects that have been identified to support growth in the visitor economy. These should be led by Council and may require additional government funding and support. Additionally, Council may be required to initiate several identified projects and lead their direction; however initiatives may be delivered in partnership with industry, regional bodies and State Government.

Orange 360, as the regional marketing organisation, manages the Orange 360 brand and all content relating to the Orange 360 brand.

Regional bodies, such as the Central West Joint Organisation (JO), will continue to undertake marketing for the broader central west region of NSW, including the Orange Region and major destinations such as Dubbo, Bathurst and Mudgee. Councils should continue to partner with the JO.

State and Federal Governments, as well as agencies such as Destination New South Wales, NPWS and Department of Forestry, guide state level project priorities and provide funding opportunities. Council should continue to advocate to and develop strategic partnerships with these agencies, as well as seek funding opportunities when available, to support delivery of priority initiatives.

*Actions within the plan will be as per individual Council resolutions and/ or individual Operational/ Delivery Plans, and thus not binding on partnering Councils.*



## Theme 1 Visitor Economy Foundations

**Provide enabling infrastructure and attract investment in accommodation and facilities that will support visitor economy growth.**

Enabling infrastructure within destination management are the assets often delivered and funded by Government. This includes roads, township streetscapes, parks, telecommunications, water assets, and services such as sewer and power. These are the elements that support private sector investment and also provide the backbone to carrying capacity within a destination.

This theme focuses on delivering quality infrastructure and the attributes that will support the

industry investment needed across the region, as well as an improved visitor experience.

In addition, there is a need to deliver a range of accommodation typologies to enable overnight stays from current and new visitors, and to support delivery of major events. Delivery of worker accommodation is also required to support a growing visitor economy workforce, as well as to mitigate regional housing pressures.

## THEME 1 VISITOR ECONOMY FOUNDATIONS PRIORITY INITIATIVES

### Township Enhancement and Infrastructure

Whilst there has been significant investment into Orange City streetscaping, there is a need for further enhancement of towns and villages to create attractive and high amenity destinations. This includes addressing streetscaping, landscaping, enhancement of amenity infrastructure, placemaking and road improvements.

Masterplans for each of the towns should be considered to deliver an improved investment climate, as well as provide higher amenity towns and villages suited to visitor expectations.

Specific projects that could be considered include:

- Landscaping and tree planting;
- Improvement of streetscapes and street furniture;
- Placemaking initiatives, events and casual activation;
- Re-sealing roadways; and
- Occasional closure of streets to create public spaces on weekends or during events.

### Infrastructure Investment and Advocacy

The Orange Region experiences a range of infrastructure needs, which are required to support local businesses, improve the visitor experience, as well as support local residents. This includes:

- Telecommunications upgrades;
- Road capacity and quality;
- Rail and other public transport services;
- Services infrastructure for towns and villages (e.g. water, sewer).

Given the large number of towns and villages across the region, Councils should identify and prioritise strategic infrastructure projects that have the greatest need and that will provide the most economic and social benefit should be prioritised.

### Accommodation Investment Attraction

The Orange Region requires significant investment in accommodation to service the current visitor market, expand its capacity for additional overnight stays, and attract large-scale events.

Whilst the existing supply of accommodation provides a range of boutique and smaller scale options to predominately service the adult couple and holiday leisure markets, there is a need for larger investments to support the business markets, family market and events visitors.

Councils can attract investors by promoting compelling, demand driven accommodation opportunities for the Orange Region. This should target the following accommodation gaps:

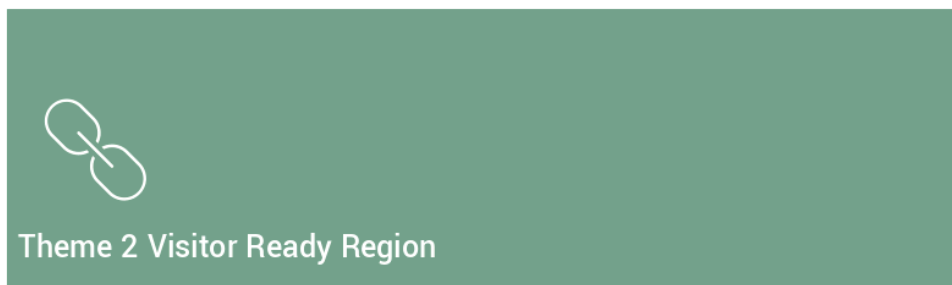
- Boutique, luxury accommodation (Orange Region);
- Large-scale hotel and serviced apartments (Orange City);
- Self-contained accommodation (Orange Region);
- High quality tourist park (Towns and Villages);
- Spa/wellness retreat accommodation (Towns and Villages); and
- Experiential accommodation e.g. glamping, farm stay, tiny homes (Towns and Villages).

In addition, there is a need for affordable housing across the region. Investment in accommodation should take into consideration the needs of the visitor economy workforce, mining industry housing needs impact on visitor accommodation, as well as needs of local community.



T2. THEME 1 VISITOR ECONOMY FOUNDATIONS ACTION PLAN

Priority Initiative	Stakeholder(s)	Timeframe	Actions
<b>Township enhancement and infrastructure development</b>	Council	Medium	<ol style="list-style-type: none"> <li>1. Prepare masterplans for activation and enhancement of towns and villages.</li> <li>2. Identify and prioritise strategic infrastructure projects for towns and villages and prioritise these across the region.</li> </ol>
<b>Infrastructure investment and advocacy</b>	Council State and Federal Government	Ongoing	<ol style="list-style-type: none"> <li>1. Prioritise infrastructure needs to support the visitor economy.</li> <li>2. Advocate for funding from relevant government agencies/private investors.</li> </ol>
<b>Accommodation investment attraction</b>	Council Industry	Short	<ol style="list-style-type: none"> <li>1. Facilitate private sector investment in visitor accommodation by promoting investment and site opportunities and supporting the development approvals process.</li> <li>2. Work with industry to identify housing needs and models for affordable housing delivery.</li> </ol>



**Empower a capable and connected industry to work together towards a unified vision.**

The Orange Region is currently in the Growth stage of the destination lifecycle. At this stage, industry is experiencing significant growth and demand from products and experiences, and as a result experience significant growth pressures.

As a result, there are a range of industry capability and capacity needs that can be supported by Councils. This includes training and education for operators and staff in hospitality and industry support and engagement.

Council has a critical role in facilitating industry development. Council should provide the tools to ensure the existing business base can operate effectively. In addition, this will provide a sound investment climate for the private sector to invest in creating bookable and distributable tourism products and experiences.

## THEME 2 VISITOR READY REGION PRIORITY INITIATIVES

### Hospitality workforce skills and capacity

Training and education is needed for the visitor economy workforce, in particular the hospitality industry, to ensure the industry is capable and provide a high quality, professional experience to visitors.

There is opportunity to deliver high quality education for not only existing and new workforce, but also to attract students from across the country for hospitality training. The climate, local produce and strength of the food and wine scene in a very compact region provides the perfect setting for pathways in hospitality.

Collaboration is required between industry and Council to identify specific training and workforce needs, and explore opportunities for development.

### Industry support and collaboration

The following capacity building activities would support industry development in the Orange Region:

- Deliver formal industry engagement.
- Establish a regional business concierge service to support industry engagement, business development and facilitate investment.
- Industry training to enhance digital presence, including digital, marketing, and social media training.

Council should consider increasing the resources allocated towards industry development and engagement opportunities in order to support industry growth.

### Sustainable tourism management and resourcing

Currently, the resources to support tourism across the region are strained, with a heavy reliance on a declining volunteer base, limited pool of workers, and financial resources for delivery.

In particular, Council arts and cultural facilities and tourism events rely heavily on volunteers to operate. This impacts the abilities of the facilities to operate consistently and invest in facilities.

In addition, workforce shortages result in understaffed businesses and may impact the ability of businesses to deliver high quality experiences, as well as limiting new business operations and expansion of existing businesses.

To improve sustainable tourism management and resourcing, Councils should consider:

- Strategies to attract new workers and retain existing workforce, including retaining youth in hospitality and providing improved pathways.
- Incentives and training to support volunteers and volunteer-based organisations, as well as to enable cross-Council events delivery.
- Potential increased funding allocation to support sustainable delivery of events by the local community and industry.

T3. THEME 2 VISITOR READY REGION ACTION PLAN

Priority Initiative	Stakeholder(s)	Timeframe	Actions
<b>Hospitality workforce skills and capacity</b>	Council Higher education TAFE Industry DNSW	Medium	<ol style="list-style-type: none"> <li>1. Work with industry to identify local training and education needs to support the hospitality sector.</li> <li>2. Establish a steering committee of Government, industry and education sector to explore potential models for training and education delivery.</li> </ol>
<b>Industry support and collaboration</b>	Council Industry DNSW	Short	<ol style="list-style-type: none"> <li>1. Explore potential to formalise the existing industry engagement undertaken by Orange 360.</li> <li>2. In conjunction with the planning and economic development teams, investigate the establishment of a regional business concierge service to support industry engagement and development.</li> <li>3. Identify industry training needs to enhance business digital presence, including digital, marketing, and social media training.</li> </ol>
<b>Sustainable tourism management and resourcing</b>	Council Industry / Local Associations	Short	<ol style="list-style-type: none"> <li>1. Drive volunteerism through promotions and incentives. Consider the potential to undertake a regional volunteer ambassador program.</li> <li>2. Undertake a review of governance organisations, facilities operations and event operations, to assess duplication of resources and identify ways to streamline delivery.</li> <li>3. Identify local workforce gaps and consider options for workforce attraction, such as regional lifestyle campaigns and incentives to attract workers.</li> </ol>



### Theme 3 Identity, Awareness and Placemaking

**Reinforce and strengthen the Orange Region brand through marketing, positioning and placemaking.**

The Orange Region has experienced significant growth over the past 10 years. This is largely driven by demand driving activities include regional marketing activities undertaken by Orange 360, significant product development by the wine and dining sector, and a growing accommodation sector.

Establishing a unified and collaborative approach across the Orange Region will connect experiences, solidify the destination identity, and create compelling itineraries.

Continuing to strengthen the regional destination brand and growing market awareness is a priority for the Orange Region whilst in the growth phase. Ensuring destination marketing activities are tailored to attract target markets and grow market share of the destination will be critical.

### THEME 3 IDENTITY, AWARENESS AND PLACEMAKING PRIORITY INITIATIVES

#### Gateways, place making and brand reinforcement

Currently, town signage and entries are branded according to the Council's branding, however there is a lack of in-region 'Orange Region' marketing.

There is an opportunity to reinforce the Orange Region brand through a more co-ordinated approach to delivering in-region signage, billboards and other public activations.

Key opportunities include:

- Delivery of Orange Region branded public art and town activations;
- Delivery of Orange Region branded billboards at gateway locations to signify entry into the region, as well as at strategic locations in-region to reinforce visitor understanding that they are in the Orange Region.

#### Marketing the Orange Region

Building on the success of Orange 360 marketing activities to date, there is a need to continue strengthening the regional destination brand and growing market awareness.

Key areas of focus for marketing should include:

- Developing and implementing a targeted marketing plan
- Identifying current market awareness of the Orange Region, and undertake marketing activities to increase visitor market share from target markets.
- Engage with locals as ambassadors for the visitor economy. Consider the former Destination Melbourne 'Discover your own backyard' program as a successful precedent.

Council may consider increasing the resources allocated towards regional marketing capacity in order to substantially grow market awareness of the Orange Region.

#### Digital visitor information transformation

There are substantial resources attributed to physical visitor information in the Orange Region, with two accredited Visitor Information Centres (VIC) in the Orange Region, located within the Orange Regional Museum and the Age of Fishes Museum.

Whilst the Orange 360 website provides high quality visitor information, there is a need to consider other digital visitor information throughout the region to engage visitors, encourage dispersal and reinforce the brand in region. Examples include the use of QR codes in-region to connect to digital visitor information, interactive signage and billboards, and augmented reality tools.

#### Promoting visitor dispersal

Visitation to Orange City is strong, however there is opportunity to increase dispersal of visitation into towns and villages to encourage increased length of stay and extract greater yield from visitors. This may include encouraging daytrips from visitors already in the region as well as encouraging new visitors to extend their stay to towns and villages. This will in turn enhance the visitor experience by providing a diversity of experiences.

There is opportunity to promote touring itineraries, including:

- Local village and regional touring.
- Encouraging daytrips from visitors staying in Orange to towns and villages.
- Major inland tour from Sydney taking in Bathurst, Mudgee, Dubbo and Orange Region.
- Melbourne to Brisbane Touring and Adelaide to Brisbane Touring.



T4. THEME 3 IDENTITY, AWARENESS AND PLACEMAKING ACTION PLAN

Priority Initiative	Stakeholder(s)	Timeframe	Actions
<b>Gateways, place making and brand reinforcement</b>	Council Industry	Short	<ol style="list-style-type: none"> <li>1. Identify locations for in-region billboards that showcase the Orange Region brand.</li> <li>2. Identify opportunities for public art and township activations across the region, and deliver these in a cohesive and strategic manner.</li> </ol>
<b>Strengthen the Orange Region identity</b>	Council Industry Locals	Short / Ongoing	<ol style="list-style-type: none"> <li>1. Continue to monitor, update and implement regional marketing plan.</li> <li>2. Undertake primary market research to set a benchmark for current market awareness of Orange Region amongst the population.</li> <li>3. Continue to undertake targeted marketing campaigns to attract target markets.</li> <li>4. Seek to establish a local ambassador program that encourages residents to engage in their 'backyard'. Consider the former Destination Melbourne 'Discover your own backyard' program.</li> </ol>
<b>Digital visitor information transformation</b>	Council Industry	Short	<ol style="list-style-type: none"> <li>1. Undertake a digital visitor information services transformation program with consideration of digital and the contemporary consumer.</li> </ol>
<b>Promoting visitor dispersal</b>	Council Industry Central West JO	Short	<ol style="list-style-type: none"> <li>1. Undertake a touring route strategy for the region with consideration of: <ol style="list-style-type: none"> <li>a. Local village and regional touring.</li> <li>b. Major inland tour from Sydney taking in Bathurst, Mudgee, Dubbo and Orange Region.</li> <li>c. Melbourne to Brisbane Touring and Adelaide to Brisbane Touring.</li> </ol> </li> <li>2. Undertake in-region and online marketing activities to promote daytrips to Orange Region towns and villages, targeted towards visitors staying in Orange or planning a trip to the region. This could include promotions, discounts and other incentives to encourage exploration.</li> </ol>



## Theme 4 Creativity, Arts and Culture

**Showcase, celebrate and preserve local culture, creativity and heritage to provide a rich visitor experience.**

Arts and culture has the opportunity to be developed as a product pillar for the region, building on the growing arts scene, the range of makers and creators in the region, the Aboriginal living cultural history of the region, and the heritage and cultural backdrop of the region.

Arts and culture experiences add vibrancy to a destination, provide compelling reasons for new visitation to a destination, as well as enriching the experience for existing visitors to the region.

There are a range of existing museums, art galleries, arts and culture events that could be enhanced and activated. Development of a regional arts program across the three Councils should be considered, which will help to activate and brand the towns and villages through public art, art exhibits, cultural events and other activations.

In particular, the region has two major cultural assets that could be activated; the Orange cultural precinct and the Age of Fishes Museum.

The Orange cultural precinct has seen continual investment by Orange City Council, with the establishment of the Orange Library, Art Gallery and Orange Regional Museum. Further investment in the precinct is underway through the Orange Planetarium and Conservatorium. This will result in a compelling destination for visitors, and should be strengthened through delivery of an engaging program of exhibits and events, as well as branding and marketing.

The Age of Fishes Museum is one of only two fish fossil museums in the world and is a National Heritage site due to its international scientific significance. The existing museum could become an educational and cultural attraction with appropriate investment, activating and promotion.

In addition to these, working with Traditional Owners of the Wiradjari nation to develop products, experiences and educational offerings would provide a compelling experience for visitors, and create a platform for Traditional Owners to share their stories, culture and heritage.

#### THEME 4 CREATIVITY, ARTS AND CULTURE PRIORITY INITIATIVES

##### Orange Region arts and culture development

Orange City has seen continued investment in its cultural precinct, with the establishment of the Orange Library, Art Gallery and Orange Regional Museum. Further investment in the precinct is underway through the Orange Planetarium and Conservatorium, however improved precinct planning and branding are required to unify, elevate and activate the precinct.

A masterplan should be considered for the precinct following investment in these two facilities to ensure that the precinct facilities interact well. This should consider streetscaping, public space improvement, pathways and wayfinding signage.

In addition, there is an opportunity to elevate the offering at the Age of Fishes Museum, which is one of only two fish fossil museums in the world and is a National Heritage site due to its international scientific significance.

A curatorial study and concept plan should be developed, which should consider indoor and outdoor heritage exhibits and interpretation, and marketing and branding for the Museum.

##### Heritage activation program

The Orange Region has an extensive amount of heritage assets that are either in disrepair or underutilised. This includes heritage retail spaces, former hotels and other heritage infrastructure.

A heritage activation plan should be prepared which explores ways to activate further heritage and non heritage buildings. This should consider:

- Art installations and gallery spaces;
- Makers and creators' spaces and studios;
- Activation for pop-up events; and
- Retail spaces.

##### Indigenous cultural experience development

There is significant living Aboriginal cultural heritage in the Orange Region, with sites of significance located across the three Councils, and a wealth of local stories, culture and heritage.

There is an opportunity for Orange Region Councils to develop relationships with local Traditional Owner groups and to facilitate the preparation of a cultural experience development plan. This should consider sites of significance and may consider building on the Orange Regional Museum as a commencement point for the visitor journey.

T5. THEME 4 CREATIVITY, ARTS AND CULTURE ACTION PLAN

Priority Initiative	Stakeholder(s)	Timeframe	Actions
<b>Orange Region arts and culture development</b>	Council Industry	Short	<ol style="list-style-type: none"> <li>1. Undertake a masterplan and branding strategy for the Orange cultural precinct, which ensures that the precinct is connected, activated and accessible. This includes streetscaping considerations, footpath linkages, wayfinding signage and branding.</li> <li>2. Undertake a curatorial study and concept plan for the expansion and enhancement of the Age of Fishes Museum. This should consider indoor and outdoor heritage exhibits and interpretation.</li> <li>3. Develop a regional arts program to activate and enhance museums, art galleries, arts and culture events, public art and other township activations.</li> </ol>
<b>Heritage activation program</b>	Council Industry	Short	<ol style="list-style-type: none"> <li>1. A heritage activation plan should be prepared which explores ways to activate further heritage and non heritage buildings. This should consider:               <ol style="list-style-type: none"> <li>a. Art installations and gallery spaces;</li> <li>b. Makers and creators' spaces and studios;</li> <li>c. Activation for pop-up events; and</li> <li>d. Retail spaces.</li> </ol> </li> </ol>
<b>Indigenous cultural experience development</b>	Council Traditional owner groups	Short	<ol style="list-style-type: none"> <li>1. Work with the local traditional owner groups to undertake a cultural experience development plan. This should consider sites of significance and build on the heritage centre as a commencement point for the visitor journey.</li> </ol>



## Theme 5 Events, Festivals and Conferencing

**Build a strong tourism events and festivals brand and grow business and conferencing events to develop a well-rounded and sustainable events calendar.**

The region has a strong and growing regional events calendar, with events such as FOOD Week experiencing substantial growth and attracting new markets to the region.

Events are a major driver of visitation, with recent research undertaken by Urban Enterprise indicating that events and festivals would motivate 48% of the Australian market to visit a new destination.<sup>3</sup>

Events are an important part of the visitor economy in terms of the direct economic contribution they provide but also in the way they bring awareness to

destinations. Alignment of events to target visitor markets is a key consideration for event prioritisation. In addition, developing one or more flagship events that have pull in the domestic market would support development of the region and growth in awareness and visitation.

Business events and conferencing is an opportunity for the Orange Region, and will support mid-week visitation. In particular, there is opportunity to attract the MICE market in the health, mining and Government sectors, due to the strong business base in these sectors. There is a need for Council and industry to collaborate and invest in facilities to support this market.

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<sup>3</sup> Urban Enterprise, consumer research of representative sample of Victorian market, 2022.

#### THEME 5 EVENTS, FESTIVALS AND CONFERENCING PRIORITY INITIATIVES

##### Regional events approach

The Orange Region has a vibrant and growing events calendar, with events dispersed across the region.

There is opportunity to consider a regional approach to events. This already occurs to some extent, with a large number of events currently held across two or three Councils, however delivery, management and processing of events could be further streamlined.

Councils should support the delivery of coordinated events in the Orange Region. This provides the region with an opportunity to showcase small townships and villages, as well as the local makers, growers and creators.

Opportunities for regional events enhancement include:

- Development of a regional flagship event which has the potential to showcase and promote the region's comparative strengths, and grow visitation and awareness of the Orange Region.
- Development of a regional approach to delivery and marketing of farmers markets to ensure the region is known for its quality produce.
- Development of a consolidated events register to promote the region's events and to ensure events are well-dispersed across the year.
- Streamlining cross-Council event permit processing and delivery to support event operators.

##### Business events feasibility study and strategy

Develop and deliver a Feasibility Study and Strategy which identifies opportunities for the business events sector. Consideration should be given to business target markets, including agriculture, medical, wine industry and other industries that align to the Orange Region brand.

Additionally, Council should consider conducting a facility assessment and Feasibility Study to ensure the region is well equipped to accommodate large-scale business events.

##### Deliver events infrastructure

There is a need to deliver events infrastructure to support the attraction of new events and retention of existing events. This includes indoor and outdoor facilities to support a range of event typologies.

The Orange multi-sport stadium has received funding for delivery and will be a key piece of infrastructure that has potential to drive growth in the sports events market. The stadium precinct also has potential to host other events and festivals, and its delivery should be prioritised.



T6. THEME 5 EVENTS, FESTIVALS AND CONFERENCING ACTION PLAN

Priority Initiative	Stakeholder(s)	Timeframe	Actions
<b>Regional events approach</b>	Council Industry	Short	<ol style="list-style-type: none"> <li>1. Identification of potential future flagship event(s) that reinforce the regional brand, align to product strengths and benefit the three Councils. Market the event funding to local, regional and state-wide cultural event organisers.</li> <li>2. Consider implementing a regional approach to delivery and marketing of farmers markets, including a farmers market guide and utilisation of Orange Region branding.</li> <li>3. Develop a comprehensive events register and calendar for Orange Region events. Review the regional events calendar to identify seasonal gaps and opportunities.</li> <li>4. Review and streamline the events permit process for cross-Council events.</li> </ol>
<b>Deliver events infrastructure</b>	Council	Short-Medium	<ol style="list-style-type: none"> <li>1. Deliver the Orange Multi Sport Stadium and prepare an events development action plan to grow sports events tourism.</li> <li>2. Undertake review of existing indoor and outdoor event spaces to support both tourism and business events.</li> </ol>
<b>Business events feasibility study and strategy</b>	Council	Medium	<ol style="list-style-type: none"> <li>1. Undertake a Feasibility Study and Strategy which identifies opportunities for the development of business events.</li> </ol>



## Theme 6 Food, Ferments & Night-Time Economy

**Deliver high quality, contemporary and authentically Orange Region beverage, culinary and produce experiences, and activate a vibrant night-time economy.**

The region has a strong wine sector, growing ferments scene with emerging number of breweries and distilleries, a strong dining offer in Orange City and some towns and villages, and a growing farmgate experience offer.

There is a need for further dining experiences, in particular by providing cellar door and on-farm offers that will extract greater yield from the existing market.

In addition, a vibrant, diverse and safe night-time economy is required for the region as it continues to grow its visitor economy. The existing offer is currently limited, and particularly lacking during the mid-week. With an affluent business market both visiting and working in the region, as well as the holiday leisure market, the region is well-placed to support a vibrant night time economy.

Ongoing attraction and investment in contemporary food and beverage establishments as well as bespoke initiatives such as interactive digital spaces, creative lighting and family focused activations will help cement the Orange Region as a premier food and entertainment destination.

#### THEME 6 FOOD, FERMENTS & NIGHT-TIME ECONOMY PRIORITY INITIATIVES

##### Wine product enhancement

The Orange Region is uniquely placed in NSW as a cool climate wine region, however it is difficult to identify a signature wine variety that creates a point of differentiation. Think Barossa Shiraz, Tamar Valley Pinot Noir, King Valley Prosecco.

The Orange Region's area of unique comparative advantage is organic and biodynamic wines. This is an area that can be further leveraged and explored as part of the Orange Region branding, to grow awareness in the market and create a unique selling proposition.

In addition, there is opportunity for the Orange Region to establish itself as a leading wine region in Australia through the development of a Wine Education Centre, potentially leveraging the bio-dynamic and organic branding. This would provide a new visitor hub and be unique amongst Australia's wine regions. The wine education centre will be used to train vignerons, as well as the public, on biodynamic and organic wine techniques.

##### Food experience development

There is a need to support the development of 'visitor ready' local produce and dining experiences that align with the Orange Region brand to build the region's experiences offer. This includes:

- Fruit picking;
- Farmgate experiences;
- On-farm education;
- Provedores;
- Cellar doors; and
- Farm stays.

Council should work with local businesses, farmers, producers and industry leaders to develop unique, packaged farm experiences, such as education, farm exploration, hands-on experiences and farm stays, as well as to enhance existing cellar door experiences and deliver new and compelling cellar door offers.

##### Night time activation

Orange's City Centre is the region's hub for commercial activity and has a well-developed retail and services sector. At night however there are very few businesses operating and there is a lack of activity and vibrancy in the night time economy.

Placemaking should be considered which creates greater activation at night and builds vibrancy in Orange's City Centre.

This may consider artistic interventions such as projections and light sculpture as well as encouragement of a regular program of night time entertainment and activity such as music, night markets and activation of Robertson Park. Encouragement of businesses to extend opening hours should be considered as well as attracting new businesses into the town centre such as wine bars and other entertainment venues.

T7. THEME 6 FOOD, FERMENTS & NIGHT-TIME ECONOMY ACTION PLAN

Priority Initiative	Stakeholder(s)	Timeframe	Actions
<b>Wine product enhancement</b>	Industry	Medium	<ol style="list-style-type: none"> <li>1. Wine industry to work with Orange 360 to establish a biodynamic and organic wine brand for Orange Region. This will have links with Orange Region branding.</li> <li>2. Undertake a feasibility for the establishment of the Orange Wine Education Centre.</li> </ol>
<b>Food experience development</b>	Industry	Short-Medium	<ol style="list-style-type: none"> <li>1. Deliver the Orange Multi Sport Stadium and prepare an events development action plan to grow sports events tourism.</li> </ol>
<b>Night time activation</b>	Council Industry	Short-Medium	<ol style="list-style-type: none"> <li>1. Orange City Council to lead a night time activation plan. This will focus on opportunities to create activity in Orange City centre and the key tourism villages across the region.</li> </ol>



## Theme 7 Nature, Cycling & Recreation

**Leverage the growth in nature-based and cycle tourism through investment in nature-based experiences, infrastructure, promotion and activations.**

The Orange Region provides a high quality food, wine and beverage offering, with a growing events calendar and arts scene. However the region lacks activation of its nature-based assets to engage the visitor market.

Walking, cycling and other recreation activities enrich the visitor experience for existing markets, as well as to service the resident population. Activating and enhancing natural assets for recreation will strengthen the proposition for a visit to the Orange Region, as it will provide a well-rounded experience for visitors.

There is a need for tracks and trails to connect the regions towns and product and experience offering. There is a game-changing opportunity to create a shared trail connecting the region's wineries, given their proximity to Orange City and to each other.

In particular, cycling is a major opportunity for the region, with domestic cycle visitation growth of 9% per annum across Australia.<sup>4</sup> Investment in infrastructure to support road cycling, gravel cycling, mountain biking and off road trails will position the Orange Region amongst Australia's premier nature-based and cycle destinations.

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<sup>4</sup> Tourism Research Australia, cycling participation, 2015-2019.

#### THEME 7 NATURE, CYCLING & RECREATION PRIORITY INITIATIVES

##### Activating the Canobolas precinct

Mt Canobolas and Lake Canobolas have the potential to be developed into a hero nature-based asset for the Orange Region.

The assets provide a strategic opportunity for investment, due to their proximity to Orange, towns and villages, and central to the region's wineries.

Investment should be prioritised towards the development of infrastructure and products to establish the precinct as a visitor destination, including the consideration of:

- Skyway to the summit;
- Summit redevelopment;
- Mt Canobolas Aboriginal Heritage Centre;
- Walking and cycling trails;
- Water-based activities; and
- Destination playground.

##### Connecting the Orange Region - Walking and cycling trails masterplan and implementation

The Orange Region is well placed as a walking and cycling destination. There is opportunity to strengthen the regional trails network and promote cycling across the region.

Key opportunities to be explored include:

- Orange wine trail;
- Towns and villages trail connectivity;
- Rail trails;
- Gravel and road cycling loops;
- Sealing of road shoulders to support road cycling;
- Linkages between towns and villages; and
- Encourage private sector operators to develop guided hiking, canoeing, kayaking, cycling and other experiences.



T8. THEME 7 NATURE, CYCLING & RECREATION ACTION PLAN

Priority Initiative	Stakeholder(s)	Timeframe	Actions
<b>Activating the Canobolas precinct</b>	Council NSW Parks and Wildlife	Short	1. Prepare a precinct activation plan in conjunction with NSW Parks and Wildlife to connect and enhance Mt Canobolas and Lake Canobalas areas.
<b>Connecting the Orange Region; Walking and cycling trails masterplan and implementation</b>	Council	Short-Medium	2. Undertake a masterplan for Orange Region trails which considers the following: <ol style="list-style-type: none"> <li>Orange wine trail</li> <li>Towns and villages trail connectivity</li> <li>Old Rail Trail Utilisation</li> <li>Gravel and road cycling loops</li> <li>Sealing of road shoulders to support road cycling</li> <li>Linkages between towns and villages</li> </ol>

## APPENDIX A DOCUMENTS REVIEWED

### Federal Documents

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- Tourism 2020 Strategy; and
  - A National Business Events Strategy for Australia 2020.
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### State/Regional Documents

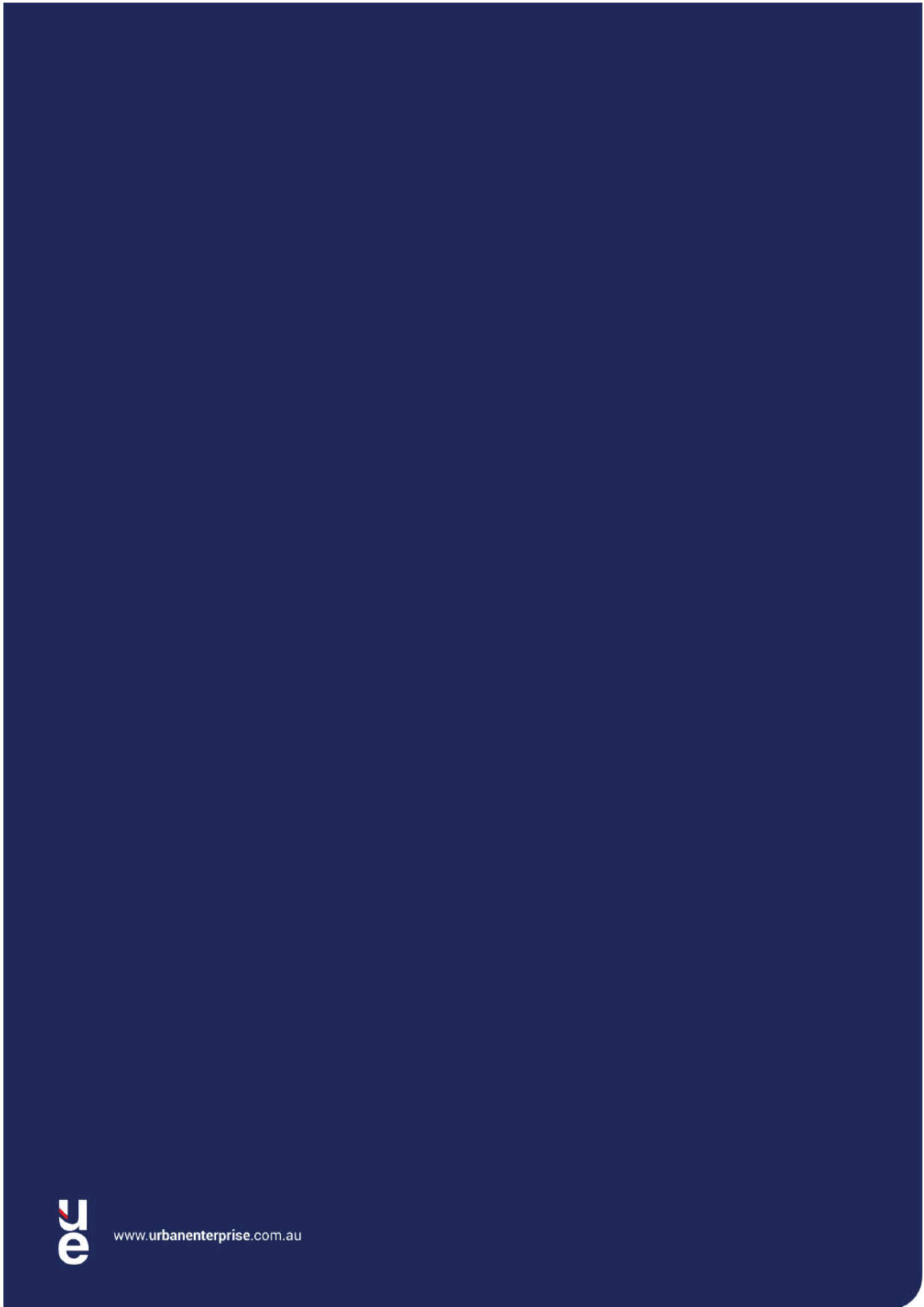
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- Destination Country and Outback NSW Destination Management Plan 2018-2020;
  - NSW Visitor Economy Strategy 2030;
  - NSW State-wide Destination Management Plan 2019;
  - NSW Visitor Economy Industry Action Plan 2030;
  - Destination NSW China Tourism Strategy 2012-2020;
  - The NSW Regional Conference Strategy and Action Plan 2017-2021;
  - Aboriginal Tourism Action Plan 2017-2020; and
  - NSW Food and Wine Tourism Strategy and Action Plan 2018-2022.
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### Local Documents (Council Strategies / Plans)

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- Orange360 Strategic Plan 2020-2024;
  - Blayney Shire Destination Management Plan;
  - Orange Community Strategic Plan 2018-2028;
  - Activate Orange;
  - Orange Tourism Strategy 2016;
  - Cabonne Economic Development and Visitor Economy Strategy;
  - Cabonne Tourism Plan 2012-2022; and
  - Cabonne 2025 Community Strategic Plan.
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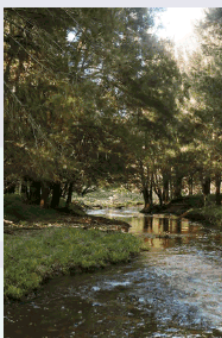
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BLAYNEY SHIRE COUNCIL REPORT TO THE COMMUNITY

# 2022/23-2025/26 Delivery Program and 2022/23 Operational Plan



DESIGNED AND PRINTED IN-HOUSE BY BLAYNEY SHIRE COUNCIL



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2022/23-2025/26 Delivery Program and 2022/23 Operational Plan

Adopted XXXX

For more information: 91 Adelaide St  
PO Box 62  
BLAYNEY NSW 2799  
Phone 02 6368 2104  
<https://www.blayney.nsw.gov.au>

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**HERE IN BLAYNEY SHIRE, WE  
GATHER ON WIRADJURI  
COUNTRY ON WHICH MEMBERS  
AND ELDERS OF THE LOCAL  
INDIGENOUS COMMUNITY AND  
THEIR FOREBEARERS HAVE  
BEEN CUSTODIANS FOR MANY  
CENTURIES AND ON WHICH  
ABORIGINAL PEOPLE HAVE  
PERFORMED AGE OLD  
CEREMONIES OF CELEBRATION,  
INITIATION AND RENEWAL, WE  
ACKNOWLEDGE THEIR LIVING  
CULTURE AND THEIR UNIQUE  
ROLE IN THE REGION.**

For information about this document contact:  
Blayney Shire Council  
91 Adelaide Street,  
Blayney NSW 2799  
Phone: 02 6368 2104  
Email: [council@blayney.nsw.gov.au](mailto:council@blayney.nsw.gov.au)  
Web: [www.blayney.nsw.gov.au](http://www.blayney.nsw.gov.au)



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    2022/23 Schedule of Fees and Charges

# OUR ELECTED MEMBERS



Cr Scott Ferguson  
Mayor



Cr David Somerville  
Deputy Mayor



Cr Allan Ewin



Cr Craig Gosewisch



Cr John Newstead



Cr Michelle Pryse Jones



Cr Bruce Reynolds



## Our Elected Members

Blayney Council consists of seven Councillors who equally represent the entire Local Government Area. The Mayor and Deputy Mayor are nominated and elected by their fellow Councillors.

Local Government elections were held on Saturday 4 December 2021. It is compulsory for all residents within the Council area to vote if their names appear on the electoral roll.

Non-resident property owners may vote if they make application for their names to be included on a non-residential roll.

Councillors are always happy to hear from members of the community about issues of interest and concern.

## Snapshot of Blayney Shire

Blayney Shire Council encompasses the townships of Blayney, Carcoar (the third oldest inland settlement in New South Wales), the national trust designated village of Millthorpe and the smaller villages and localities of Lyndhurst, Mandurama, Garland, Kings Plains, Burnt Yards, Browns Creek, Caloola, Forest Reefs, Errowanbang, Hobbys Yards, Moorilda, Panuara, Tallwood, Barry, Neville and Newbridge.

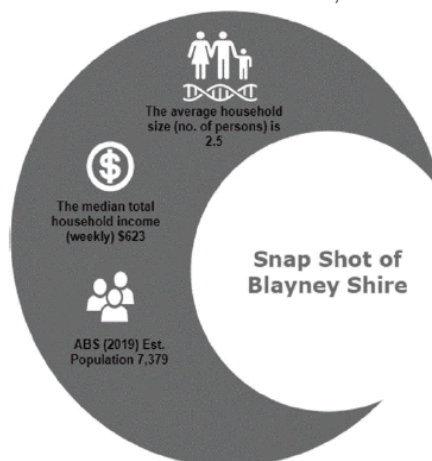
The main town in the Shire is Blayney, situated some 37km west of Bathurst, around 34.1km south of Orange and approximately a 3 hour drive to the outer suburbs of Sydney.

The Shire of Blayney encompasses approximately 1,524.7 square kilometres of well-watered, gently undulating to hilly country on the Central Tablelands.

Much of the land is elevated, at over 900 metres above sea level, with the climate being partially suitable for cool climate crops and trees.

Blayney Shire is predominately rural in nature, fostering primary industries such as dairying, beef, lamb, wool, viticulture, orchards, potatoes, canola and other grains. Mining is also a key industry and the area is also home to other industrial activities such as manufacturing, transportation and food processing. Blayney supports 2,991 jobs and has an annual economic output of \$1.884 billion.

Total Output in 2020 for the Blayney LGA is estimated at \$1.896 billion.



## Council's Guiding Principles

The Local Government Act requires Council to carry out its functions in a way to support local communities to be strong, healthy and prosperous. The following general principles apply to the core functions of Council to:

- Provide strong effective representation, leadership, planning and decision-making.
- Carry out functions that provide the best possible value for residents and ratepayers.
- Plan strategically, using the Integrated Planning and Reporting (IP&R) framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- Apply the IP&R framework in carrying out functions to achieve desired outcomes and continuous improvements.
- Work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- Manage lands and other assets so that current and future local community needs can be met in an affordable way.
- Work with others to secure appropriate services for local community needs.
- Act fairly, ethically and without bias in the interests of the local community.
- Be responsible employers and provide a consultative and supportive working environment for staff.

The following principles apply to decision-making by Council to:

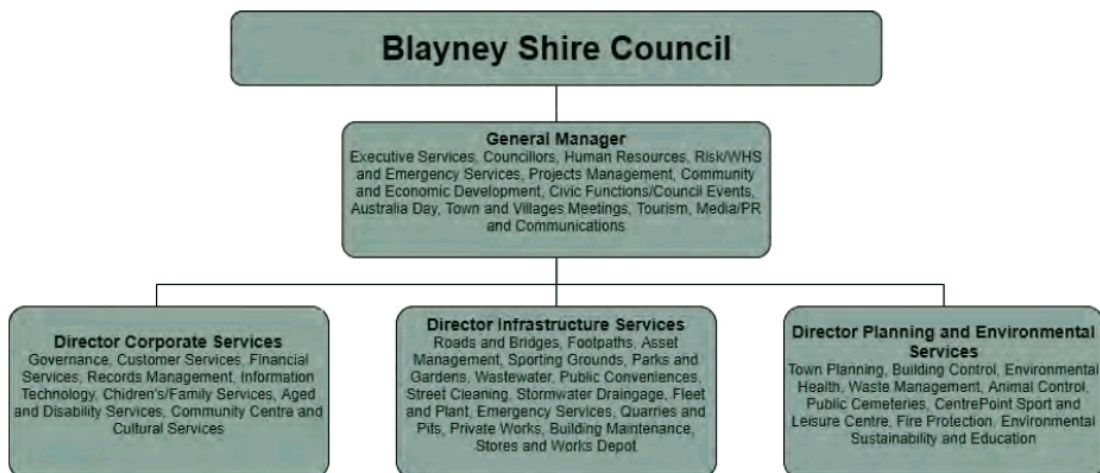
- Recognise diverse local community needs and interests.
- Consider social justice principles.
- Consider the long term and cumulative effects of actions on future generations.
- Consider the principles of ecologically sustainable development.
- Be transparent and decision-makers will be accountable for decisions.
- Promote community participation by actively engaging with the local community.

The following principles of sound financial management apply to Council:

- Spend in a responsible and sustainable manner, aligning general revenue and expenses.
- Invest in responsible and sustainable infrastructure for the benefit of the local community.
- Have effective financial and asset management, including sound policies and processes for the following:
  - performance management and reporting,
  - asset maintenance and enhancement,
  - funding decisions,
  - risk management practices.
- Have regard to achieving intergenerational equity, including ensuring policy decisions are made after considering their financial effects on future generations and that the current generation funds the cost of its services.



## Organisational Structure



## How Council Works

The powers of Council are derived from the Local Government Act 1993 and other legislation enacted by the Parliament of NSW. The Local Government Act and its Regulations serve as an administrative and structural blueprint for all New South Wales Councils.

Local government elections were held in September 2017, electing seven Councillors to Blayney Shire Council. These elected representatives meet regularly at formal Council meetings to make decisions on policies and other important issues. Council employees implement these decisions. There are also a number of committees that comprise of Councillors and Council employees. These committees also meet regularly and make recommendations to Council.

It is the responsibility of Councillors to make decisions on all areas of policy and budget priorities, including the level and extent of works and services to be provided throughout the year. These decisions are adopted through a majority voting system, with each Councillor having one vote.

The General Manager is the chief administrative officer and is appointed by Council. The responsibilities of this position include the overall administration of the Council organisation and employee matters, management of the Council's financial affairs, the implementation of policies and advising Council on all aspects of local government.

Council's main sources of revenue are rates, government grants, investments, fees and other charges. This income is used to provide a range of services.

### **Meetings Open to the Public**

Monthly Council Meetings are held on the third Monday of each month at 6.00pm. Members of the public are welcome and encouraged to attend regular Council meetings. The Chairperson of the Council meetings is the Mayor, or Deputy Mayor if the Mayor is absent. The General Manager and Executive Team attend these meetings and, if needed, provide additional information on matters being considered.

### **Public Forums**

Public forums provide an ideal opportunity for our community to raise issues with Councillors during a Council meeting. Each speaker has at least five minutes to address Council. To be included on the meeting agenda, please complete a Public Forum Speaker request and submit it to Council prior to 4.30pm on the day of the meeting. Information on the Public Forum is available from Council reception or our website using the link [www.blayney.nsw.gov.au/your-council/council-meetings-and-committees](http://www.blayney.nsw.gov.au/your-council/council-meetings-and-committees)

Each year, the Delivery Program will be reviewed as part of the development of the Operational Plan and the findings will be exhibited. Council welcomes feedback on the Delivery Program and Operational Plan, and the services it provides.

All community members are invited and encouraged to express their views, either in writing or by talking to Councillors or Council staff.



## Executive Services

The General Manager's office is responsible for all aspects in relation to the management and leadership of the organisation. The General Manager must efficiently and effectively manage the organisation and without undue delay implement the decisions of the Council. In particular, the General Manager is responsible for ensuring that Council meets all legislated compliance and reporting requirements including the IP&R framework.

Executive Services supports the elected body of Councillors who represent the diverse interests of the town, villages, rural and business communities of the Shire. Budgets are allocated to ensure Councillors are able to undertake their civic duties effectively.

The review of the Blayney Shire Community Strategic Plan and Resourcing Strategy will be undertaken this year, as part of the Integrated Planning and Reporting framework.

## Human Resources

Council's Human Resources (HR) division coordinates and administers all aspects of the Council's human resources including:

- Human Resource Strategy
- Workforce Planning
- Recruitment
- Employee Training and Development
- Performance Management
- Compliance with statutory requirements
- Leadership Development
- Equality & Diversity Management
- Work-Life Balance
- Industrial and Employee Relations
- Workers Compensation & Injury Management
- Work, Health & Safety & Welfare
- Employee Assistance Program

HR is an internal service provider with a strong focus on ensuring that Council has the people and performance capabilities necessary to fulfil its corporate objectives.

The goal of HR is to provide quality and timely information and support services in all aspects of Council's HR function.

Council's annual training budget is developed by HR, in consultation with relevant departmental Directors and Managers to ensure that Councillors and staff are suitably trained and skilled to proactively deliver the full range of services that Council provides to its community and other stakeholders.

A key document that will be prepared this year is the 4 year Workforce Management Plan which is part of the Resourcing Strategy, to be approved by the newly elected Council.

## Risk

The WHS & Risk Coordinator facilitates the development, review and implementation of Council's Risk Management Strategy and processes. This includes leading and encouraging a culture of risk awareness across all aspects of Council's operations. A part of Council's Risk Management is the development, implementation and review of Work Health and Safety (WHS) programs, policies and procedures to ensure continuous improvement and compliance with WHS Legislation.

Council is a member of Statewide Mutual and participates in their risk management program. Council receives a participation incentive bonus and rebates based on claims experience. This funding, whilst discretionary, enables Council to implement Risk Management initiatives to reduce Council's exposure to risk. The Council's forecast annual Insurance Premium is \$446,322.

The StateCover WHS financial incentive is provided to Council to fund improvements in WHS performance particularly in areas identified by the StateCover Self-Audits and reviews. The Council's forecast annual insurance premium is \$138,107.

Incentive bonus improvement rebates for this forecast period will be subject to the current economic conditions and Council satisfying any performance criteria required to be met. Rebates received are for the provisions of improvements within Council on Risk and WHS matters.

## Administration & Customer Service

Council's Administration and Customer Services team is responsible for the provision of support to departmental staff within Council. It is also responsible for ensuring that the organisation meets statutory reporting requirements and the delivery of efficient and effective customer services to both Council and the community.

These services include the provision of:

- First point of contact customer enquiry services including prompt and accurate cashier services encompassing receipt of payments for rates, debtors, development applications, certificates and miscellaneous payments;
- Secretarial support, incorporating minute taking, preparation of correspondence and draft reports;
- Document control including scanning, registration and allocation of all correspondence to responsible staff; and
- Access to Council information services.

## Finance

Council's Finance team is responsible for the management of all financial aspects of Council's business. This includes daily functions such as accounts payable, accounts receivable, rating, general ledger administration, cash management, investment management, and tax compliance (GST and FBT). In addition, there are a number of major projects undertaken including the preparation of Council's Budget, Long Term Financial Plan, Financial Statements, Quarterly Budget Review Statements and other Integrated Planning and Reporting Framework requirements.

Finance is a support function for the Council team and is essential in ensuring that the provision of services by Council is cost effective, efficient, and financially sustainable in the long term. Finance is also responsible for aspects of financial governance and is the principal contact for both internal and external audit.

## Information Technology

Council's Information Technology (IT) team provides a professional service that supports the needs of staff and Councillors to deliver the IT Strategic Plan and functions with an operational budget of \$291,318. This includes telephone, software/licensing, hardware, mobile devices and Internet services. Third party IT consultants are engaged to deliver various projects including infrastructure upgrades, external websites, telephone and GIS services.

A planned capital budget for 2022/23 of \$94,500 includes projects to improve access control, smart technology and CCTV.

## Village Enhancement Program

The Village Enhancement Program budget of \$158,500 which is allocated to local community infrastructure improvement and renewal projects throughout the Shire. Council works with the Village Committees, Progress Associations and Hall Committees to determine those projects funded and for completion, in consultation with the respective Town/Village Community Plans.

The completion of individual Town and Village Community Plans, enables each Town and Village to determine a project list of community, tourism, heritage, cultural, public infrastructure, economic growth and environmental based projects. This program also has provision of \$20,000 for the Blayney Platform Arts Hub.

Council provides an additional \$10,000 which supports both Blayney Town Association and Millthorpe Village Committee for the reimbursement of Association incorporation expenses, Public Liability Insurance and administration costs.

Blayney Town Association	\$5,000
Millthorpe Village Association	\$5,000

## Tourism

Council reviewed and adopted the Tourism Destination Management Plan (2019-2023) which aims to promote Blayney Shire to grow the local and visitor economy. Council funds a Manager Tourism & Communications who coordinates activities across Blayney Shire and develops proactive strategies to build the visitor economy in the region. The role has the responsibility of working with local residents, businesses, tourism operators, volunteers, Council committees and community groups to develop a program of activities to promote the region, increase visitation and drive economic growth. Taking a leadership role and sharing expertise, building relationships and capacity of local business and operators to further develop the area.

Our goal is to support an overall Destination NSW objective to increase the number of visitors and extend the length of visitor nights in the local area, region and in NSW. Council plays an active role in driving visitor numbers through a multi-level collaborative strategy with key stakeholders. These stakeholders include local volunteers, individual tourism operators, community and village progress groups, Orange 360, Central NSW Tourism, Destination Network Country & Outback Region, Destination NSW and tourism industry associations.

A number of collaborative marketing campaigns are coordinated and promoted by Council supporting core themes of what the area stands for such as, four distinct seasons, heritage villages, events, art & culture, food & wine, landscape and sporting events.

2022/23 will focus on implementing the Reconnecting Regional NSW – Community Events Program following community consultation and engaging with community groups and creating partnerships with local businesses to set up Visitor Information Outlets which includes updating printed and digital marketing collateral for the Shire.

Ongoing tourism promotions and marketing includes social media (Facebook and Instagram), Australian Tourism Data Warehouse listings, e-newsletters, media relations, advertising, marketing material such as posters, flyers, brochures, tourism videos, maps, banners, tourism billboards, community notice boards, tourism infrastructure including village beautification, TASAC and navigational signage, promotions, events and workshops. Product development and continuous improvement is a focus to improve the visitor experience and encourage return visitation.

Regional partnerships and membership opportunities help to broaden promotional reach to drive the visitor economy and achieves economies of scale. Connections to industry groups, neighbouring Councils, Government Agencies, Central West Business HQ, Arts OutWest and the Regional Tourism Network Destination Country and Outback NSW.

Council is a member of regional tourism groups including Central NSW Tourism which covers 10 Local Government Areas across the Central West.

Blayney Shire Council also commits \$60,000 (plus CPI increase) per annum for 4 years to contribute to the destination marketing organisation for the region. Orange360 is a

partnership with Blayney, Orange and Cabonne Councils with the primary Key Performance Indicator to drive the value of our visitor economy by increasing visitor numbers and the level of activity they enjoy during their stay.

Council also supports the Blayney Shire with community development activities, event management, financial assistance and promotions of key civic events including Carcoar Australia Day, Millthorpe Markets, Newbridge Winter Solstice, Blayney Farmers Markets, agricultural shows, Sculptures by the Bush, Christmas lights decorations, Garage Sale Trail, business workshops and forums.

Blayney Shire Council has a Tourism Development Fund which provides support to both not-for-profit entities and local businesses to host events, produce marketing projects and create tourist attractions aimed to promote to grow the visitor economy in the Blayney Shire. The fund is open to all local businesses (individuals, partnerships and sole traders) and Incorporated Associations who are residents or who conduct their activities in the Blayney Shire Local Government Area.

Blayney Shire Council has a Tourism Marketing and Promotions budget of \$263,639 including the \$60,000 annual contribution to Orange360, \$10,000 for the Tourism Development Program, \$35,000 for marketing and promotions, \$7,500 Central NSW Tourism membership, \$10,000 for events and staffing.

## Blayney Shire Visitor Information Centre

Blayney Shire Council works with a team of volunteers from the Blayney Arts & Crafts Council to oversee and manage community and visitor information services at 'The Cottage' at 97 Adelaide Street, Blayney for a cost of \$34,723 per annum. Council supports volunteers with training, marketing material, information sheets, flyers, souvenirs, insurance costs and general support to help promote Blayney and its historic villages. Council supports the volunteer activities of the Information Centre (VIC) and maintains the building and grounds at The Cottage.

The Cottage is also leased, in part, to a local commercial café operation. The net operational budget for the Visitor Information Centre is \$9,848.



## Blayney Shire Community Centre

The Community Centre is a multipurpose, fully accessible function centre used for a variety of events including weddings, balls, school and sporting events, meetings, conferences, training and exhibitions. The facility can accommodate a range of different events up to 400 people. Facilities include a commercial kitchen, bar facilities, toilet amenities, stage and dance floor, and audio/visual.

The Community Centre may be configured into two separate meeting rooms (Chambers and Cadia Room) or half hall (Stage Room), if required. Wi-Fi is available to conference and event hirers. Off street car parking is also available.

The Community Centre is regularly booked by various businesses, government agencies, community groups, schools, sporting groups and individuals. Total expenditure forecast for operation of the facility in 2022/23 is \$131,103 and income for 2022/23 is forecast at \$16,700.

## Blayney OOSH Services

After School Care or Out of School Hours (OOSH) service is operated in the Blayney Shire and delivered by Cabonne Shire Council. It operates 5 days a week from 3.00pm to 5.30pm during school terms at Blayney Public School and at the Millthorpe School of Arts. Council makes an annual contribution of \$10,000 to assist its retention and sustainability in the Blayney Shire. The service is largely funded by the Australian Department of Education, Skills and Employment via the Child Care Subsidy and administration charges from parents.

## Blayney Library

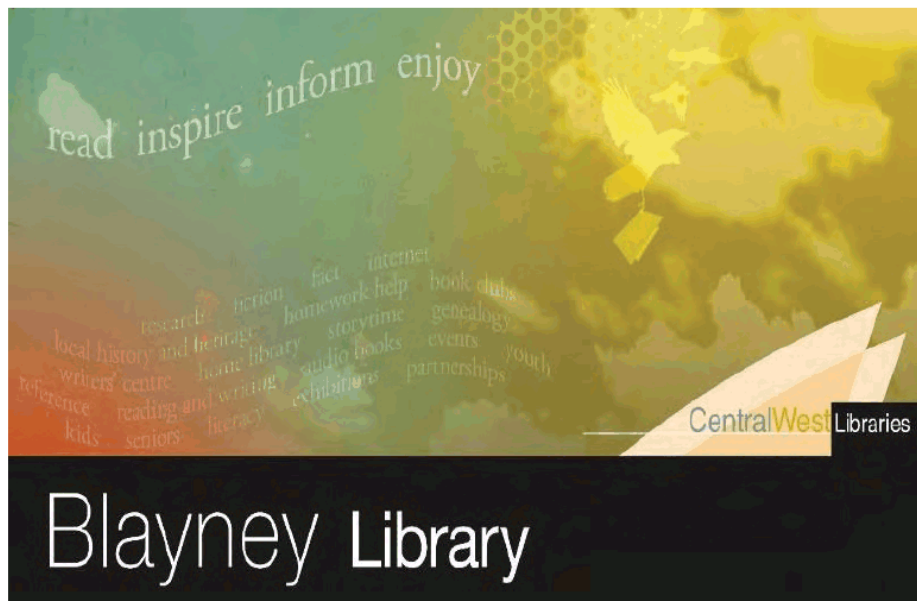
Council maintains the Blayney Library, located at 48 Adelaide Street, Blayney through its partnership with the Central West Libraries, that also delivers library services across Central West NSW in the Cowra, Cabonne, Forbes and Orange local government areas.

Council receives a subsidy of \$80,035 for provision of library services from the State Library of NSW. The library service attracts a budget of \$151,332 (Nett of subsidy) and has grown to provide more than just books to borrow, with modern libraries becoming a vital community asset where all ages can research information, access the internet and obtain social interaction.

Blayney Library carries a range of services for adults and children including:

- Fiction books
- Non-fiction books
- Audio books and magazines
- Online books and magazines
- Large print materials
- Newspapers
- Video collection
- Talking books and music CD's
- Local studies and family history resources
- A ready reference collection suited to homework and general needs.

A number of activities and programs are conducted through the Central West Libraries service to help promote the library services. Membership of the Blayney Library provides access to all Central West Libraries branches and online services.





## Youth Development

The Youth Development Program is responsible for encouraging, engaging and empowering youth across the shire, for the continued enhancement of long-term social, economic, and environmental conditions of their community.

The Youth Development program focusses on developing and building upon a culture of a positive youth community.

Council is able to raise community awareness of youth through local community youth-led action by:

- Engaging the youth in community decision making processes
- Advocating with and for young people relating to youth issues
- Identifying and addressing service gaps
- Creating connections between the youth of the Shire
- Working with young people at a community leadership level.

A major focus each year is the facilitation of youth activities to celebrate Youth Week across the Shire, funding of which is provided by the NSW Government and Council. The allocation for Youth Week is \$5,254 offset by a 50% subsidy each year and is dedicated to the Youth Week Grants program. This program enables community organisations across the local government area to seek grants for worthy projects that engage youth and provide young people with an opportunity to express their views and act on issues that impact on their lives.

## CentrePoint Sport & Leisure Centre

In 2020 Blayney Shire Council completed a \$4.8 million aquatic upgrade of the Blayney CentrePoint Sport and Leisure Centre (CentrePoint). The purpose of the aquatic upgrade was to renew and upgrade the swimming pools constructed in 1966; and the associated plant infrastructure and amenities of the Leisure Centre.

Key features of the aquatic upgrade included; renovation of toilets and change rooms, new pre/post shower area and raising the water level of all 3 pools to concourse level.

Accessibility was significantly improved through the installation of a new pool pod to the 25m pool, construction of a compliant access ramp to the middle pool and new unisex accessible toilet facilities which are also family change rooms.

Behind the scenes, the upgrade included a complete upgrade of the plant room and all pipework, installation of a new, modern water disinfection/filtration plant and the ability to separate the temperature control for each of the 3 individual pools.

Lap swimmers can now swim at the recommended 26° and the middle pool can enjoy water exercise and hydrotherapy up to a maximum 32°. The warmer water in the middle pool now comfortably caters for water aerobics and Learn to Swim classes; helping to prevent chattering teeth from the cold during lessons. The new toddler pool incorporating an aqua slide tower which assists and encourages younger children to experience water in a safe, interactive and fun environment.

With completion of the aquatic upgrade Blayney Shire now boasts one of the most modern and accessible aquatic facilities in regional NSW. The facility is fast becoming a destination, attracting patrons from Blayney, its villages and the wider region.

Council in addition to committing the investment for the aquatic upgrade project, also requested an operational review of all services and operations at CentrePoint be undertaken and completed whilst the aquatic area was closed for the upgrade. Council was concerned with declining membership numbers and financial impost of CentrePoint on Council operations as a whole. The review whilst the facility was closed provided an opportunity to identify efficiencies and consider means of increasing membership, users and revenue.

The operational review acknowledged whilst many Council's own and operate swimming pools (particularly outdoor ones for 6 months of the year), it is rare for a small rural Council like Blayney Shire to own and operate an entire indoor; aquatic Centre, sporting facilities and gym facilities in one complex which is open all year round.

The operational review concluded if Council retained the management, CentrePoint would not maximize or reach its full potential for; patrons, the community or Council.

Council subsequently resolved at the June 2020 meeting to appoint YMCA with a licence to provide the operational management of CentrePoint Blayney in 2020/21 with an option for 2021/22.

YMCA have created a culture and platform of industry specialist guidance and direction too existing local staff which is benefiting the health and wellbeing of Blayney Shire residents, particularly post COVID restrictions. Engagement of YMCA to provide operational management has introduced aquatic and leisure Centre expertise which has resulted in an increase in patronage and significantly improved financial performance of CentrePoint.

Learn to Swim enrolments have significantly increased from a budgeted 332 children to 537 children currently participating in the Learn to Swim and Squad programs. Swimming Pool visitation has also grown significantly.

The net operational cost of this facility including utilities and depreciation forecast for 2022/23 is \$945,646

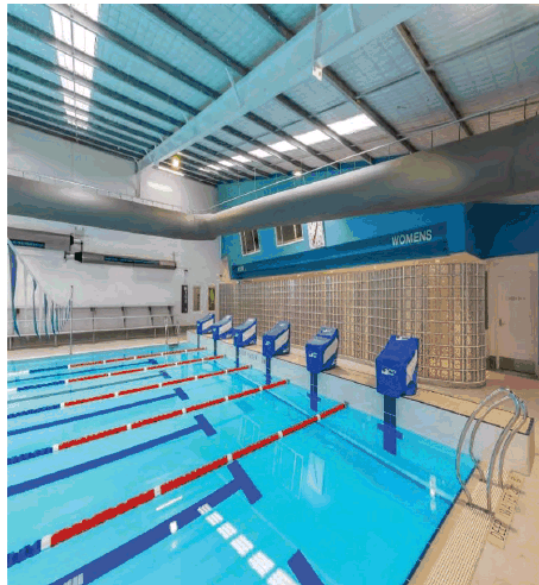
In 2021, Council undertook the \$1.8 million stage 2 – sustainability upgrade works, including;

1. Roofing works

- Installation of a new of new commercial grade thermally insulated roofing panel (3,200m<sup>2</sup>) with an R value of 4,
  - Installation of new fascia, gutters and flashings
  - Installation of new thermally efficient skylights over the pool hall
2. Electricity consumption improvements
    - Installation of 70kW PV Solar system to offset electricity consumption
    - Alteration of the heating parameters and cycles for the pool water heat pumps
  3. Water harvesting works;
    - a. Installation of new downpipes and stormwater pipes
    - b. Installation of 150,000L water tanks
    - c. Connection of water tanks to pant room and/or Carrington Park sprinklers
  4. New automatic sliding front entry doors.

The stage 2 works are forecast to save Council a minimum of \$49,574 annually in utility expenditure (electricity, gas and potable water).

Council at the March 2022 meeting resolved not to proceed to invite tenders for the operational management of CentrePoint due to extenuating circumstances (COVID 19 public health order impacts and stage 2 roof closure impacts) and to extend the current Management Agreement with YMCA, for a period of 2 years until 30 June 2024.



## Sports and Oval Facilities

Council maintains many recreational facilities that allow for the enjoyment of community and sporting associations, with a net Operational budget of \$529,856. The level of service may vary depending on the season and number of sporting events held. In summer months, irrigated sporting fields have increased mowing requirements for example.

There are varying levels of amenities that determine what the facility can cater for as outlined in the following table:

Facility	Service Description	Amenities and Facilities provided	What Council is responsible for	Annual Cost Exc. Depreciation
King George Oval Blayney	Premier	<ul style="list-style-type: none"> <li>- 2 irrigated fields</li> <li>- Turf wicket</li> <li>- 2 Grandstands</li> <li>- Track and Field facilities</li> <li>- Lighting</li> <li>- Scoreboard</li> <li>- Canteen</li> <li>- Toilets</li> <li>- Change Rooms</li> </ul>	<p><b>Weekly</b></p> <ul style="list-style-type: none"> <li>- Mowing</li> <li>- Ground preparation</li> <li>- Line marking</li> <li>- Irrigation inspection and maintenance</li> <li>- Toilets/Change rooms cleaning</li> <li>- Grandstand and surrounds</li> </ul> <p>Generally serviced weekly, more subject to booked events Annual soil amendments (Fertiliser / Top-dress)</p>	\$115,600
Redmond Oval Millthorpe	Premier	<ul style="list-style-type: none"> <li>- Lights</li> <li>- 1 irrigated field</li> <li>- Synthetic wicket</li> <li>- 2 Practice nets</li> <li>- Lighting</li> <li>- Canteen</li> <li>- Toilets</li> <li>- Change Rooms</li> <li>- BBQ's</li> <li>- Playground</li> <li>- Skate Park</li> <li>- 2 Tennis</li> </ul>	<p><b>Weekly</b></p> <ul style="list-style-type: none"> <li>- Mowing</li> <li>- Ground preparation</li> <li>- Line marking</li> <li>- Irrigation inspection and maintenance</li> <li>- Change rooms</li> </ul> <p><b>Daily</b></p> <ul style="list-style-type: none"> <li>- Toilet cleaning</li> </ul> <p>Generally serviced weekly, more subject to booked events Annual soil amendments (Fertilizer / Top-dress)</p>	\$63,000

Facility	Service Description	Amenities and Facilities provided	What Council is responsible for	Annual Cost Exc. Depreciation
Napier Oval Blayney	Main	<ul style="list-style-type: none"> <li>- 2 irrigated fields</li> <li>- Synthetic wicket</li> <li>- Lighting</li> <li>- Toilets/Change Rooms</li> </ul>	<p><b>Weekly</b></p> <ul style="list-style-type: none"> <li>- Mowing</li> <li>- Ground preparation</li> <li>- Line marking</li> <li>- Irrigation inspection and maintenance</li> <li>- Toilets / Change rooms cleaning</li> </ul> <p>Generally serviced fortnightly, more subject to booked events and season</p>	\$42,000
Dakers Oval Blayney	Main	<ul style="list-style-type: none"> <li>- 1 field</li> <li>- Synthetic Wicket</li> <li>- 3 practice nets</li> <li>- Toilets/Change Rooms</li> </ul>	<p><b>Monthly</b></p> <ul style="list-style-type: none"> <li>- Mowing</li> <li>Ground preparation</li> </ul> <p><b>Daily</b></p> <ul style="list-style-type: none"> <li>- Toilets / Change rooms cleaning</li> </ul> <p>Generally serviced fortnightly, more subject to booked events and season</p>	\$19,000
Blayney Showground	Main	<ul style="list-style-type: none"> <li>- 1 irrigated field</li> <li>- Multiple playing fields</li> <li>- Toilets</li> <li>- Showers</li> <li>- Canteen</li> <li>- Kitchen</li> <li>- Harness racing track</li> <li>- Central West Equestrian and Livestock Centre encompassing:                             <ul style="list-style-type: none"> <li>o Covered equestrian and livestock</li> </ul> </li> </ul>	<p><b>Fortnightly / Monthly</b></p> <ul style="list-style-type: none"> <li>- Mowing</li> <li>- Ground preparation</li> <li>- Line marking</li> <li>- Irrigation inspection and maintenance</li> </ul> <p><b>Weekly</b></p> <ul style="list-style-type: none"> <li>- Toilets cleaned</li> <li>- Equestrian arena preparation on an as needs basis</li> </ul> <p><b>Bi monthly</b></p> <ul style="list-style-type: none"> <li>- Mowing and inspections main surrounds/livestock and equestrian areas</li> </ul> <p>Generally serviced monthly, more subject to booked events and season</p>	\$117,100



Facility	Service Description	Amenities and Facilities provided	What Council is responsible for	Annual Cost Exc. Depreciation
Carcoar Sportsground	Local	<ul style="list-style-type: none"> <li>- 1 field</li> <li>- Lighting</li> <li>- Toilets</li> <li>- Change Rooms</li> <li>- Multi-purpose court</li> <li>- Playground</li> <li>- BBQ</li> </ul>	<p><b>Daily</b></p> <ul style="list-style-type: none"> <li>- Toilets cleaned</li> </ul> <p><b>Monthly</b></p> <ul style="list-style-type: none"> <li>- Mowing</li> </ul> <p>Generally serviced monthly, more subject to season, line marking dependent upon booked events</p>	\$5,000
Lyndhurst Recreation Ground	Local	<ul style="list-style-type: none"> <li>- 1 field</li> <li>- Synthetic wicket</li> <li>- 2 Practice nets</li> <li>- Multi-purpose court</li> <li>- Playground</li> <li>- Toilets</li> <li>- Canteen</li> <li>- Dump Point</li> <li>- BBQ</li> </ul>	<p><b>Weekly</b></p> <ul style="list-style-type: none"> <li>- Toilets cleaned</li> </ul> <p><b>Monthly</b></p> <ul style="list-style-type: none"> <li>- Mowing</li> <li>- Dump Point emptied when required</li> </ul> <p>Generally serviced monthly, more subject to booked events</p>	\$15,000

User Agreements are entered into with individual sporting clubs / associations for each facility identifying the period / time of use and fees paid in accordance with Council's fees and charges.

User fees are determined based upon Council's pricing principal to recover a minimum 8% of the annual operations cost for the individual facility.

## Parks and Open Spaces

Council manages a total of 15 Parks and 16 Open Spaces across the Shire. Council's budget allocation excluding depreciation for these works is \$993,954. Council focuses its efforts on parks, with cleaning of amenities, maintenance of play equipment, soft fall, tree pruning, weed management, and mowing.

Carrington Park, Redmond Oval and Heritage Park are inspected weekly. All others are inspected monthly.

Council's secondary focus following its established parks is the maintenance of the various open spaces across the Shire. Council's maintenance of these areas consists of

mowing/slashing, tree pruning, and weed management. Council endeavours to keep these areas tidy, as they are often located towards the entrances of town. Due to the varying growth rates depending on the given season, and the ability to access these during wet periods, areas may go unmaintained for a number of months as Council focuses on its Parks and Sporting facilities.

Cleaning of toilets, BBQs and removal of rubbish is undertaken on a daily or weekly basis on weekdays only. Any weekend or additional cleaning is on an as needed basis subject to special events, where Council has been notified and suitable arrangements put in place.

Environmental plantings and regeneration programs are an important component of many of the town and village parks, along creeks, adjoining native vegetation areas and open reserves including Pound Flat in Carcoar, cemeteries and the open space corridors from Dakers Oval to Heritage Park.

Street verges across the Shire are the responsibility of the property owner to maintain. Depending on the growth rate through the season, and availability of resources, Council may undertake some maintenance of verges throughout the Shire on an ad-hoc basis. This work is specifically excluded in Council's annual plan and is only undertaken as resources allow.

Trees are inspected and audited with pruning undertaken on an annual basis where required. New trees are regularly watered and community support is essential with watering for longevity and survival of new plantings.





<b>Parks and Open Space</b>	<b>Playgrounds</b>	<b>Public Toilets and/or BBQs</b>
<b>Town or Village and Service Regime</b>		
<b>Blayney – Daily (cleaning and maintenance)</b>		
– Heritage Park	– Heritage Park	– Heritage Park
– Carrington Park	– Carrington Park	– Carrington Park
<b>Blayney – Weekly (cleaning and maintenance)</b>		
– Albert Cook		
– Innes Park		
– Gilchrist Street		
– CentrePoint		
– Billy Soo		
– Church Hill		
– Frog Hollow		
– Medway Street		
– Cowra Road		
– Bathurst Road		
– Orange Road		
– Industrial Area		
– Depot		
– Hobbys Yards Road		
– Council office precinct		
– Presidents Walk		
– Goose Park		
– Belubula River Walk		
– Blayney Tennis Court Surrounds		
<b>Millthorpe - Daily (cleaning and maintenance)</b>		
– Redmond Oval	– Redmond Oval	– Redmond Oval
		– Railway Station
<b>Millthorpe - Weekly (cleaning and maintenance)</b>		
– Mill Green		
<b>Neville - Weekly (cleaning and maintenance)</b>		
– Memorial Park	– Memorial Park	– Memorial Park
<b>Newbridge - Weekly (cleaning and maintenance)</b>		
– Showground	– Showground	– Showground
<b>Barry - Weekly (cleaning and maintenance)</b>		
– Community Hall	– Community Hall	– Community Hall
<b>Mandurama</b>		
– Recreation Ground	– Recreation Ground	– Recreation Ground
<b>Carcoar - Daily (cleaning and maintenance)</b>		
– Sportsground	– Sportsground	– Sportsground
– Kurt Fearnley	– RFS Fire Shed	– Kurt Fearnley
– RFS Fire Shed	–	– RFS Fire Shed
– River Park		
– Pound Flat		
<b>Lyndhurst - Daily (cleaning and maintenance)</b>		
– Capital Park	– Capital Park	– Capital Park
– Recreation Ground		– Recreation Ground

## Roads

Roads within the shire are maintained by Council subject to the road classification and condition hierarchy and service level.

In 2022/23 Council has forecast funding for roads via the following:

Federal Financial Assistance Grant (FAG's) Roads Component	\$941,591
Federal or State Government Capital Project Grants	\$1,982,914
Transport for NSW (TfNSW)	\$345,000
Mining Special Rate Variation (SRV)	\$1,731,375
<b>TOTAL</b>	<b>\$5,000,880</b>

Council has submitted joint applications with Bathurst and Cabonne to the Independent Panel for the Regional Road Transfer and NSW Road Classification Review, proposing the reclassification of Hobbys Yards Road from Regional Road to State Road status, and Vittoria Road from Local Road to Regional Road status.

## Local Roads – Sealed

Blayney Shire Council has full responsibility for maintenance of local roads with funding sourced from the Federal Financial Assistance Grant's (FAG's) Roads Component, Federal Roads to Recovery and Council Rates including the Mining Special Rate Variation (SRV). In addition to these recurrent funding sources, Council also seeks and receives grant funding for specific projects from State and Federal Governments, and industry partners.

There is 337km of sealed Local Roads in Blayney Shire, the major ones being Forest Reefs Road, Vittoria Road, Mandurama Road, Newbridge Road, Barry Road, Moorilda Road, and Browns Creek Road. In 2019/20 Council undertook a condition assessment of the entire local sealed road network. The assessment determined the condition of the underlying pavement and the road seal condition. The next condition assessment is scheduled for September 2022.

The pavement conditions within Council's sealed road network assessed in late 2019 were as follows:

Rating	What does this mean	% of Road Network	Total km
1	<b>As New:</b> New or recently constructed pavement.	28.4	95.5
2	<b>Good:</b> Requires only minor maintenance (pot hole patching) plus planned maintenance (drainage).	65.4	220.4
3	<b>Fair:</b> Requires ongoing significant maintenance (heavy patching / sealing)	5.1	17.1
4	<b>Poor:</b> Significant renewal (structural rehabilitation / extensive heavy patching) required and sealing.	1	3.4
5	<b>Very Poor:</b> Requires full rehabilitation / reconstruction (drainage and seal).	0.2	0.5

The seal conditions within Council's network were assessed as follows:

Rating	What does this mean	% of Road Network	Total
1	<b>As New:</b> New or recently placed seal.	70.4	236.2
2	<b>Good:</b> Requires only minor maintenance (pot hole patching)	16.1	54
3	<b>Fair:</b> Requires ongoing significant maintenance (pot hole patching) and resealing required in short term.	6.5	21.7
4	<b>Poor:</b> Significant renewal (new seal) required	4.8	16
5	<b>Very Poor:</b> requires full rehabilitation. Likely to require pavement rehabilitation also).	2.4	7.9

The condition assessment is programmed to be undertaken again as part of the 2023/24 Operational Plan, and on a three yearly cycle thereafter.

Between cycles, Council regularly undertakes inspections of the network to review priorities based upon the road segment condition for pavement and seal. This further enables Council to better target renewal/rehabilitation works that may include:

- Rehabilitation/reconstruction
- Resealing
- Heavy patching
- Line marking

The objective of Council's Operational Plan is to ensure that the condition of the overall network is rated as 3 or better.

In 2022/23, Council will refine the Roads Strategy to improve its identification/prioritisation of capital renewal/rehabilitation works. The Roads Strategy assesses and rates roads according to the following factors:

- Road Hierarchy
- Traffic volume, including Heavy Vehicle usage
- Road width
- Whether it is a bus / school bus route
- Road crash data and risk profile
- Route function (i.e. through road or not)
- Speed environment, and
- Road condition, including maintenance costs

Planned maintenance is used to minimise any decline in the condition ratings across the network. Routine works include:

- Pothole patching
- Tree maintenance
- Slashing
- Guidepost replacement
- Sign maintenance
- Drainage maintenance
- Culvert maintenance
- Shoulder maintenance

In 2022/23, Council has allocated funding for the following works:

- The continued rehabilitation of Carcoar Street Blayney - \$932k (Total project budget is \$2.97 million and commenced in 2020/21)
- Carbine Road - \$1.15 million
- Rehabilitation/heavy patching of 3.7km of Panuara Road at a total budget of \$1.92 million
- 4kms of heavy patching
- Resealing of up to 19km of roads

## Local Roads – Unsealed

The next level of road are Local Roads - Unsealed which Blayney Shire Council also has full responsibility of, with funding sources including the Federal FAG's Roads Component, Federal Roads to Recovery funding and Council Rates including the Mining SRV. There is 348km of unsealed Local Roads in Blayney Shire the major ones being Neville-Trunkey Road, Old Lachlan Road, Beneree Road, Gap Road and Village Road.

The capital works program of sealing those unsealed roads which have been determined as strategically significant is funded from the Mining SRV and NSW Government.

The sealing of unsealed urban roads is not considered in the Roads Strategy, but annually by Council on a case by case basis.

Similar to the sealed network, Council regularly undertakes inspections and assesses each roads ride quality, % gravel remaining, and the cross-section profile of the road. These three factors are aggregated to determine the overall condition of the road. Given the sometimes rapidly changing condition of an unsealed road due to factors such as persistent heavy rain, works are determined on an ongoing basis utilising the best information available at that time. To minimise the cost of constantly moving equipment around the Shire, Council crews also conduct maintenance works in the nearby vicinity as a proactive 'stop gap' measure before they reach the intervention level. However, this does not necessarily mean that all roads in an area will receive maintenance at that time.

Council has budgeted this current financial year an allocation of \$600,800 for the maintenance grading of unsealed roads, and \$390,000 for gravel re-sheeting. This money is predominately utilised for the gravel re-sheeting works across the network and Council is able to deliver approximately 22 kilometres of gravel re-sheeting and 390 kilometres of maintenance grading throughout the year. We have one full time Road Maintenance crew, which includes a Grader, Roller, Water Cart and Traffic Control support as required.

Whilst there is no set frequency for grading, generally it would vary from once every 3-4 months for a major route, to potentially up to 3-4 years for some of the minor roads. Council's methodology for maintenance of unsealed roads is to intervene when a road reaches a particular condition level, depending on the classification. To facilitate this, Council undertakes routine inspections of its gravel road network, with inspection times varying from 2 to 6 months.

Specific complaints regarding road conditions prompts a reinspection, so Council encourages property owners to report a hazard or deterioration of a gravel road so that repair works may be scheduled. Road safety is a key priority of Council and staff continually conduct regular maintenance works and look for innovative ways to improve the quality of our roads whilst striving to find efficiencies that add value for money to our rate dollar.

In 2022/23, Council will continue to refine the Roads Strategy to improve its appraisal of upgrade works to the unsealed network.





## Regional Roads

There are 44.2 km of Regional Roads of which the maintenance, and repair is funded by the NSW Government and some contribution from Council. These roads are the arterial roads between regional centres, and heavy freight routes. Council's Regional Roads are Hobbys Yards Road, Belubula Way, Marshalls Lane and Gerty Street (serving the intermodal facility).

Council receives contributions for these roads, which cover a large proportion of the required expenditure. An annual allocation of approximately \$345,000 is provided for maintenance on these roads. This money covers pothole patching, slashing, sign and guidepost maintenance, heavy patching, reseals, and contributes to larger reconstruction projects.

There is also an annual competitive funding program for reconstruction projects. Council submits proposals to this program every year, with funding awarded based on a value system. Council has submitted a proposal for \$700,000 in 2022/23 to replace the culvert over Icely Creek on Belubula Way. Council's Roads Strategy includes the appraisal of the Regional Roads network.

In 2022/23, Council has allocated funding for the following works:

- The replacement of the culvert over Icely Creek on Belubula Way.

## State Roads

Council does not maintain the State Roads within the Blayney Shire Council area. Both the Mid-western Highway, and Orange Road are managed and maintained by Transport for NSW.

## Street Lighting

Council is responsible for the operational costs associated with street lighting within the Blayney Local Government Area. The asset and maintenance of the street lighting network are the responsibility of the electricity network provider, Essential Energy.

The street lighting luminaires are LED and provide a more sustainable and greener solution to traditional luminaires.

The forecast operational budget for 2022/23 is \$78,000.

## Footpaths

Council maintains a 37km network of footpaths and shared paths, which increased by 1km over the last year. Minor maintenance repairs include; concrete grinding, minor slab replacements (generally less than 2 metres) and vegetation control. The objective of these maintenance activities is to remove trip and slip hazards, control vegetation encroachment and minimise edge drops within a pathway segment.

The whole footpath network is inspected annually to identify maintenance issues and provide a condition rating for each segment of footpath. The CBD areas of Blayney and Millthorpe are assessed twice yearly. Maintenance issues are assessed and repaired on a risk management basis, in accordance with the Statewide Mutual Best Practice Manual; Footpaths (Nature strips, medians and Shared Paths). Maps of each village and town identifying strategic projects are presented in Council's long term Active Movement Strategy.

The forecast operational budget including depreciation is \$123,700. A capital budget totalling \$2,661,192 is divided into Renewals (\$48,737) and New/Upgrade works (\$2,612,455), including \$471,200 for Stage 4 of the Belubula River Walk, extending from Stage 3 at Charles St to Stillingfleet St and Heritage Park. This will provide an additional 405 metres of new shared pedestrian access within our town and villages.

## Sewerage Services

Blayney Shire Council has sewerage networks in both Blayney and Millthorpe with an operational budget of \$1,702,663. These systems currently service a population of approximately 4,000 people.

It is the Council's responsibility to ensure both human health and the environment are protected from wastewater produced through our sewerage system. The NSW Environmental Protection Authority (EPA) require Council to have a license to enable discharge of the sewage to the environment. However, the sewage must go through a treatment process and meet key criteria prior to discharge into the environment. The EPA Licence outlines the criteria the treatment process and the locations for discharge.

The Blayney Sewerage Treatment Plant (STP) is located on the southeastern outskirts of Blayney on Hobby Yards Road. The STP receives sewage from both Blayney and Millthorpe sewerage networks. On an average dry day, the STP treats approximately 800 kilolitres.

The original STP was constructed in 1966 and included a Biological filter (trickling filter) with a capacity of 2,100 equivalent persons (EP). The old system was replaced by an Intermittently Decanted Extended Aeration, activated sludge treatment plant in 1989, with a capacity to extend to 7,000 EP. The STP fully treats all predicted inflows to comply with the EPA licence targets, and has excess capacity based on future design load.



Once treated the sewage is known as treated effluent, and subject to relevant approvals and treatment processes can be reused for a variety of purposes. Council, under an agreement previously supplied treated effluent to Newcrest, however in 2019 this agreement ceased and Council redeveloped the old wetlands to further treat the effluent before discharging to the Belubula River. Council now has a recycled water treatment plant that further processes the treated effluent and provides recycled water for construction purposes and irrigation water to Napier and King George Ovals.

Each year, Council is required to submit an annual report to EPA on performance and compliance of the STP and sewer network, in accordance with its licence conditions. A fee is charged to property owners within the area serviced by the system, to enable Council to deliver this service to the community. Fees are identified in Council's Annual Fees & Charges.

In 2014, Council completed a Strategic Business Plan (SBP) for the sewerage services of the Shire. This plan helps to identify the level of service, management and financial planning to operate and maintain the sewerage network. The SBP identifies a 30 year Capital Works Program to renew ageing infrastructure. The SBP was programmed for review in 2018/19, however is now to be undertaken in 2022/23.

The sewerage infrastructure capital works budget for 2022/23 is \$190,468. The major project for the year is telemetry upgrade budgeted to cost \$75,000. Renewal works are expected to continue to include CCTV of our gravity network to identify suitable locations for pipe relining and manhole repairs.

## Blayney Waste Facility

There is one operational waste facility within the Shire, the Blayney Waste Facility, which is located at 4165 Mid-Western Highway, Blayney. The Blayney Waste Facility is open 7 days a week, excluding Christmas Day, New Year's Day, Good Friday and Easter Sunday.

Fees and charges for both domestic and commercial waste collection, tipping fees and waste management levy are presented in the Fees and Charges sections later in this document. The operational management of Blayney Waste Facility is under contract to Hadlow Earthmoving until 30 June 2028.

In July 2018, a Waste Management Levy was introduced to all properties which more equitably shares the operational cost for Waste Management Services across the Blayney Shire to all ratepayers. The levy contributes towards costs of operating the Blayney Waste Facility, processing of materials, disposal of rubbish in public litter bins, Village recycling bins and the cost increase to process recyclable materials, being incurred not only at a local but global level.

The Waste Collection Service (WCS) comprises of a weekly waste collection service and a fortnightly recycling collection service to 2,966 premises (both domestic and commercial) throughout the Shire. An annual Bulky Waste collection is also provided to the properties that have the WCS. The WCS is provided to Blayney and all villages

throughout the Shire and rural premises along the collection runs between each village and is currently contracted to JR Richards until April 2026.

Council must meet all environmental compliance standards and guidelines for all waste facilities and collection services which is licenced and regulated by the NSW Environmental Protection Authority (EPA).

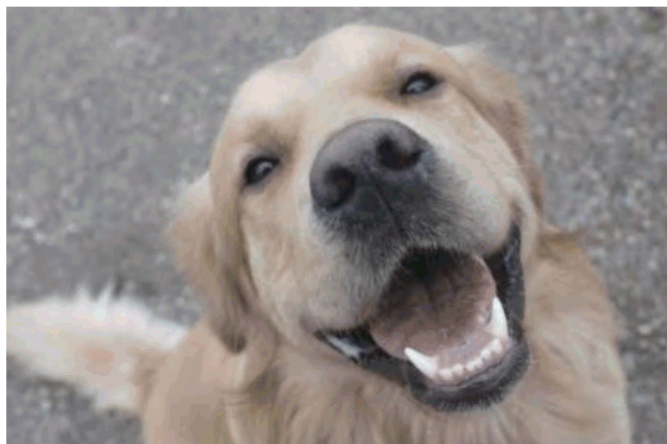
Council is a voluntary member of NetWaste, formed as a voluntary regional waste group in 1995 to provide a collaborative approach to waste and resource management. NetWaste comprises 25 member councils. NetWaste oversees various regional waste related contracts including; landfill monitoring, timber and green waste mulching, e-waste collection, chemical collection, recyclables collection and steel metal collection on an as needs and project basis.

Waste Services operates on a full cost recovery basis from user charges to fund all operating and capital expenditure, in addition to provision for future landfill remediation expenses. The forecast total cost in 2022/23 for Waste Services is \$1,533,042 with an estimated projected income total of \$1,537,634. An externally restricted reserve is held to fund waste related activities, capital projects and landfill remediation and has a current balance of \$992,182.

## Animal Control

Council operates an animal pound within the Shire and also maintains a stock impound facility. The Animal Control function is coordinated by Council's Ranger who undertakes a wide range of duties including animal control, daily operation and maintenance of the pound and regulation of companion animals and off-leash areas.

The forecast operational budget for 2022/23 is \$108,054.



## Town Planning

Council's Planning & Development team are responsible for leading, planning, delivering and managing development control in the Blayney Shire. The overarching legislation for planning in NSW is the Environmental Planning and Assessment Act. In 2021, Council received, assessed and determined, 186 applications with a combined value of \$39.8m (note: 1 DA was \$18m).

During 2021, Council responded to 535 preplanning enquires and issued 326 planning certificates.

The Planning & Development team are also responsible for strategic planning. Strategic Planning includes preparation of key strategic planning documents including; Planning Proposals, Blayney Cabonne & Orange Subregional Rural and Industrial Lands Strategy, Blayney Settlement Strategy, Local Strategic Planning Statement, Community Participation Plan, Development Control Plan.

The forecast operational budget net of income for 2022/23 is \$183,105.



## Cemeteries

Council is responsible for the management of 7 cemeteries, with niche walls located for ashes in 6 sites. Council is also responsible for the maintenance, interments, record keeping and liaison with funeral directors in relation to these cemeteries.

Cemeteries are mown once a month, and increased depending on season and subject to funerals as required with a more flexible approach provided to meet residents and family needs.

Cemeteries cared for and maintained by Council include Blayney, Millthorpe, Carcoar, Lyndhurst, Hobbys Yards, Neville, and Newbridge. Council also maintains Shaw cemetery that is no longer in service.

The forecast operational budget net of income for 2022/23 is a \$15,205.

## Health & Food Control

Council employs staff who specialise in environmental health activities to carry out a broad range of inspections from an educational and enforcement perspective.

Council has been a part of the NSW Food Regulation Partnership which was introduced in NSW in 2003. The Partnership defines the responsibilities of the New South Wales

Food Authority and NSW Councils in relation to food safety issues.

Blayney Shire Council, as a Category B Council, is required to conduct inspections of retail food businesses to ensure compliance with the Food Act 2003 and Food Safety Standards 3.2.2 and 3.2.3

The forecast operational budget net of income for 2022/23 is \$9,673.

## Priority Weeds

Upper Macquarie County Council are responsible for weed control and management in the Blayney Shire. Upper Macquarie County Council is a single purpose local government authority, established by the under s.387 of the Local Government Act 1993, as the control authority for biosecurity weed threats (formerly known as noxious weeds) that also encompass the areas of Bathurst Regional, Lithgow City and Oberon Councils.

The County Council covers a region of approximately 13,500 square kilometres with a population of over 77,000 people in a very diverse area which includes productive agricultural lands, forests and large areas of national park.

Council pays an annual contribution for this function and the forecast operational budget for 2022/23 is \$99,347.

## Contributions to Emergency Services

Blayney Shire Council contributes to the Rural Fire Service (RFS) and the State Emergency Service (SES) for their role within the Local Government Area. This is as part of a partnership with various government agencies in relation to disaster planning and emergency response.

- The forecast 2022/23 annual contribution for RFS is \$315,000.
- The 2022/23 annual contribution for SES is \$44,929.

Council has a Local Emergency Management Committee that is currently chaired by Council's Director Infrastructure Services, who also provides executive support to the Committee as the Local Emergency Management Officer (LEMO). The role of the LEMO is to advise, support and assist the Local Emergency Operations Controller, to monitor, control and coordinate emergency response operations as necessary.



## Community Financial Assistance Program – S.356 Donations

Blayney Shire Council has developed the Community Financial Assistance Program to assist the not-for-profit groups that offer a significant contribution to the social, economic and/or environmental well-being of the community. Under s.356 of the Local Government Act, Council may, in accordance with a resolution of Council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

Financial assistance to community organisations is provided in 2 categories:

- a) Recurrent Annual Donations. These are donations made to community organisations on an annual basis to assist financially with specified outgoings (such as public liability insurance), the waiver of council rates and charges, a school activity, or the holding of a regular community event or cultural activity.

The amount of these donations for each organisation or event is approved by Council in its annual budget contained in the Operational Plan, as listed later. The General Manager may approve other donations to an organisation or event under delegated authority, provided the donation is consistent with the guidelines, within budget and reported to Council via the next available Financial Assistance Committee meeting.

- b) One-off financial assistance. This assistance is provided for projects involving the construction, maintenance or repair of community facilities, purchase of equipment, or organising and conducting of local events and functions. In each case having demonstrated broad community benefit and support. Under this category community organisations are eligible to receive Council funding via a competitive submission process. Applications are called in November and May via a public notice published in the local newspaper and on Council's website / social media channels.

Council has budgeted \$100,000 towards the Community Financial Assistance Program with funding supplemented from unexpended funds from previous years as required. The prior year unexpended funding component is anticipated to be approximately \$32,000. An amount of \$55,000 is allocated per the following table of financial assistance for 2022/23 while \$45,000 is proposed for distribution in the 2 rounds to be offered in 2022/23.

### COMMUNITY FINANCIAL ASSISTANCE PROGRAM - 2022/23

The below legend relates to the types of assistance proposed.

Legend	
D= Waste Service Charges	S= Sewer Connection Charge
W= Waste Levy/Availability charge	S (50%)= 50% Sewer Connection Charge
R= Council Rates	I= Financial Assistance for Public Liability Insurance
E= Events support	O= Other



INSURANCE CONTRIBUTIONS		
Recipient	Type	Contributions
Lyndhurst Soldiers Memorial Hall	I	1,120
Newbridge Progress Association	I	870
Millthorpe School of Arts	I	900
Blayney Shire Arts & Craft Inc.	I	700
Hobbys Yards Community Association	I	1,110
Blayney Shire Community Mens Shed (50% contribution)	I	340
Millthorpe & District Historical Society	I	315
Barry Progress Association	I	700
		<b>\$6,055</b>
SCHOOL AWARDS & SPORTING RELATED ASSISTANCE		
Recipient	Type	Contributions
Millthorpe Primary School	A	100
St Joseph's Primary School Blayney	A	100
Blayney Public School	A	100
Blayney High School	A	100
Carcoar Public School	A	100
Neville Public School	A	100
Lyndhurst Public School	A	100
Mandurama Public School	A	100
Sporting Related Financial Assistance	A	1,000
		<b>\$1,800</b>
RATES AND CHARGES CONTRIBUTIONS		
Recipient	Type	Contributions
Carcoar Dam Sailing Club Incorporated	RW	530
Carcoar Historical Society	RW	845
Hobbys Yards Hall	RW	675
Mandurama CWA	RW	605
Stringybark Craft Cottage/ Gladstone Hall	RW	675
Tallwood Hall	R	722
Orange RSL (Blayney RSL Hall)	RSW	1,905
Millthorpe CWA	R/S	1,890
Carcoar School of Arts	RW	820
Lyndhurst Soldiers Hall	RW	680
Millthorpe & District Historical Society	RSW	4,880
Millthorpe School of Arts	RSW	2,250
Anglican Church Blayney	S (50%)W	385
Anglican Church Millthorpe	S (50%)W	445
Catholic Church Blayney	S (50%)W	385
Catholic Church Blayney (Old Church)	DW	164
Presbyterian Church Blayney	S (50%)W	445
Uniting Church Blayney	S (50%)W	445
Uniting Church Millthorpe	S (50%)W	445
Neville Hall Trust	DW	170
Mandurama Public Hall Reserve	DW	170
St Andrews Prebsyterian Church – Mandurama	W	44
St Davids Prebsyterian Church – Moorilda	W	44
Neville Prebsyterian Church – Neville	W	44

St Pauls Carcoar Community Facility	W	164
Carcoar P&H Society	W	44
Carcoar Historic Reserve Trust (Carcoar Courthouse)	W	940
		<b>\$20,811</b>
<b>COMMUNITY EVENTS/CULTURAL ACTIVITIES</b>		
<b>Recipient</b>	<b>Type</b>	<b>Contributions</b>
Lifeline Central West	O	500
Bathurst Broadcasters (Blayney Sports Awards)	O	1,000
CWA - Central West Group - Schools Public Speaking Competition	O	300
Blayney Shire Community Mens Shed (Licence rental)	O	535
Lyndhurst RSL - Anzac Day (Band)	E	650
Lyndhurst RSL - Remembrance Day (Band)	E	150
Textures of One Acquisitive Prize	E	1,000
Blayney Community Baptist Church (Carols at Carrington)	E	1,000
Newbridge Progress Association (Winter Solstice - Portaroo hire)	E	1,830
Carcoar Village Association (Australia Day Fair)	E	940
Carcoar Hospital Museum (Down to Earth Gardening Expo - Seats)	E	275
Carcoar P&H Association (Mowing & Waste Services - Show)	E	850
Blayney A&P Association (Waste Services)	E	485
Newbridge Swap Meet (Waiver of Council services)	E	285
Newbridge Winter Solstice (Waiver of Council services)	E	1,240
Neville Showground Trust (Mowing services - Show)	E	830
Neville Showground Trust (Mowing services – Horse sports event)	E	1,800
Millthorpe Markets (2 events - Waiver of Council fees)	E	2,000
MillFest (Waiver of Council fees)	E	1,000
Millthorpe Fire Festival (Waiver of Council fees)	E	920
Orange RSL / Lyndhurst RSL (Traffic Management)	E	1,060
Bathurst Old Boys Rugby Union (Carcoar Sportsground)	E	475
St Joseph's Primary School - Grandparents Day (Comm. Centre Hire)	E	183
Can Assist Annual Fundraiser (Community Centre hire)	E	291
Can Assist (Meeting venue hire)	E	561
Blayney Shire Arts & Craft Inc. (Meeting venue hire)	E	561
Probus Club of Blayney (Meeting venue hire)	E	561
Lee Hostel (Community Centre hire)	E	561
Food of Orange District Inc. - Autumn Grazing (Comm. Centre Hire)	E	678
Heritage Schools Art Show (Meeting venue hire)	E	549
Blayney Woolcraft and Hobby Group (Meeting venue hire)	E	1,020
Blayney Red Cross (Meeting venue hire)	E	561
Blayney Local and Family History Group (Meeting venue hire)	E	561
Blayney A&P Association (Meeting venue hire)	E	561
Inner Wheel Club of Blayney (Meeting venue hire)	E	561
		<b>\$26,334</b>
<b>TOTAL</b>		<b>\$55,000</b>

Council also has the following programs that offers assistance in the form of grants:

- Tourism Events Development Fund \$10,000
- Youth Week Grants Program \$ 5,000
- Heritage Assistance Fund \$12,000

## Framework – Community Strategic Plan (CSP)

The Community Strategic Plan (CSP) is a community document with priorities and aspirations for the future of the Shire for the next 10 years. Following the extensive community consultation with local residents undertaken in 2017, at various stages with our review of the Village Plans in 2021, recent Millthorpe and Blayney Mainstreet Masterplans in 2022; and the 319 respondents to our Council Services survey in 2021, a review of the Blayney Shire CSP 2018 has been completed.

The vision established for Blayney acknowledges our communities; of the town, villages and settlements as supportive and welcoming to those who live here and also those who visit. With beautiful and productive landscape, a showcase of how agriculture, mining and industry can work together for the greatest good. An area where there is both space and time to make and live your dreams!

Sourced from local level Town and Village Community Plans, Council's Local Strategic Planning Statement, Settlement Strategy, Sports and Recreation Masterplan, Active Movement Strategy and many other strategic planning documents of the Blayney Shire the collective aspirations and objectives are grouped into a number of overarching strategies categorised under the themes of:

1. Maintain and Improve Public Infrastructure and Services
2. Build the Capacity and Capability of Local Governance and Finance
3. Diversify and Grow the Blayney Shire Local and Visitor Economy
4. Enhance facilities and networks that support Health and Wellbeing of the Community, Sport, Heritage and Cultural interests
5. Protect Our Natural Environment

The CSP essentially addresses four key questions for the community:

- Where are we now?
- Where do we want to be in ten years' time?
- How will we get there?
- How will we measure success?

The CSP, belongs to the community and is endorsed by Council to address civic leadership, social, environmental and economic issues.

It is important to note that while Council is the custodian of the CSP, it may not be responsible for the delivery of all of the activities the Plan identifies. To this end, the CSP identifies what role Council plays and how other partners such as State agencies, non-government organisations, business partners and community groups may be included.

Projects which Council has a role in delivering are found in the Delivery Program with specific timeframes, and responsibilities which are actioned by specific projects and delivered services/programs/activities in the Operational Plan. At the end of each Council term a report is prepared by Council to the community which examines what progress has been made towards the achievement of outcomes identified in the CSP.

## Our Vision

A busy, vibrant and thriving rural shire – a friendly and open place where people choose to live with a strong sense of community spirit and cohesiveness. With positive population growth, employment opportunities, increased diversity of industry and economic growth, Blayney Shire's township, villages and settlements will be dynamic and prosperous, welcoming those who live here and also those who visit. Our families and homes will continue to be safe within our caring and inclusive communities.

Irrespective of ability we will all enjoy the outdoors and facilities, improving our health and lifestyle whilst participating in a range of sporting and recreational activities. Growth will be achieved in a sustainable manner with industry, coexisting with the productive farming land, open space, protecting the environment and restoring as a feature of our built and natural heritage. As the quintessential rural shire with Indigenous and

European settlers influencing our architecture, agricultural and mining heritage we will celebrate our history, culture and rural lifestyle in style. As a picturesque, conveniently located area of the beautiful central west of NSW we are a significant contributor to the visitor economy of the region; with a creative and artistic culture, food and wine, historic villages and four seasons. Blayney Shire will be engaged, proactive and acknowledged for undertaking major projects and delivering valuable services, collaborating at a regional, state and national level.

## Our Values

The people who live in Blayney Shire are friendly, hardworking, loyal and very community focused.

With a generosity of spirit and willingness to welcome visitors and new residents, the residents, business and industry will unite and rally together to assist families in need. We support diversity of interests, backgrounds and access to public amenities and services for all residents on an equitable and shared basis.

We are resourceful; our innovative thinking and competitive spirit supported by the contribution of volunteers working together collaboratively and sharing resources has produced great outcomes.

We back ourselves and look forward positively and strategically with a can do attitude. We ask questions and expect transparency, balance, equity and accountability of our local, state and federal governments.

Most importantly we value honesty and respect for each other, our natural and built heritage and our valuable resources as we strive to achieve our future directions for our local villages and town within the shire and the whole region. We will make informed decisions by consulting and engaging with stakeholders and consider the environment, social and economic impacts. Any future development will be built for the long term and intergenerational benefit.

## Blayney Shire Council – Future Directions

Every 4 years following the ordinary election of Councillors, Council is required to develop or review and endorse a Community Strategic Plan (CSP) then prepare and adopt a Resourcing Strategy, a 4 year Delivery Program (DP) and annual Operational Plan (OP) by 30 June the following year.

The CSP is a community document with priorities and aspirations for the future of the Shire covering a period of at least 10 years. The Resourcing Strategy is the means by which Council implements the strategies established in the CSP which Council is responsible for delivering. The Resourcing Strategy includes a 4 year Workforce Management Plan, a 10 year Asset Management Plan and 10 year Long Term Financial Plan. The CSP is developed by the community, endorsed by Council and must address civic leadership, social, environmental and economic issues.

A list of community projects, aspirations and objectives were grouped into an overarching strategy and listed in order of collective priority as determined by the community forums.

The strategies are categorised under the themes of:

-  **Maintain and Improve Public Infrastructure and Services**
-  **Build the Capacity and Capability of Local Governance and Finance**
-  **Promote Blayney Shire to grow the Local and Visitor Economy**
-  **Enhance facilities and networks that supports Community, Sport, Heritage and Culture**
-  **Protect Our Natural Environment**



## Introduction – What is the Delivery Program?

The **Delivery Program 2022/23-2025/26** is one layer of the Integrated Planning and Reporting framework that all NSW Councils must develop to meet the requirements of the Local Government Amendment (Planning and Reporting) Act 2009. It outlines the work Council can do to achieve the Future Directions identified by the community in the Community Strategic Plan.

The three tiered planning process ensures that there are clear links between the long term goals of the community and the activities of Council. The Delivery Program is a vital tool for the ongoing planning of services and programs of the Blayney Shire community.

## Introduction – What is the Operational Plan?

The **Operational Plan 2022/23** completes the planning documents and details the activities to be undertaken and the financial requirements to deliver the commitments of the Community Strategic Plan and Delivery Program.

This three tiered process ensures that there are clear links between the long term goals of the community and the activities of Council.

The diagram below demonstrates their linkages:







## **FUTURE DIRECTION 1: MAINTAIN AND IMPROVE PUBLIC INFRASTRUCTURE AND SERVICES**



Future Direction 1 – Maintain and Improve Public Infrastructure and Services

Strategic Objectives/Strategies	Actions
<p><b>1.1 Plan and develop integrated transport networks, providing choices that enable people and freight to move and travel, in a safe, accessible and efficient manner</b></p>	
<p>Sealed roads and unsealed roads, bridges and culverts will be maintained in accordance with agreed service levels</p> <p>Deliver the Blayney Shire Roads Strategy</p> <p>Lobby and advocate for the re-opening of the Blayney-Demondrille Railway Line</p> <p>Deliver the Active Movement Strategy priorities to provide safe and accessible connecting pathway networks</p> <p>Plan for future transport and road infrastructure to service future needs</p>	<p>Maintain Transport infrastructure in accordance with Road Hierarchy, Renewal and Maintenance Policy and the Pathways in accordance with Councils' Pathway Hierarchy, Standard and Maintenance Policy.</p> <p>Develop and implement a Bridge and Culvert Renewal and Maintenance Policy.</p> <p>Prioritise road rehabilitation and upgrade works in-line with the Blayney Shire Roads Strategy.</p> <p>Deliver heavy patching, culvert renewal, initial sealing, resealing and gravel resheeting programs in accordance with budgetary allocations.</p> <p>Undertake reconstruction and rehabilitation on Forest Reefs and Hobbys Yards Roads in accordance with budgetary allocations.</p> <p>Undertake construction of Belubula River Walk Stages 3 and 4, pathways in Trunkey Street, Newbridge, Coombing Street, Carcoar, Elliott Street, and Glenorie Road, Millthorpe, and pathways within the King George Oval Pedestrian Project</p> <p>Attendance at and involvement in advocacy activities.</p>
<p><b>1.2 The Blayney health service; medical centres, aged care providers, primary and ancillary support and emergency service agencies provided in the Shire meet the future needs of the community</b></p>	
<p>Advocate to both NSW and Federal Government Ministers of Health, to ensure that Aged Care Services are maintained in Carcoar (Uralba) and Blayney (Lee Hostel), and the Blayney Health Services Clinical Services Plan is delivered</p> <p>Provide support for emergency management in Blayney Shire in accordance with State Emergency and Rescue Management (SERM) Act</p> <p>Advocate to NSW Police and Emergency Services agencies for appropriate service levels.</p>	<p>Attendance at and involvement in advocacy activities.</p> <p>Provide oversight of construction of new RFS Station Blayney and refurbishment of Blayney Fire and Rescue Station, facilitate meetings with zone commanders and local brigade captains</p> <p>Chair the Local Emergency Management Committee.</p> <p>Participate in the development and implementation of the Blayney Shire Local Emergency Management Plan.</p> <p>Attendance at and involvement in NSW Police Chifley District Command and other emergency services agencies meetings.</p>
<p><b>1.3 The community is provided with access to quality lifelong education and training</b></p>	

Strategic Objectives/Strategies	Actions
<p>Advocate on behalf of the community to Government to support accessible quality local education</p> <p>Work with registered training organisations, key business and employment service agencies to support traineeships, trade apprenticeships and skills development</p>	<p>Attendance at and involvement in advocacy activities.</p> <p>Engage with Schools Infrastructure NSW.</p> <p>Appoint Council Delegate to the Skillset Board</p> <p>Work with training organisations as opportunities arise to achieve national recognised training outcomes</p>
<p><b>1.4 Residents and business have access to reliable utilities, information and communication technologies across the Shire</b></p>	
<p>Lobby the Federal Government for improved internet and mobile phone access to all our villages to facilitate growth</p> <p>Investigate and support emerging communication technologies that support our community</p> <p>Ensure appropriate utility services (electricity, gas, water) are available in the Blayney Shire</p>	<p>Attendance at and involvement in advocacy activities.</p> <p>Support applications for funding for improved communications infrastructure, as required.</p> <p>Utilise smart technology and expand Council smart hub systems</p>



## **FUTURE DIRECTION 2: BUILD THE CAPACITY AND CAPABILITY OF LOCAL GOVERNANCE AND FINANCE**



Future Direction 2 – Build the Capacity and Capability of Local Governance and Finance

Strategic Objectives/Strategies	Actions
<b>2.1 Council is recognised as a valuable partner with government and private business stakeholders</b>	
<p>Meaningful two-way communication and engagement between NSW and Federal Governments, regional organisations, business, industry, stakeholders and communities of interest</p> <p>Provide for the efficient and effective administration of Council</p>	<p>Attendance at and involvement in advocacy activities.</p> <p>Develop Implementation Plan to deliver recommendations from Financial Sustainability Review.</p> <p>Audit, Risk and Improvement Committee meetings held Implementation of Strategic Internal Audit Plan Development of Service Plans and Service Review Framework</p> <p>Pursue partnerships and Grant funding opportunities to deliver projects identified in Asset Management Plans and Integrated Planning and Reporting documents.</p>
<b>2.2 Responsible management practices, delivery of services and renewal of assets across the Blayney Shire</b>	
<p>Identify and implement improvement opportunities to optimise Council's financial sustainability</p> <p>Review Council's financial performance in the Long Term Financial Plan and report against Office of Local Government Financial Performance Ratios</p> <p>Significant Capital Projects are assessed and reviewed prior to lodgment and/or allocation of funding</p> <p>Council is an employer of choice</p> <p>Effective management of land under Council control</p>	<p>Implement Building and Other Structures Asset Management Plan</p> <p>Finalise Financial Sustainability Review</p> <p>Reporting to Audit Risk and Improvement Committee</p> <p>Annual Financial Statements finalised and audited</p> <p>All proposed projects are considered and assessed in accordance with Capital Projects Operating Guideline and / or Capital Expenditure Review Guideline</p> <p>Implement Workforce Management Plan strategies Finalisation of Crown Lands Plans of Management Program</p> <p>Regular meetings with Crown Land</p>
<b>2.3 Town Associations, Village Committees and local organisations are capable, resilient, and involved in decision making about issues that impact their own community</b>	
<p>Facilitate constructive and timely communication between Council and the Town &amp; Village Committees /Progress Associations</p> <p>Continue to support local community infrastructure projects via the Community Financial Assistance Program and Village Enhancement Plan (VEP) allocations</p> <p>Support the development and implementation of improvement projects</p>	<p>Engagement with town and village communities on priorities for allocation of VEP funding</p> <p>Community Financial Assistance Program funding rounds called biannually</p> <p>Community Financial Assistance Program funding allocated.</p> <p>Attendance at and involvement in Orange360 activities. Increase social media presence and interaction with</p>



Strategic Objectives/Strategies	Actions
for the local Halls, School of Arts and other community facilities  Work proactively with community groups to support local events	community  Facilitation of Event Management Applications and support of event organisers
<b>2.4 The community and ratepayers have confidence in and are engaged with Blayney Shire Council</b>	
Deliver Councils Community Engagement Strategy utilising various channels and methods to enhance community awareness and participation in Council services and decision making  Information is delivered effectively and efficiently  Encourage sound governance practice and build the capacity and capability of local leaders within community organisations	Review Community Engagement Strategy  Review Community Participation Plan  Investigate Online Rates Tool Increase e-newsletter distribution list  Promote Online Planning and Customer Request platforms  Seek training opportunities to build capacity and capability of local leaders





## **FUTURE DIRECTION 3: PROMOTE BLAYNEY SHIRE TO GROW THE LOCAL AND VISITOR ECONOMY**



Future Direction 3 – Diversify and Grow the Blayney Shire Local and Visitor Economy

Strategic Objectives/Strategies	Actions
<b>3.1 A viable and productive agricultural sector</b>	
<p>Support the growth of the Shire while preserving productive agricultural land and integrate sustainable industries into the future</p> <p>Ensure local planning instruments and strategies support the agricultural sector</p> <p>Maintain the availability and quality of water for use in rural areas</p>	<p>Ensure Land Use conflict is minimised and/or mitigated where on or adjoining agricultural lands and operations.</p> <p>Manage the water supply bores in rural locations to provide a secure 'non-potable' supply of water to the Shire</p> <p>Participate in Central NSW Water Utilities Alliance</p>
<b>3.2 A responsible and prosperous mining industry that is engaged with the community, working towards the improvement of the Shire</b>	
<p>Engage and advocate on behalf of the community on the corporate and environmental responsibilities of the mining sector</p>	<p>Attend Community Consultative Committee meetings</p> <p>Attend Mining and Energy Related Councils meetings</p> <p>Advocate to the NSW Government for continuation of the Resources for Regions funding program.</p>
<b>3.3 Growing and connected tourism networks that add value to the vision and appeal of our heritage villages and tourism product within the Shire</b>	
<p>Implement the Orange Region Destination Management Plan</p> <p>Work with, and support Orange360 and Central NSW Tourism</p> <p>Provide support to local businesses and event organisers</p>	<p>Work with Orange 360 to support Orange Region Destination Marketing activities</p> <p>Review Blayney Visitor Information Centre operations</p> <p>Allocate funding through the Tourism Development Program</p> <p>Implement the Reconnecting Regional NSW Community Events Program</p>
<b>3.4 An attractive shire for employment opportunities with industrial, business, tourism and planned housing residential growth</b>	
<p>Implement the Blayney Mainstreet and Millthorpe Village Centre Masterplans</p> <p>Facilitate the development of new residential housing availability in Blayney and Villages</p> <p>Seek opportunities to build a vibrant local retail and business sector</p> <p>Regularly review and update, planning instruments, strategies and policies</p>	<p>Deliver High Pedestrian Activity Areas in Blayney and Millthorpe.</p> <p>Develop projects and identify funding opportunities for Blayney Mainstreet and Millthorpe Village Centre Masterplan projects</p> <p>Work with stakeholders and partners to identify affordable housing opportunities</p> <p>Support business opportunities</p> <p>Review Infrastructure Contributions Plan</p> <p>Undertake Millthorpe Settlement Strategy Addendum</p>



**FUTURE DIRECTION 4: ENHANCE FACILITIES AND NETWORKS THAT SUPPORTS COMMUNITY, SPORT, HERITAGE AND CULTURE**



Future Direction 4 – Enhance recreational facilities and networks that support health and wellbeing of the community, sport, heritage and cultural interests

Strategic Objectives/Strategies	Actions
<b>4.1 We are an inclusive, diverse and welcoming community</b>	
<p>Engage with young people to facilitate and progress activities within the Shire</p> <p>Implement the Disability Inclusion Action Plan</p> <p>Facilitate engagement of key stakeholders of the local community services sector</p>	<p>Allocate funding through Youth Week Grants program</p> <p>Six monthly and annual reporting on outcomes from Disability Inclusion Action Plan</p> <p>Engagement of Disability Inclusion Action Plan Working Group</p> <p>Support Blayney Interagency meetings and networks</p>
<b>4.2 Provide facilities that support increased participation in sport and fitness activities</b>	
<p>Sporting events are supported by Council, volunteers and state sporting bodies so that they are coordinated and well resourced</p> <p>Implement Blayney Shire Sports and Recreation Masterplan to enhance and improve sporting facilities</p> <p>CentrePoint Sport and Leisure Centre is managed in a manner to maximise patronage and participation in fitness activities</p>	<p>Implement Councils' Parks and Recreation Asset Management Plan</p> <p>Deliver sports lighting at Stillingfleet netball and King George Oval facilities, Blayney, and the Lyndhurst Recreation Ground tennis court</p> <p>Deliver Redmond Oval, Milthorpe cricket nets upgrade.</p> <p>Install new electronic scoreboard at King George Oval, Blayney.</p> <p>Deliver carpark improvements at King George Oval, Blayney.</p> <p>Review the Blayney Shire Sport and Recreation Masterplan</p> <p>Coordinate User Group meetings for sporting facilities and major projects YMCA to ensure fitness programs and services maximise patronage and participation at CentrePoint</p>
<b>4.3 Heritage and First Nations significant sites in the natural and built environment are protected</b>	
<p>Identify items of natural and built heritage in Blayney Shire</p> <p>Heritage Advisory services continue to be provided to owners of heritage items ensuring heritage is preserved whilst allowing development to occur</p> <p>Ensure the Shire's 8 heritage listed cemeteries are maintained and protected</p>	<p>Ongoing engagement with Orange Local Aboriginal Lands Council</p> <p>Facilitate and provide Heritage Architect Advisory service</p> <p>Allocate funding through Local Heritage Assistance Program</p> <p>Finalisation of the Blayney Shire Cemeteries Vegetation Plan</p>



Strategic Objectives/Strategies	Actions
<b>4.4 The shire is a centre for cultural interest, arts, performance and entertainment</b>	
Encourage the use of the Blayney Shire Community Centre as a facility for events	Number of events that utilise Blayney Shire Community Centre
Provide effective and consumer friendly library services in the Blayney Shire	Music Scholarship program and maintain Council's support of Regional Music Programs
Maintain partnerships with local arts and cultural groups	Maintain and operate Blayney Library via Service Level Agreement in place with Orange City Council  Continued support of Arts OutWest, Platform Arts Hub and local museums



## FUTURE DIRECTION 5: PROTECT OUR NATURAL ENVIRONMENT





Future Direction 5 – Protect our Natural Environment

Strategic Objectives/Strategies	Actions
<b>5.1 Retain and enhance open spaces; with a focus on regeneration of native vegetation</b>	
<p>Ongoing liaison, support and participation with Local Land Services, Landcare and as a constituent Council Upper Macquarie County Council</p> <p>Maintain and strengthen partnerships with organisations responsible for natural resource management and feral pest control</p> <p>Review the Roadside Vegetation Management Plan to ensure high environmental value vegetation is protected, road safety outcomes maintained and any clearing is undertaken following agreed principles and guidelines</p> <p>Support Council's native tree planting program and community engagement</p>	<p>Attendance at and involvement in advocacy activities.</p> <p>Prepare concept plan for Presidents Walk</p> <p>Implement Native Tree Planting Program</p> <p>Develop a Parkland Tree Planting design, replacement and expansion program</p> <p>Detailed design for Beaufort Street Park</p> <p>Cemeteries Vegetation Management Plan</p>
<b>5.2 The Belubula River, waterways and tributaries that flow into our regional water catchments and water supply sources are clean, healthy and biodiverse</b>	
<p>Prepare a shire wide onsite sewerage waste-water strategy</p> <p>Clean up waterways throughout the Shire including removal of willow trees, other noxious species, creating wildlife habitat</p> <p>Stormwater Management Plans are prepared for Blayney, Millthorpe and Carcoar and projects scoped for funding</p> <p>Ensure provision of Sewerage Treatment and Recycled Water Treatment Plant is adequate for the growth of the Shire and promotes Residential Development</p>	<p>Finalise and implement Blayney Shire Onsite Sewerage Management Policy</p> <p>Sewerage Strategic Business Plan</p> <p>Stormwater Management Plan for Blayney</p> <p>Progress Millthorpe Stormwater Management Plan study</p>
<b>5.3 We are on the path to achieving net zero emissions and adapting to climate change risks and opportunities</b>	
<p>Facilitate new energy sources, sustainable development and farming practices within the Shire</p> <p>Implement the Blayney Shire Renewable Energy Action Plan</p> <p>Continue to investigate and challenge emerging renewable energy sources</p>	<p>Finalise Business Case and Capital Expenditure Review for Blayney Solar Farm</p> <p>Lodge Development Application for Blayney Solar Farm</p> <p>Investigate behind the meter battery/solar solutions</p> <p>Develop Fleet strategy for electric/hybrid vehicle solutions</p>
<b>5.4 Recycling and innovative diversion of waste will reduce the volume deposited in Council's Landfill</b>	

Strategic Objectives/Strategies	Actions
Ensure Waste Management Services are delivered in a financially sustainable manner	Review Village Recycling Station Service
Develop and promote programs with NetWaste that increase recycling and reuse	Support Garage Sale Trail
Review services and introduction of a Green Bin in Waste Collection Services	Review Bulky Waste Collection Service
Investigate establishment of 'return and earn' opportunities within the Shire	Investigate voucher system for Blayney Waste Management Facility
	Review of Street Cleaning program

## Resourcing Strategy

The Resourcing plans should be read in conjunction with the Delivery and Operational Plans.

As part of the Integrated Planning and Reporting Framework councils are also required to develop resourcing plans that support the achievement of activities and tasks within the Delivery and Operational Plan.

These plans include:

### **Long Term Financial Plan**

The Long Term Financial Plan is an important part of Council's strategic planning process. This is the point where long-term community aspirations and goals are tested against financial realities. It is also where Council and the community may decide what resources councils need to influence and work with other parties so that they might deliver on responsibilities.

### **Asset Management Plans**

The Asset Management Policy is a Council endorsed policy which sets the broad framework for undertaking asset management in a structured and coordinated way. It outlines why and how asset management will be undertaken. It provides a clear direction for asset management and defines key principles that underpin asset management for the council.

### **Workforce Management Plan**

An effective workforce strategy aims to provide Council with the people best able to inform its strategic direction, develop innovative approaches to complex issues and deliver appropriate services effectively and efficiently.

## Revenue Policy

Council is required to include in its Operational Plan Council's annual statement of revenue policy.

The Revenue Policy includes details of:

- Estimated income and expenditure (Income statement and capital expenditure)
- Ordinary rates and special rates
- Proposed fees and charges
- The council's proposed pricing methodology
- Proposed borrowings

## Income Statement – 4 Years

INCOME STATEMENT - CONSOLIDATED	Projected Years			
	2022/23	2023/24	2024/25	2025/26
	\$'000	\$'000	\$'000	\$'000
<b>Income from Continuing Operations</b>				
<b>Revenue:</b>				
Rates & Annual Charges	12,382	12,923	13,320	13,713
User Charges & Fees	1,667	1,849	1,909	2,026
Other Revenues	371	398	389	398
Grants & Contributions provided for Operating Purposes	4,255	5,168	4,281	4,364
Grants & Contributions provided for Capital Purposes	5,857	4,285	2,396	7,098
Interest & Investment Revenue	189	215	266	284
<b>Other Income:</b>				
Net gains from the disposal of assets	78	31	64	64
Joint Ventures & Associated Entities	25	25	25	25
<b>Total Income from Continuing Operations</b>	<b>24,824</b>	<b>24,895</b>	<b>22,650</b>	<b>27,972</b>
<b>Expenses from Continuing Operations</b>				
Employee Benefits & On-Costs	7,209	7,457	7,696	8,098
Borrowing Costs	223	195	173	156
Materials & Contracts	4,657	4,977	5,482	5,767
Depreciation & Amortisation	6,774	6,762	6,802	6,828
Other Expenses	944	1,105	1,151	1,239
Net Losses from the Disposal of Assets	-	-	-	-
Joint Ventures & Associated Entities	-	-	-	-
<b>Total Expenses from Continuing Operations</b>	<b>19,806</b>	<b>20,496</b>	<b>21,303</b>	<b>22,087</b>
<b>Operating Result from Continuing Operations</b>	<b>5,017</b>	<b>4,399</b>	<b>1,347</b>	<b>5,885</b>
Discontinued Operations - Profit/(Loss)	-	-	-	-
<b>Net Profit/(Loss) from Discontinued Operations</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Net Operating Result for the Year</b>	<b>5,017</b>	<b>4,399</b>	<b>1,347</b>	<b>5,885</b>
Net Operating Result before Grants and Contributions provided for Capital Purposes	(840)	114	(1,049)	(1,213)

INCOME STATEMENT - GENERAL FUND	Projected Years			
	2022/23	2023/24	2024/25	2025/26
	\$'000	\$'000	\$'000	\$'000
<b>Income from Continuing Operations</b>				
<b>Revenue:</b>				
Rates & Annual Charges	10,953	11,451	11,804	12,151
User Charges & Fees	1,326	1,330	1,377	1,480
Other Revenues	367	394	385	394
Grants & Contributions provided for Operating Purposes	4,237	5,150	4,262	4,345
Grants & Contributions provided for Capital Purposes	5,698	4,122	2,228	1,129
Interest & Investment Revenue	132	153	163	152
<b>Other Income:</b>				
Net gains from the disposal of assets	78	31	64	64
Joint Ventures & Associated Entities	25	25	25	25
<b>Total Income from Continuing Operations</b>	<b>22,816</b>	<b>22,657</b>	<b>20,308</b>	<b>19,740</b>
<b>Expenses from Continuing Operations</b>				
Employee Benefits & On-Costs	6,967	7,208	7,438	7,832
Borrowing Costs	191	168	151	140
Materials & Contracts	3,767	4,044	4,509	4,772
Depreciation & Amortisation	6,175	6,158	6,192	6,212
Other Expenses	944	1,105	1,151	1,239
Joint Ventures & Associated Entities	-	-	-	-
<b>Total Expenses from Continuing Operations</b>	<b>18,044</b>	<b>18,682</b>	<b>19,441</b>	<b>20,195</b>
<b>Operating Result from Continuing Operations</b>	<b>4,772</b>	<b>3,975</b>	<b>868</b>	<b>(455)</b>
Discontinued Operations - Profit/(Loss)	-	-	-	-
<b>Net Profit/(Loss) from Discontinued Operations</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Net Operating Result for the Year</b>	<b>4,772</b>	<b>3,975</b>	<b>868</b>	<b>(455)</b>
Net Operating Result before Grants and Contributions provided for Capital Purposes	(926)	(147)	(1,360)	(1,584)

INCOME STATEMENT - SEWER FUND	Projected Years			
	2022/23	2023/24	2024/25	2025/26
	\$'000	\$'000	\$'000	\$'000
<b>Income from Continuing Operations</b>				
<b>Revenue:</b>				
Rates & Annual Charges	1,429	1,472	1,516	1,561
User Charges & Fees	341	519	532	547
Other Revenues	4	4	4	4
Grants & Contributions provided for Operating Purposes	17	18	18	19
Grants & Contributions provided for Capital Purposes	159	163	168	5,969
Interest & Investment Revenue	58	62	103	132
<b>Other Income:</b>				
Net gains from the disposal of assets	-	-	-	-
Joint Ventures & Associated Entities	-	-	-	-
<b>Total Income from Continuing Operations</b>	<b>2,007</b>	<b>2,238</b>	<b>2,341</b>	<b>8,232</b>
<b>Expenses from Continuing Operations</b>				
Employee Benefits & On-Costs	242	250	257	265
Borrowing Costs	32	27	21	16
Materials & Contracts	890	933	973	994
Depreciation & Amortisation	598	604	610	616
Other Expenses	-	-	-	-
Net Losses from the Disposal of Assets	-	-	-	-
Joint Ventures & Associated Entities	-	-	-	-
<b>Total Expenses from Continuing Operations</b>	<b>1,762</b>	<b>1,814</b>	<b>1,862</b>	<b>1,892</b>
<b>Operating Result from Continuing Operations</b>	<b>245</b>	<b>424</b>	<b>479</b>	<b>6,340</b>
Discontinued Operations - Profit/(Loss)	-	-	-	-
<b>Net Profit/(Loss) from Discontinued Operations</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Net Operating Result for the Year</b>	<b>245</b>	<b>424</b>	<b>479</b>	<b>6,340</b>
Net Operating Result before Grants and Contributions provided for Capital Purposes	86	261	311	371



## Capital Expenditure Program – 4 Years Capital Expenditure Program 2022/23

<i>Grant Funding is not Guaranteed</i>		Original Budget '2022/23	Project Funded By			
<b>Buildings</b>			General	Grants & Contributions	Restriction/ Borrowings*	Other
<b>Council Buildings &amp; Public Halls</b>						
Council Facilities - Energy Efficiency Enhancements	30,000		30,000			
Works Depot - Truck Wash	150,000		150,000			
Blayney Community Centre -Exterior Improvements	26,000		26,000			
<b>Parks, Recreation &amp; Sporting Grounds</b>						
R4R8 Carrington Park Amenities	90,000			90,000		
R4R8 Heritage Park Amenities	360,000			360,000		
<b>Total Buildings</b>	<b>656,000</b>		<b>206,000</b>	<b>450,000</b>	-	-
<b>Other Structures</b>			General	Grants & Contributions	Restriction/ Borrowings*	Other
<b>Public Cemeteries</b>						
Infrastructure Works	11,000		11,000			
<b>Parks, Recreation &amp; Sporting Grounds</b>						
Village Enhancement Program	124,490					124,490
CentrePoint - Shade Sail Replacement	40,000				40,000	
SCCF4 KGO Oval Lighting	132,275			132,275		
SCCF4 Blayney Netball Courts Lighting	112,654			112,654		
<b>Total Other Structures</b>	<b>420,419</b>		<b>11,000</b>	<b>244,929</b>	<b>40,000</b>	<b>124,490</b>

Plant & Equipment		General	Grants & Contributions	Restriction/ Borrowings*	Other
<b>Information Technology</b>					
Councillors - iPad Replacement/Accessories	2,500	2,500			
Mobile Device Replacements	4,000	4,000			
Mobile Phone Replacements	4,000	4,000			
UPS Battery Back up	8,000	8,000			
2 x Smartboard- GMOffice and Downstairs	20,000	20,000			
CCTV Cameras	10,000	10,000			
Opmanager network monitoring system	3,500	3,500			
Exchange migration to 2019 and Cloud	4,500	4,500			
Upgrading 2012 Server to 2019	10,000	10,000			
GIS - GDA2020 Mapping Standard Upgrade	11,000	11,000			
Ifferret - Linking to SharePoint and Onedrive	5,000	5,000			
Access control Council Admin Building	12,000	12,000			
<b>Fleet Replacement Program</b>					
Minor Plant & Tools Replacement	33,114	33,114			
Light Vehicle Replacements	512,600	338,144		174,456	
P35 - Watercart	297,250			297,250	
P36 - Watercart	297,250			297,250	
P51 - Grader Cat 140MAWD	538,445			538,445	
P61 - Backhoe JCB 3CX-APC Elite	183,071			183,071	
LC001 - John Deere F1575 mower	59,767			59,767	
LC002 - John Deere F1575 mower	59,767			59,767	
P78 - John Deere F1585 mower	59,767			59,767	
P99 - Flail mower	21,538			21,538	
P168 - VMS message board	23,153			23,153	
<b>Minor Plant &amp; Equipment</b>					
Minor Assets - Administration Office	3,450	3,450			
Minor Assets - Blayney Library	18,906		18,906		
Minor Assets - Community Centre	5,950	5,950			
Blayney Community Centre - Commercial Freezer	5,500	5,500			
<b>Total Plant &amp; Equipment</b>	<b>2,214,028</b>	<b>480,658</b>	<b>18,906</b>	<b>1,714,464</b>	<b>-</b>

Infrastructure		General	Grants & Contributions	Restriction/ Borrowings*	Other
<b>Urban Stormwater</b>					
Renewals	66,100	66,100			
Stabback & Unwin Street - Preliminary Works	100,000		100,000		
<b>Shared Pathways &amp; Footpaths</b>					
Footpath Renewals	48,737	48,737			
BBRF5 Belubula River Walk - SP - Stage 3 - Martin St - Charles St - Boardwalk to Island (AMP 9C)	336,000	89,000	247,000		
SCCF4 Belubula River Walk - SP - Stage 4 - Charles St - Heritage park (Blayney AMP 9B)	471,200		457,190		14,010
R4R8 Trunkey St - SP - Showground - Newbridge Hotel / Toomey St (AMP 1)	167,643		167,643		
R4R8 Coombing St - FP & Footbridge - Showground Entrance - Icely St (Carcoar AMP 2)	118,839		118,839		
R4R8 Coombing St - FP Eulamore St - Showground Entrance (Carcoar AMP 8)	16,638		16,638		
R4R8 Elliot St - FP - Victoria St - Pym St (AMP AD1)	116,529		116,529		
R4R8 Glenorie Road SP / Park St - Stage 1 - Blake St - Rail Overbridge (AMP 10A)	118,816		118,816		
R4R8 Glenorie Road SP / Park St - Stage 2 - Rail Overbridge - Dog Run (AMP 10B)	221,790		221,790		
R4R8 King George Oval Pedestrian Integration Project	1,045,000		1,045,000		
<b>Road Rehabilitation Local Roads</b>					
R4R7 Forest Reefs Road	1,298,040		600,958	697,082	
R4R8 Forest Reefs Road - Tallwood Intersection	561,956		561,956		
R4R8 - Hobbys Yards Road	470,000		470,000		
R4R8 - Initial Sealing Coombing & Mendham Lane Barry	200,000		200,000		
R4R8 - Initial Sealing Prescott & Harrow Street Lyndhurst	150,000		150,000		
Heavy Patching Program	530,000	530,000			
Reseal Program	425,000	425,000			
Gravel Resheeting Program	390,000	390,000			
<b>Bridges &amp; Culverts</b>					
Culvert Renewal Program	512,500	512,500			
Belubula Way over Icely Creek	700,000	340,000	360,000		
<b>Total Infrastructure</b>	<b>8,064,788</b>	<b>2,401,337</b>	<b>4,952,359</b>	<b>697,082</b>	<b>14,010</b>
<b>Sewerage Infrastructure</b>		<b>General</b>	<b>Grants &amp; Contributions</b>	<b>Restriction/ Borrowings*</b>	<b>Other</b>
<b>Network Assets</b>					
Telemetry Upgrade	78,000			78,000	
Potable water booster pump	5,128			5,128	
Lining/Replacement of Sewer Mains	75,000			75,000	
<b>Total Sewerage Infrastructure</b>	<b>158,128</b>	<b>-</b>	<b>-</b>	<b>158,128</b>	<b>-</b>
<b>Total Capital Expenditure</b>	<b>11,513,363</b>	<b>3,098,995</b>	<b>5,666,194</b>	<b>2,609,674</b>	<b>138,500</b>

## Capital Expenditure Program 2023/24

Grant Funding is not Guaranteed	Original Budget '2023/24	Project Funded By			
		General	Grants & Contributions	Restriction/ Borrowings*	Other
<b>Buildings</b>					
<b>Council Buildings &amp; Public Halls</b>					
Building Renewal Work	50,000	50,000			
Napier Oval Kiosk	50,000		50,000		
<b>Total Buildings</b>	<b>100,000</b>	<b>50,000</b>	<b>50,000</b>	-	-
<b>Other Structures</b>					
<b>Public Cemeteries</b>					
Infrastructure Works	11,250	11,250			
<b>Parks, Recreation &amp; Sporting Grounds</b>					
Village Enhancement Program	144,500				144,500
<b>Total Other Structures</b>	<b>155,750</b>	<b>11,250</b>	-	-	<b>144,500</b>
<b>Plant &amp; Equipment</b>					
<b>Information Technology</b>					
Councillors - iPad Replacement/Accessories	2,500	2,500			
Mobile Device Replacements	4,100	4,100			
Mobile Phone Replacements	4,100	4,100			
Aerial Imagery	18,500	18,500			
Intramaps Hosting	10,000	10,000			
<b>Fleet Replacement Program</b>					
Minor Plant & Tools Replacement	33,942	33,942			
Light Vehicle Replacements	605,993	536,453		69,540	
P56 - Loader Hyundai HL740-9	264,915			264,915	
P38 - Volvo 12t Tipper	342,182			342,182	
P170 - Dog Trailer	99,343			99,343	
LC005 - Flail mower	36,426			36,426	
LC006 - Flail mower	36,426			36,426	
P98 - Slasher	16,557			16,557	
P149 - VMS message board	23,732			23,732	
<b>Minor Plant &amp; Equipment</b>					
Minor Assets - Administration Office	3,550	3,550			
Minor Assets - Blayney Library	19,379		19,379		
Minor Assets - Community Centre	6,100	6,100			
Blayney Community Centre - Fridges	11,600	11,600			
<b>Total Plant &amp; Equipment</b>	<b>1,539,345</b>	<b>630,845</b>	<b>19,379</b>	<b>889,121</b>	-

Infrastructure		General	Grants & Contributions	Restriction/ Borrowings*	Other
<b>Urban Stormwater</b>					
Renewals	67,750	67,750			
Stabback & Unwin Street	1,111,142	136,540	974,602		
<b>Shared Pathways &amp; Footpaths</b>					
Footpath Renewals	49,955	49,955			
Richards Lane	248,000	248,000			
<b>Road Rehabilitation Local Roads</b>					
Mandurama Road	1,100,000	550,000	550,000		
Browns Creek Road - Safety Upgrade	350,000	350,000			
Village Road	395,816	395,816			
Hobbys Yards Road	690,000	345,000	345,000		
Richards Lane	1,860,700		1,000,000		860,700
Gravel Resheeting Program	403,650	403,650			
Heavy Patching Program	548,550	548,550			
Reseal Program	439,875	439,875			
<b>Bridges &amp; Culverts</b>					
Matthews Road, Cowriga Creek Barrier Renewal	60,920	60,920			
Four Mile Creek Rd - Swallow Creek	2,000,000		2,000,000		
<b>Total Infrastructure</b>	<b>9,326,358</b>	<b>3,596,056</b>	<b>4,869,602</b>	<b>-</b>	<b>860,700</b>
<b>Sewerage Infrastructure</b>					
<b>Network Assets</b>					
Replacement of pumps in SPS (incl Millthorpe)	34,847			34,847	
Odour control blower	19,120			19,120	
Decanter (rubber bellows, wire rope, motor and gear box)	30,000			30,000	
Lining/Replacement of Sewer Mains	225,000			225,000	
<b>Total Sewerage Infrastructure</b>	<b>308,967</b>	<b>-</b>	<b>-</b>	<b>308,967</b>	<b>-</b>
<b>Total Capital Expenditure</b>	<b>11,430,420</b>	<b>4,288,151</b>	<b>4,938,981</b>	<b>1,198,088</b>	<b>1,005,200</b>

## Capital Expenditure Program 2024/25

Grant Funding is not Guaranteed	Original Budget '2024/25	Project Funded By			
		General	Grants & Contributions	Restriction/ Borrowings*	Other
<b>Buildings</b>					
Council Buildings & Public Halls					
Building Renewals	51,750	51,750			
<b>Total Buildings</b>	<b>51,750</b>	<b>51,750</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Other Structures</b>					
		General	Grants & Contributions	Restriction/ Borrowings*	Other
Public Cemeteries					
Infrastructure Works	11,550	11,550			
Parks, Recreation & Sporting Grounds					
Village Enhancement Program	151,000				151,000
<b>Total Other Structures</b>	<b>162,550</b>	<b>11,550</b>	<b>-</b>	<b>-</b>	<b>151,000</b>
<b>Plant &amp; Equipment</b>					
		General	Grants & Contributions	Restriction/ Borrowings*	Other
Information Technology					
Councillors - IPad Replacement/ Accessories	16,500	16,500			
Mobile Device Replacements	4,203	4,203			
Mobile Phone Replacements	4,203	4,203			
Server Replacement	11,000	11,000			
Corporate Management System upgrade	350,000	350,000			
Asset Management System upgrade	70,000	70,000			
PC Replacements	55,000	55,000			
Supply and Install of Storage Area Network (SAN)	10,000	10,000			
Network Switches	6,000	6,000			
Fleet Replacement Program					
Minor Plant & Tools Replacement	34,790	34,790			
Light Vehicle Replacement	726,364	642,640		83,724	
P661 - Dynapac CA3500	164,054			164,054	
P662 - Dynapac CA3500	164,054			164,054	
P663 - Dynapac CA500PD	214,968			214,968	
P40 - Isuzu NH Rigid Haul Truck	90,513			90,513	
P601 - Hino 500 Series	131,243			131,243	
P602 - Hino 500 Series	131,243			131,243	
P603 - Hino 500 Series	131,243			131,243	
P77 - John Deere 6095MC	84,856			84,856	
P78 - John Deere 6095MC	84,856			84,856	
Minor Plant & Equipment					
Minor Assets - Administration Office	3,650	3,650			
Minor Assets - Community Centre	6,250	6,250			
Minor Assets - Blayney Library	19,863		19,863		
<b>Total Plant &amp; Equipment</b>	<b>2,514,853</b>	<b>1,214,236</b>	<b>19,863</b>	<b>1,280,754</b>	<b>-</b>



Infrastructure		General	Grants & Contributions	Restriction/ Borrowings*	Other
<b>Urban Stormwater</b>					
Renewals	69,400	69,400			
<b>Shared Pathways &amp; Footpaths</b>					
Footpath Renewals	51,204	51,204			
Orange Rd / Millthorpe Rd - SP - Binstead St - Nestle staff entrance (Blayney AMP 3)	280,644		280,644		
Charles St - FP - Adelaide St - Osman St (Blayney AMP 8)	51,142	51,142			
Hawke St - FP - Stirling Pl - Ewin St (Blayney AMP 21)	30,442	30,442			
Ewin St - FP - Existing - Palmer Street (Blayney AMP 18)	18,265	18,265			
Toomey St Kerb Ramps - Toomey St - Trunkey St (Newbridge AMP 2)	1,948	1,948			
Blayney St - FP - Caloola St - Railway Bridge (Newbridge AMP 3)	49,403	49,403			
<b>Kerb &amp; Gutter</b>					
Network Renewals	66,000	66,000			
<b>Road Rehabilitation Local Roads</b>					
Mandurama Road	1,138,500	569,250	569,250		
Village Road	563,212	563,212			
Newbridge Road - realignment Liscombe Creek	200,000	200,000			
Hobbys Yards Road	690,000	345,000	345,000		
Gravel Resheeting Program	417,778	417,778			
Heavy Patching Program	567,749	567,749			
Reseal Program	455,271	455,271			
<b>Bridges &amp; Culverts</b>					
Culvert Renewal Program	250,000	250,000			
Liscombes Creek Replacement & Realignment	850,000		850,000		
<b>Total Infrastructure</b>	<b>5,750,958</b>	<b>3,706,064</b>	<b>2,044,894</b>	<b>-</b>	<b>-</b>
<b>Sewerage Infrastructure</b>					
<b>Network Assets</b>					
Step Screen - Replacement	90,456			90,456	
Lining/Replacement of Sewer Mains	230,000			230,000	
<b>Total Sewerage Infrastructure</b>	<b>320,456</b>	<b>-</b>	<b>-</b>	<b>320,456</b>	<b>-</b>
<b>Total Capital Expenditure</b>	<b>8,800,567</b>	<b>4,983,600</b>	<b>2,064,757</b>	<b>1,601,210</b>	<b>151,000</b>

## Capital Expenditure Program 2025/26

Grant Funding is not Guaranteed	Original Budget 2025/26	Project Funded By			
		General	Grants & Contributions	Restriction/ Borrowings*	Other
<b>Buildings</b>					
<b>Council Buildings &amp; Public Halls</b>					
Building Renewal Works	53,561	53,561			
<b>Total Buildings</b>	<b>53,561</b>	<b>53,561</b>	-	-	-
<b>Other Structures</b>					
<b>Public Cemeteries</b>					
Infrastructure Works	11,850	11,850			
<b>Parks, Recreation &amp; Sporting Grounds</b>					
Village Enhancement Program	157,500				157,500
<b>Total Other Structures</b>	<b>169,350</b>	<b>11,850</b>	-	-	<b>157,500</b>
<b>Plant &amp; Equipment</b>					
<b>Information Technology</b>					
Councillors - iPad Replacement/Accessories	2,500	2,500			
Mobile Device Replacements	4,308	4,308			
Mobile Phone Replacements	4,308	4,308			
UPS Battery Back up	8,500	8,500			
CCTV Cameras	12,000	12,000			
<b>Fleet Replacement Program</b>					
Minor Plant & Tools Replacement	35,661	35,661			
Light Vehicle Replacements	647,109	521,862		125,247	
P43 - Isuzu NPR55-155 MWB	107,851			107,851	
P52 - Grader Cat 12M	535,000			535,000	
P630 - Isuzu watercart	318,916			318,916	
P631 - Isuzu Watercart	318,916			318,916	
P72 - John Deere 5725 awd bucket	98,574			98,574	
LC001 - John Deere F1575 mower	64,363			64,363	
LC002 - John Deere F1575 mower	64,363			64,363	
LC007 - Flail mower	23,194			23,194	
LC008 - Flail mower	23,194			23,194	
Sewer jetting trailer	98,574			98,574	
<b>Minor Plant &amp; Equipment</b>					
Minor Assets - Administration Office	3,750	3,750			
Minor Assets - Community Centre	6,400	6,400			
Minor Assets - Blayney Library	20,360		20,360		
<b>Total Plant &amp; Equipment</b>	<b>2,397,841</b>	<b>599,289</b>	<b>20,360</b>	<b>1,778,192</b>	-

Infrastructure		General	Grants & Contributions	Restriction/ Borrowings*	Other
<b>Urban Stormwater</b>					
Renewals	71,000	71,000			
<b>Shared Pathways &amp; Footpaths</b>					
Footpath Renewals	52,484	52,484			
Medway St - Kerb Blisters - Somers Pl - Highway (Blayney AMP 7)	8,915	8,915			
Carcoar St - FP - Ogilvy St - Carcoar St (Blayney AMP 15)	8,737	8,737			
Plumb & Palmer St - FP - Piggott Pl - 19A Palmer St (Blayney AMP 11B)	14,977	14,977			
Osman St FP - Existing - Martha St (Blayney AMP AD8)	13,729	13,729			
Kurt Fumley Park - Flood Plain Access (Carcoar AMP AD1)	14,264	14,264			
Carcoar St/Crouch St - FP - Public Hall - Park (Neville AMP 1)	93,000	93,000			
<b>Road Rehabilitation Local Roads</b>					
Mandurama Road	1,178,348	589,174	589,174		
Forest Reefs Road	781,042			781,042	
Hobbys Yards Road	700,000	350,000	350,000		
Dakers Oval Carpark	38,800	38,800			
Gravel Resheeting Program	432,400	432,400			
Heavy Patching Program	587,620	587,620			
Reseal Program	471,205	471,205			
<b>Total Infrastructure</b>	<b>4,466,522</b>	<b>2,746,306</b>	<b>939,174</b>	<b>781,042</b>	<b>-</b>
<b>Sewerage Infrastructure</b>					
		General	Grants & Contributions	Restriction/ Borrowings*	Other
<b>Network Assets</b>					
Blayney STP Capacity Upgrade	8,917,500		5,796,375	3,121,125	
Odour Control Blower	28,275			28,275	
Electrical Replacements	217,532			217,532	
Lining/Replacement of Sewer Mains	235,000			235,000	
<b>Total Sewerage Infrastructure</b>	<b>9,398,307</b>	<b>-</b>	<b>5,796,375</b>	<b>3,601,932</b>	<b>-</b>
<b>Total Capital Expenditure</b>	<b>16,485,581</b>	<b>3,411,006</b>	<b>6,755,909</b>	<b>6,161,166</b>	<b>157,500</b>

## How Council Raises its Revenue from Ratepayers

There are two types of revenue raised from ratepayers. The general approach adopted by Council in its revenue policy for each type of revenue is as follows:

### **Fees and Charges**

These are the fees for particular services provided where the use of the service is discretionary or the charge only applies to the individual ratepayers who use the service. In these cases Council's policy is:

- where possible, to set the charges to recover the full attributed cost of providing the service; or
- where not possible, and therefore the cost of the service is subsidised by all ratepayers, to clearly show the extent of the subsidy. Some subsidies are unavoidable because of regulatory caps on the fee that can be charged.

Council has embarked on a program aimed at thoroughly investigating the roles and functions undertaken by Council and how these functions are funded. This will include a detailed review of service levels and the setting of fees and charges.

### **Rates**

Rates are levied annually on each registered property owner in the Shire. Council's policy is to set rates at a level that will ensure Council's long term financial sustainability, taking into account:

- the services which the community expects Council to provide;
- the cost of maintaining and replacing assets;
- the expected level of income from grants;
- the servicing of a prudent level of borrowings, to preserve intergenerational equity; and
- the need to cover subsidies in the cost of providing services not fully recouped from fees and charges.

They are tempered by the community's ability to pay as ascertained through formal consultation.

### **Allocation of rate burden between ratepayers**

Council recognises that rates are a tax and should therefore:

- comply with the principles of taxation including equity, efficiency, simplicity and sustainability; and
- be applied for the overall public benefit of all ratepayers.

In considering the rating structure for the Shire, Council seeks to achieve a reasonable and equitable distribution of the rate burden across all categories of ratepayers. It does this by structuring the rate by:

- a) dividing rateable land into sub-categories having similar characteristics;
- b) dividing the ordinary rate into:
  - i. a base rate; and

- ii. an ad valorem rate; and
- c) using special rates where appropriate for specific projects or well defined purposes.

#### **Categories of rateable land**

Under the Local Government Act there are 4 permissible categories of rateable land: residential, farmland, business and mining.

Councils have discretion to divide these categories into sub-categories for the purpose of making the ordinary rates applicable to each of them. Residential sub-categories must be rural residential or based on centres of population and business sub-categories must be based on centres of activity.

#### **Ordinary rates**

Ordinary rates must be levied by Council each year. Each Council may structure its ordinary rate:

- entirely as an ad valorem rate (i.e. cents in the dollar on the Valuer-General's unimproved capital valuation), which may be subject to a minimum amount; or
- as a base amount plus an ad valorem amount, in which case the base amount for a category or sub-category cannot raise more than 50% of the rates for that category or sub-category.

Council has adopted a policy of using the second or two-part rating structure by levying a base amount plus an ad valorem amount, for the reasons explained below.

Ordinary Rates are applied to properties on the basis of independent valuations supplied to Council on all rateable properties within the Shire boundaries by Land and Property Information NSW. All of the valuations used in the 2022/23 rating period have a base date of 1 July 2019.

In accordance with s497 of the Local Government Act 1993 the structure of the Ordinary Rate comprises:

- i) a base amount; plus
- ii) an ad valorem component (i.e. a rate levied on the unimproved land value).

Each property is categorised into one of four rating categories. The property is then sub-categorised which determines the base amount and the ad valorem rate that is levied on that property.

#### **Base amounts**

The base amount, which is a component of the ordinary rate, is a set dollar amount for each sub-category. Council uses a base amount in recognition of the fact that there are basic services provided by Council and general administrative and overhead costs that benefit all properties regardless of rateable value, which in equity should be borne equally by all ratepayers. It also avoids the uneven distribution of the rate burden that would result from a wholly ad valorem rate structure. Base amounts tend to eliminate highs and lows in the total rate burden within each sub-category.

Base rates are used by Councils to reflect the costs of service provision and operational requirements of the organisation. In principle, the base rates should reflect the required costs that need to be met by a Council and its community before other works or services are provided. This includes costs associated with insurance, contributions to the NSW Rural Fire Service and Town Fire Brigades, libraries, museums, electricity and gas and some wages. In setting the base amount for each sub-category Council has sought to achieve a fair and equitable balance between the ratepayers in each sub-category and between sub-categories.

Under Local Government legislation Council is allowed to raise up to 50% of its rates income from base rates and the remainder from ad valorem rates based on the Valuer General's assessment of a property's Unimproved Capital Value (UCV). In past years Council has set its base rates well below the 50% mark. As the costs of living have increased and government subsidies to Council have reduced, the cost of common services of Council to operate have increased.

#### **Ad valorem rates**

Once the base amount is set, the balance of the ordinary rates is calculated as a percentage of the Valuer-General's valuation for each parcel of land. It is a principle of local government rating in NSW that the majority of the rate burden is imposed based on the value of rateable property, so this must remain the primary and predominant determinant of overall rates.

The current base date for all valuations in the Shire is 1 July 2019 and was effective from 1 July 2020.

#### **Special rate variations**

Special rate variations have been levied by Council for specific projects. They may be levied on all rateable land in the Shire or only part of it. Council currently has in effect for the 2022/23 Operational Plan the Mining Special Rate variation for funding roads, bridges, land acquisitions, community infrastructure works and community contributions.

Council also has in place a Special Rate Variation for funding the program of infrastructure renewal for roads, bridges, footpaths and buildings within the Blayney Shire.

#### **Pensioner rates concessions**

In accordance with NSW State government policy, as embodied in s.575 of the Local Government Act 1993, Council allows eligible pensioners a concession of \$250 on their assessments for rates and domestic waste management charges. Some part of this is recouped from government, but a substantial part of this concession falls to be borne by

Council or, effectively, non-concessional ratepayers. For the 2022/23 year pensioner concessions were allowed on 581 rate assessments. The rates yield in the tables above is gross revenue before allowing for these concessions.



### Hardship policy

Ratepayers who are suffering genuine hardship in payment of their rates may apply to Council for special consideration. This may include agreement to a periodical payment arrangement or in some cases reduction or waiver of interest on overdue rates. Full details are set out in the Pensioner and Rates Hardship Policy (policy 5E) available on Council's website.

## Rates and Annual Charges

### Rating Structure for the 2022/23 Rating Year

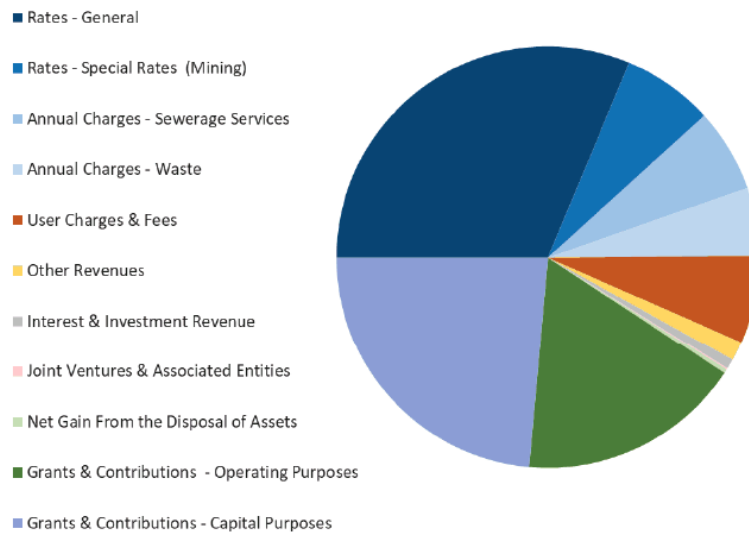
As an organisation, Council is committed to providing revenue-raising policies, which are simple, fair, uniform and more importantly acceptable to the wider community.

Council, at all times, strives to make more effective, efficient and economic use of all available resources by fostering a co-operative approach within the organisation specifically and the broader community generally.

The Local Government Act 1993 prescribes that Council may raise revenue in a number of different ways. These include rates, charges, fees, grants, borrowings and investments.

2022/23 Source of Funds	Amount (\$'000)
Rates - General	7,766
Rates - Special Rates (Mining)	1,731
Annual Charges - Sewerage Services	1,583
Annual Charges - Waste	1,302
User Charges & Fees	1,667
Other Revenues	371
Interest & Investment Revenue	189
Joint Ventures & Associated Entities	25
Net Gain From the Disposal of Assets	78
Grants & Contributions - Operating Purposes	4,255
Grants & Contributions - Capital Purposes	5,857
<b>Total Income from Continuing Operations</b>	<b>24,824</b>

## Income from Continuing Operations



Included in this Revenue Policy is Council's pricing policy, proposed borrowings and a schedule of Fees and Charges. Following are the forms of charges that Council will be levying on properties in the 2022/23 Financial Year.

### Rate structure 2022/23

Pursuant to s.405 of the Local Government Act, Council must have for inspection at its office a map<sup>1</sup> that shows the parts of its area to which each category, and sub-category, of the ordinary rate and each special rate included in the draft operational plan applied during a period of public exhibition.

Council has proposed the following restructure for a total increase to rates income of 2.5% following approval of an Additional Special Variation (ASV) from IPART. The following rates structure for 2022/23 is proposed:

<sup>1</sup> These maps are available for inspection at Council's Administration Office at 91 Adelaide Street, Blayney. They may also be accessed from Council website on: <https://maps.blayney.nsw.gov.au/intramaps90public/default.htm?project=BSCExternal&module=Rates> option under Rates in the Module Menu.

**Rate Structure with ASV 2.5% increase (ASV)**

<b>Rating Structure for the 2022/2023 Rating Year</b>							
<b>Name of Category/Sub Category</b>	<b>No. of Assessments</b>	<b>Base Rate</b>	<b>Ad Valorem</b>	<b>Land Value</b>	<b>Total Yield</b>	<b>Average Rate</b>	<b>% Yield from Base Amount</b>
<b>Residential</b>							
Ordinary Rate	1,196	\$355	0.00192328	\$225,748,057	\$858,757	\$718.02	49.44%
Blayney & Carcoar	1,373	\$355	0.00430972	\$121,393,400	\$1,010,585	\$736.04	48.23%
Millthorpe	328	\$355	0.00175950	\$71,380,560	\$242,034	\$737.91	48.11%
<b>Business</b>							
Ordinary Rate	93	\$455	0.00416860	\$14,819,620	\$104,092	\$1,119.27	40.65%
Business Blayney	170	\$455	0.00838138	\$17,011,600	\$219,931	\$1,293.71	35.17%
Business Millthorpe & Carcoar	57	\$455	0.00565993	\$8,693,600	\$75,140	\$1,318.25	34.52%
<b>Farmland</b>							
Ordinary Rate	727	\$575	0.00225476	\$838,668,120	\$2,309,019	\$3,176.09	18.10%
<b>Mining</b>							
Ordinary Rate	1	\$1,120	0.03936400	\$426,000	\$17,889	\$17,889.06	6.26%
Mining Gold		\$1,120	0.04202500				
Mining Gold / Copper Combined	1	\$1,120	0.04272937	\$110,000,000	\$4,701,351	\$4,701,351	0.02%
<b>Total Yield</b>				<b>\$1,408,140,597</b>	<b>\$9,538,797</b>		

**Annual Charges Sewer Services for Blayney and Millthorpe**

**For Residential Properties**

A uniform sewerage charge is applied to all residential customers in accordance with the Department of Environment, Climate Change and Water Best Practice sewer pricing guidelines.

Sewerage Charges have been set to meet the requirements of the State Government Best-Practice Management of Water and Sewerage guidelines that requires prices to be set based on long term strategic business planning and full cost recovery. The following wastewater (sewerage) service charges for 2022/23 are proposed:

Residential			
	Access Charge	No. of Properties	Total Yield
Connected	\$736	1,534	\$1,129,024
Vacant / Unmetered	\$380	100	\$38,000
<b>Estimated Total Yield</b>			<b>\$1,167,024</b>

**For Non-residential Properties**

A two-part tariff, being a Connection Charge and a Usage Charge will be applied. Non-Residential properties include multiple occupancies, such as non-strata flats and units, and those properties which are categorised as “Business” for rating purposes.

The **Connection Charge** is determined by multiplying the access charge applicable to the water service connection size, by the Sewerage Discharge Factor (SDF).

The **Usage Charge** is the estimated % of a customer’s water consumption that is discharged into the sewer. It is determined by multiplying the number of kilolitres of water consumed, by the SDF, and then by the scheduled per kilolitre usage charge determined by Council.

Council issues sewer usage charges every three months in arrears and are included on the rates instalment notice.

The SDF is a customer’s estimated volume discharged into the sewerage system to the customer’s total water consumption. For non-residential properties the SDF varies based on the usage requirements of a customer’s enterprise.



**Proposed Non-Res Sewer Charges for 2022/23**

	<b>Annual Charge (Prior to SDF Factor)</b>	<b>No. of Properties</b>	<b>Quarter Charge before SDF applied</b>	<b>Min. quarterly amount charged</b>
20mm Water Service	\$616	161	\$154	\$184
25mm Water Service	\$940	21	\$235	\$184
32mm Water Service	\$1,532	18	\$383	\$184
40mm Water Service	\$2,400	11	\$600	\$184
50mm Water Service	\$3,744	24	\$936	\$184
80mm Water Service	\$9,568	1	\$2,392	
100mm Water Service	\$15,000	6	\$3,750	
150mm Water Service	\$33,752	2	\$8,438	
Vacant/Unmetered	\$380	54		
Usage Charge (per kl)	\$1.58			
<b>Estimated Total Yield</b>				<b>\$416,850</b>

**Future Sewerage Infrastructure Subsidy Charge**

Council has prepared a Sewerage Development Servicing Plan which informs Council of the Developer Charges to be applied to new development. The Developer Charges are levied under s.64 of the Local Government Act and contribute to funding Council's future expansion of the sewerage infrastructure as a result of the new development.

The Development Servicing Plan is prepared in accordance with the 2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater issued by the Minister for Lands and Water, pursuant to s.306(3) of the Water Management Act.

Council has elected to levy Developer Charges lower than the calculated Developer Charges for the 2 service areas, Blayney and Millthorpe. The Developer Charges have been set in consideration of financial, social and environmental factors to determine a Developer Charge which is balanced, fair and meets Council's objectives. The cross-subsidy, resulting from capping of Developer Charges, must be disclosed in Council's DSP, annual Operational Plan and Annual Report.

The amount determined per Typical Residential Bill (TRB) is disclosed below and will apply to all properties as follows:

<b>Future Sewerage Infrastructure Subsidy Charge</b>			
	<b>Access Charge</b>	<b>No. of Properties</b>	<b>Total Yield</b>
Connected - Residential	\$57	1,445	\$82,365
Connected - Business	\$57	240	\$13,680
Vacant (Unconnected)	\$57	154	\$8,778
<b>Estimated Total Yield</b>			<b>\$104,823</b>



**Liquid Trade Waste Charges for 2022/23**

<b>Commercial (Non-Residential)</b>		
	<b>Annual Fee</b>	<b>No. of Properties</b>
Annual Trade Waste Fee	\$114	65
Annual Trade Waste Fee (Large Dischargers Category 3)	\$420	1
Liquid Trade Waste User Charges with Trade Waste Agreement (Category 1, Category 2/2s)	\$2.28	23
Liquid Trade Waste User Charges with No Trade Waste Agreement	\$22.10	12
Excess Mass Chargers for Category (3 Dischargers)	\$Per the table	
Water Testing Charges (if required)	\$294.00 per quarter	1
<b>Estimated Total Yield</b>		<b>\$66,692</b>

**Annual Charges - Waste Management**

Domestic Waste Management services are provided to the residents of Blayney, Millthorpe, Carcoar, Lyndhurst, Neville, Panuara, Newbridge, Hobbys Yards, Barry, Forest Reefs and specific rural areas. The service includes a weekly garbage collection service and a fortnightly recycling collection service.

Domestic Waste Management Charge and the Non-Domestic Waste Management Charge reflect the cost to provide this service.

A Waste Management Levy is applied to all properties in the Blayney Shire to create an equitable contribution by all residents towards the operation of the Blayney Waste Facility, in particular management and processing of recycling and green waste, which will incur a significant increase in costs.





<b>Charge Category and Description</b>	<b>Annual Charge</b>	<b>No. of Properties</b>
<b>Waste Management Levy</b>	<b>2022/23</b>	<b>Proposed</b>
<b>Waste Management Levy</b> <i>This is waste management charge is applied to all properties funding waste disposal services for the Blayney Shire</i>	\$44	4,060
<b>Domestic Waste Management</b>		
<b>Domestic Waste Management Service Charge</b> <i>This is applied to properties that have a residence within the waste collection area.</i>	\$348	2,630
<b>Domestic Waste Management Availability Charge</b> <i>This charge is applied to properties within the waste collection area that do not have a service but it is available i.e. vacant land</i>	\$60	285
<b>Commercial (Non-Domestic) Waste Management</b>		
<b>Non-Domestic Waste Management Service Charge</b> <i>This is applied to properties for non-domestic properties within the waste collection area</i>	\$448	336
<b>Non-Domestic Waste Management Availability Charge</b> <i>This charge is applied to properties within the waste collection area that do not have a service but it is available i.e. vacant land</i>	\$60	92
<b>Non-Domestic Waste Service Management Charge for Charity and Not Profit Organisations</b> <i>This is applied to the above properties for non-domestic properties within the waste collection area</i>	\$120	11
<b>Extra Services</b>		
Additional Garbage Charge – per red bin	\$318	94
Additional Recycling Charge – per yellow bin	\$130	31
<b>Total Yield</b>		<b>\$1,302,270</b>

## Proposed Borrowings

### **Council Borrowings**

Council determines borrowing requirements in conjunction with the review of its 10-year Long Term Financial Plan (LTFP). The borrowing of funds, if required, will be in accordance with Part 12 - Loans (sections 621,622,623 and 624) of the Local Government Act and the Minister of Local Government Borrowing Order.

The 2022/23 Operational Plan does not allow for any borrowings

## Pricing Policy

The delivery of goods and services within available resources provides the frame work behind the determination of Council pricing structure. The recovery of costs in the provision of goods and services is considered central to the efficient operation of the organisation. Adherence to Council's pricing obligations under the Local Government Act 1993, the Local Government Regulations and other legislation may dilute Council's attempt to recover costs in the provision of some goods and services. Council reserves the right to discount fees and charges below the cost of providing the product where it considers the benefits of this action represent the best interests of the community. Council has specifically identified that the use of the Community Centre and Sporting Facilities will be subsidised.

Council remains responsive to, but not bound by, the recommendations of other government authorities and other interested parties in relation to setting fees and charges. When determining costs Council recognises that the true costs include costs associated with the product such as administrative or supervisory costs. The true cost may also involve the recovery from current customers for future costs. Generally, Council endeavours to recover the cost of providing the goods and services, recognising its community service obligations and the ability to pay.

The delivery of goods and services within available resources provides the framework behind the determination of Council pricing structure. The recovery of costs in the provision of goods and services is considered central to the efficient operation of the organisation. Adherence to Council's pricing obligations under the Local Government Act 1993, the Local Government Regulations and other legislation may dilute Council's attempt to recover costs in the provision of some goods and services.

Council reserves the right to discount fees and charges below the cost of providing the product where it considers the benefits of this action represent the best interests of the community. Council has specifically identified that the use of the Community Centre and Sporting Facilities will be subsidised which is aligned to the priorities of the Community Strategic Future Direction 4: Enhance facilities and networks that support Community, Sport, Heritage and Culture.

Council remains responsive to, but not bound by, the recommendations of other government authorities and other interested parties in relation to setting fees and charges. When determining costs Council recognises that, the true costs include costs associated with the product such as administrative or supervisory costs. The true cost may also involve the recovery from current customers for future costs.

Generally, Council endeavours to recover the cost of providing the goods and services, recognising its community service obligations and the ability to pay.

In accordance with s.608 of the *Local Government Act 1993* and other applicable legislation, Council charges and recovers approved fees for any services it provides as contained within its schedule of fees and charges.

All of Council's fees and charges are reviewed on an annual basis prior to the finalisation of Council's Annual Operational Plan. From time to time, other state agencies may alter statutory fees and these will be automatically updated on the Council's website. Council is authorised pursuant to s.608 to charge and recover an approved fee for any service it provides other than a service provided on an annual basis for which it makes an annual charge under s.501.

In determining its fees under s.608, Council has taken into consideration the following factors as prescribed:

The cost to Council of providing the service

- The price suggested for that service by an relevant industry body or in any schedule of charges published from time to time by the department
- The importance of the service to the community
- Any factors specified in the regulations

Also in accordance with s.404(5) of the Local Government Act, Council is not required to and does not provide any information in its Schedule of Fees of its pricing policy, which could confer a commercial advantage on a competition in respect to Council's business enterprises.

The Fees and Charges are provided as attachment to this document. The following are a summary of Council's pricing policy applied to its Fees and Charges:

<b>Pricing Policy</b>	<b>Description</b>
<b>Statutory</b>	This is the amount required to be charged by statute. Where this principle applies, Council has no discretionary power to alter the amount.
<b>User Pay</b>	The pricing for these services is set below the financial cost of providing the service. The fees received are expected to make a contribution towards the cost provision, with the balance being met from general revenues. The principles associated with this pricing category may include the following: <ul style="list-style-type: none"><li>• Expected benefit to the community as a whole;</li><li>• Benefit of service may be spread across a large number of users including unrelated third parties;</li><li>• Objective is to enable maximum access to the service, particularly keeping lower income users in mind.</li></ul>
<b>Regulatory</b>	This is the amount determined by Council pursuant to powers under statute. Where this principle applies fee received covers up to amount legally recoverable.

#### **Goods and Services Tax**

Goods and Services Tax (GST) of 10% is payable on several services provided by the Council. In general, GST will not be payable on regulated fees and charges, unless contestable. Fees and Charges regulated under the Local Government Act include planning and development fees, zoning, development application fees and dog registration fees. GST will be generally payable on non-regulated fees unless a specific exemption applies. This document identifies where GST is applicable or is not applicable.

Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
Administration	<b>Dishonoured Payments</b>			
Administration	- Fee for returned payments (each instance) in addition to bank charge.	User Pay	\$ 20.50	±
Administration	<b>Black &amp; White Photocopying</b>			
Administration	- A4 Copies (each)	User Pay	\$ 4.00	±
Administration	- A3 Copies (each)	User Pay	\$ 4.50	±
Administration	- A2 Copies (each)	User Pay	\$ 23.00	±
Administration	- A1 Copies (each)	User Pay	\$ 27.00	±
Administration	- Double Sided - Above fee PLUS 50%	User Pay		
Administration	<b>Colour Photocopying</b>			
Administration	- A4 Copies (each)	User Pay	\$ 4.00	±
Administration	- A3 Copies (each)	User Pay	\$ 4.50	±
Administration	- A2 Copies (each)	User Pay	\$ 35.50	±
Administration	- A1 Copies (each)	User Pay	\$ 57.00	±
Administration	- Double Sided – Above fee PLUS 50%	User Pay		
Administration	<b>GIS Search and Retrieve Information</b>			
Administration	- A4 Sheet	User Pay	\$ 68.50	±
Administration	- A3 Sheet	User Pay	\$ 81.50	±
Administration	- A2 Sheet	User Pay	\$ 111.00	±
Administration	- A1 Sheet	User Pay	\$ 155.00	±
Administration	- A0 Sheet	User Pay	\$ 172.00	±
Administration	<b>PA System Hire (Community Groups and Agencies Only)</b>			
Administration	- PA System (per day)	User Pay	\$ 128.00	±
Administration	- Security Deposit (Refundable)	User Pay	\$ 100.00	±
Administration	<b>Computer Projector Hire (Community Groups and Agencies Only)</b>			
Administration	- Projector (per day)	User Pay	\$ 205.00	±
Administration	- Security Deposit (Refundable)	User Pay	\$ 100.00	±
Administration	<b>Section 603 Certificates</b>			
Administration	- Certificate Fee	Statutory**	\$ 90.00	
Administration	- Additional Urgent Fee (within 48hrs)	User Pay	\$ 70.50	±
Administration	- Refund / Cancellation Fee	User Pay	\$ 32.00	±
Administration	- Duplicate Certificate Fee	User Pay	\$ 63.50	±
Administration	<b>Subpoena Charges</b>			
Administration	- Ordinary Hours (per hour)	User Pay	\$ 321.50	±
Administration	- Overtime Hours (per hour)	User Pay	\$ 430.50	±
Administration	- Urgency Fee (<5 working days notice)	User Pay	\$ 113.50	±
Administration	*This fee includes the supply of information under the Workplace Injury Management and Workers Compensation Act 1998**			
Administration	<b>Rate enquiry / Property enquiry / Valuation enquiry (fee per property)</b>			
Administration	- Written (per hour)	User Pay	\$ 120.50	±
Administration	- Per 15 mins	User Pay	\$ 77.00	±
Administration	<b>Staff Costs</b>			
Administration	- General Manager/Directors per hour	User Pay	\$ 333.00	±
Administration	- Managers per hour	User Pay	\$ 265.00	±
Administration	- Clerical/Admin Staff per hour	User Pay	\$ 197.50	±
Administration	- Works Staff per hour	User Pay		±
Administration	- Scanning and Emailing of Documents	User Pay		±
Administration	<b>Access to Information – Government Information (Public Access) Act</b>			
Administration	<b>Formal Application</b>			
Administration	- Processing Fee	Statutory**	\$ 30.00	
Administration	- Processing Charge (per hour)	Statutory**	\$ 30.00	
Administration	<b>Internal Review</b>			
Administration	- Processing Fee	Statutory**	\$ 40.00	
Administration	*Note: Applicants are entitled to a 50% reduction of processing charges on financial hardship grounds or if the information required is of special benefit to the public generally.			
Administration	<b>Business Paper Supply</b>			
Administration	- Supply of Business Paper per month (other than current month's Council meeting)	Regulatory	\$ 39.50	±
Administration	- Additional Postage & Handling Charge	Regulatory	\$ 31.00	±
Administration	<b>Corporate Plan Supply</b>			
Administration	- Supply of either Community Strategic Plan, Delivery Program or Operational Plan	Regulatory	\$ 62.50	±
Administration	<b>Rates</b>			
Administration	Hardship provisions apply per Council policy (s.566 Local Government Act)			
Administration	- Copy of rates/instalment notice	User Pay	\$ 25.00	
Administration	- Processing fee - refund overpayment of rates	User Pay	\$ 35.50	
Administration	- Accrual of Interest on Overdue Rates and Charges	Statutory**	6%	
Administration	- Debt Recovery charges on Overdue Rates and Charges (s.712) including prior legal action, legal action and late stage intervention	User Pay	Full Cost	

Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
Administration	<b>Sundry Debtors</b>			
Administration	- Debt Recovery charges on Sundry Debtors including late stage intervention and service fee.	User Pay	Full Cost	
Engineering	<b>Application for Change of Street Number and Address</b>			
Engineering	- Application Fee	User Pay	\$ 441.00	±
Engineering	- Administration Fee (if approved)	User Pay	\$ 206.00	±
Engineering	<b>Permanent Road Closure</b> <i>Applicant to pay all fees to external parties</i>			
Engineering	- Application for Closing of Public Road	Regulatory	\$ 358.00	±
Engineering	<b>Temporary Road Closure</b>			
Engineering	- Advertising fee for temporary closures for festivals etc.	Regulatory		
Engineering	<b>Driveway Access Levels</b>			
Engineering	- Inspection Fee	User Pay	\$ 156.00	±
Engineering	- Design Fee	User Pay	\$ 260.00	±
Engineering	- Rural Address Numbers	User Pay	\$ 33.50	±
Engineering	<b>Kerb and Gutter Security Deposit</b> •Where a concrete kerb and gutter or footpath exists outside a development site (per lineal metre). •Where remediation is to be undertaken by Council, works will be charged at the applicable Private Works rate. Private Works is <i>not exempt</i> . •Works charge under section 247 of the Roads Act may recover the cost of paving, kerb, gutter and footpath. Contribution is 50% and is GST exempt and not allocated to trust.			
Engineering	- Kerb and Gutter (per lineal metre)	User Pay	\$ 135.00	±
Engineering	- Minimum Charge	User Pay	\$ 540.00	±
Engineering	- Footpaths (per square metre)	User Pay	\$ 150.00	±
Engineering	- Minimum Charge	User Pay	\$ 540.00	±
Engineering	<b>Inspections – Road Construction</b> <i>Charge for inspections in respect of road construction by private developers.</i>			
Engineering	- Inspection of Construction Site (per lineal metre)	User Pay	\$ 15.50	±
Engineering	<b>Bond – Civil Construction</b>			
Engineering	Bond for civil construction works to be included in Councils Asset Register, to be held per time frame specified in Development Application.	User Pay	5% of total Construction Cost OR \$520 per additional lot, whichever is >	
Engineering	<b>Street Signs</b>			
Engineering	- Provision and installation of each sign	User Pay	\$ 501.50	±
Engineering	<b>Street Trees</b>			
Engineering	- Provision and installation of street trees per lot	User Pay	\$ 266.00	±
Emergency Services & Fire Protection	<b>Receive Annual Fire Safety Statement</b>	User Pay	\$ 57.00	±
Emergency Services & Fire Protection	<b>Follow-up/Reminder Overdue Fire Safety Certificate</b>	User Pay	\$ 57.00	±
Animal Control	<b>Companion Animal Registration</b> <i>Fees set by legislation for lifetime of animal</i>			
Animal Control	- Dog - Desexed	Statutory**	\$ 69.00	
Animal Control	- Dog - Desexed (eligible pensioner)	Statutory**	\$ 29.00	
Animal Control	- Dog - Desexed (sold by pound)	Statutory**	\$ -	
Animal Control	- Dog - Not Desexed or Desexed (after relevant age)	Statutory**	\$ 234.00	
Animal Control	- Dog - Not Desexed (not recommended)	Statutory**	\$ 69.00	
Animal Control	- Dog - Not Desexed (recognised breeder)	Statutory**	\$ 69.00	
Animal Control	- Dog - working	Statutory**	\$ -	
Animal Control	- Dog - Service of the State	Statutory**	\$ -	
Animal Control	- Dog - Assistance Animal	Statutory**	\$ -	
Animal Control	- Cat - Desexed ot Not Desexed	Statutory**	\$ 59.00	
Animal Control	- Cat - Eligible pensioner	Statutory**	\$ 29.00	
Animal Control	- Cat - Desexed (sold by pound/shelter)	Statutory**	\$ -	
Animal Control	- Cat - Not desexed (not recommended)	Statutory**	\$ 59.00	
Animal Control	- Cat - Not desexed (recognised breeder)	Statutory**	\$ 59.00	
Animal Control	- Registration late fee	Statutory**	\$ 19.00	
Animal Control	<b>Annual Permit Fees</b>			
Animal Control	- Undesexed cat by four months of age	Statutory**	\$ 85.00	
Animal Control	- Dog declared to be dangerous	Statutory**	\$ 206.00	
Animal Control	- Dog declared to be restricted breed or restricted by birth	Statutory**	\$ 206.00	
Animal Control	- Permit late fee	Statutory**	\$ 19.00	
Animal Control	<b>Impounding of Dogs</b>			
Animal Control	- per dog for first impounding	User Pay	\$ 65.00	±
Animal Control	- for any subsequent impounding	User Pay	\$ 129.00	±
Animal Control	- Sustenance of Dogs whilst impounded (per day or part thereof)	User Pay	\$ 19.00	±



Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
Animal Control	- Surrender Animal	User Pay	\$ 220.00	±
Animal Control	<b>Sale of Impounded Dogs</b>			
Animal Control	- Desexed Animal PLUS microchipping & registration	User Pay	\$ 23.00	±
Animal Control	- Non Desexed Animal PLUS microchipping & registration	User Pay	\$ 44.00	±
Animal Control	- Council Microchipping Fee	User Pay	\$ 30.00	±
Animal Control	<b>Cat Trap / Dog Trap</b>			
Animal Control	- Weekly Hire	User Pay	\$ 31.00	±
Animal Control	- Deposit (Refundable)	User Pay	\$ 109.00	±
Animal Control	- Trap Replacement – in the event that the trap is lost or needs to be replaced	User Pay	\$ 557.00	±
Animal Control	<b>Straying Livestock</b>			
Animal Control	- Per incident of impounding PLUS transport fee below	User Pay	\$ 200.00	±
Animal Control	- Per incident of impounding without transport	User Pay	\$ 77.00	±
Animal Control	<b>Livestock Impounding</b>			
Animal Control	- Horses & Cattle - Sustenance whilst impounded per head per day	User Pay	Full Cost + 30%	
Animal Control	- Sheep - Sustenance whilst impounded per head per day	User Pay	Full Cost + 30%	
Animal Control	- All Other Animals - Sustenance whilst impounded per head per day	User Pay	Full Cost + 30%	
Animal Control	- Veterinary Costs whilst impounded	User Pay	Full Cost + 30%	
Animal Control	- Loss or Damage caused by straying stock including repairs	User Pay	Full Cost + 30%	
Animal Control	<b>Impounding Articles</b>			
Animal Control	- Per incident of impounding PLUS transport fee	User Pay	\$ 330.00	±
Animal Control	- Storage fee – per article per day	User Pay	\$ 31.00	±
Animal Control	- Notification / incident	User Pay	\$ 109.00	±
Animal Control	<b>Transport Fee</b>			
Animal Control	- Transport of any article or animal	User Pay	Full Cost + 30%	
Animal Control	<b>Ranger / Staff Duties</b>			
Animal Control	- Per Hour (incl. vehicle cost)	User Pay	\$ 197.50	±
Environmental Health	<b>Health Act</b>			
Environmental Health	- Registration under the Public Health Act & Regulation		Nil	
Environmental Health	- Inspection of Barber/Hairdressers, Beauty Salon & Skin Penetration Premises	User Pay	\$ 140.00	
Environmental Health	- Inspection of Cooling Tower	User Pay	\$ 150.00	
Environmental Health	- Reinspection Fee	User Pay	\$ 75.00	
Environmental Health	<b>Food Act</b>			
Environmental Health	- Annual Administration Charge	Regulatory	\$ 185.00	
Environmental Health	- Inspection fee - Low Risk Food Premises	User Pay	\$ 90.00	
Environmental Health	- Inspection fee - Medium & High Risk Food Premises	User Pay	\$ 185.00	
Environmental Health	- Reinspection fee - high, medium and low risk food premises	User Pay	\$ 90.00	
Environmental Health	- Improvement Notice	Regulatory	\$ 343.00	
Environmental Health	<b>Events (markets, shows etc.)</b>			
Environmental Health	Annual registration of a single individual food stall for 12 months (1 Jan - 31 Dec) operating at multiple events within Blayney Shire under the Local Government Act	User Pay	\$ 30.00	
Environmental Health	- Inspection of temporary food premises (whole event, multiple premises) maximum of 20 stalls	User Pay	\$ 60.00	
Environmental Health	- Inspection of temporary food premises (whole event, multiple premises) 21 or more stalls	User Pay	\$ 462.00	
Environmental Health	<b>Giving Effect to an Order</b>			
Environmental Health	- Administration Fee	User Pay	\$ 572.00	
Environmental Health	<b>Amusement Devices</b>			
Environmental Health	- Inspection fee - Major Ride	User Pay	\$ 40.00	
Environmental Health	- Inspection fee - Minor Ride	User Pay	\$ 27.00	

Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
Environmental Health	- Additional Late Application Fee (Less than 72 hours notice)	User Pay	\$ 233.00	
Environmental Health	<b>Protection of Environment Operations Act 1997</b>			
Environmental Health	- Registration Inspection Fee - Underground Petroleum Storage System	User Pay	\$ 150.00	
Environmental Health	- Registration Reinspection Fee - Underground Petroleum Storage Systems	User Pay	\$ 75.00	
Local Government Act	<b>Activities Requiring Approval under S.68 Local Government Act</b>			
Local Government Act	Part A – Structures or places of public entertainment			
Local Government Act	- Install a manufactured home on an allotment (includes certificate of completion)	User Pay	\$ 940.00	
Local Government Act	Part B – Water supply, sewerage & stormwater drainage work			
Local Government Act	- General	User Pay	\$ 370.00	
Local Government Act	- Drainage works for new dwellings and dwelling alterations in a area serviced by sewer mains	User Pay	\$ 370.00	
Local Government Act	- Drainage works for new dwellings and dwelling alterations not in an area serviced by sewer mains including new geotech system	User Pay	\$ 600.00	
Local Government Act	- Drainage works for new dwellings and dwelling alterations not in an area serviced by sewer mains (no new geotech system required)	User Pay	\$ 370.00	
Local Government Act	- Drainage works for commercial and/or industrial development	User Pay	\$ 370.00	
Local Government Act	PLUS fee for additional drainage works charged per item i.e. closet, urinal, sanitary fitting, kitchen/laundry sink, shower	User Pay	\$ 30.00	
Local Government Act	Part C – Management of waste			
Local Government Act	- General	User Pay	\$ 300.00	
Local Government Act	Part D – Community Land	User Pay		
Local Government Act	- General	User Pay	\$ 300.00	
Local Government Act	Part E – Public Roads	User Pay		
Local Government Act	- General	User Pay	\$ 300.00	
Local Government Act	Part F – Other			
Local Government Act	- General	User Pay	\$ 300.00	
Local Government Act	- Approval to operate Caravan Park, camping ground or manufactured home estate (does not include State Govt. levy of \$2.70 per site)	User Pay	\$ 600.00	
Local Government Act	PLUS per site	User Pay	\$6 per site	
Local Government Act	- Approval to operate primitive camping ground (does not include State Govt. Levy of \$2.70 per site)	User Pay	\$ 600.00	
Local Government Act	PLUS per site	User Pay	\$6 per site	
Local Government Act	- Manufactured Homes Estates	User Pay	\$ 600.00	
Local Government Act	PLUS per site	User Pay	\$6 per site	
Local Government Act	- Application for renewal of an approval or for annual inspection of Caravan Park, camping ground or manufactured home estate	User Pay	\$ 600.00	
Local Government Act	PLUS per site	User Pay	\$6 per site	
Local Government Act	- S68 Modification after approval - minor	User Pay	\$ 110.00	
Local Government Act	- S68 Modification after approval - major	User Pay	50% of original fee	
Local Government Act	<b>Permanent Structure within Footpaths - Local Government Act</b>			
Local Government Act	- Per square metre per annum	User Pay	\$ 100.00	

Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
Local Government Act	Local Government Act Section 68 Part F			
Local Government Act	- Inspection - Caravan Parks	User Pay	\$ 190.00	±
Local Government Act	- Reinspection - Caravan park	User Pay	\$ 90.00	±
Local Government Act	On Site Management System & Approval to Operate			
Local Government Act	- Inspection Fee	User Pay	\$ 190.00	
Local Government Act	- Reinspection fee	User Pay	\$ 190.00	
Local Government Act	- Issuing an approval to operate - Transfer of Ownership (upon inspection and approval or within 3 months <90 days> of inspection and approval for change of owner)	User Pay	\$ 90.00	
Development	Hard copy consent (Administration, Printing and Postage)	User Pay	\$ 62.50	
Development	Section 10.7 Planning Certificates (clause 259 reg)			
Development	- Standard Certificate	Statutory**	\$ 53.00	
Development	- Certificate requiring additional information	Statutory**	\$ 80.00	
Development	- Additional Urgent Fee (within 48hrs)	User Pay	\$ 180.00	
Development	Planning Proposal			
Development	- Consistent with strategy	User Pay	\$ 10,000.00	
Development	- Inconsistent with strategy	User Pay	\$ 20,000.00	
Development	General			
Development	- Records Search of Building Records (per hour or part thereof)	User Pay	\$ 198.00	±
Development	- Written confirmation Development Consent has commenced	User Pay	\$ 550.00	±
Development	- Building Entitlement (Existing Holding Search)	User Pay	\$ 550.00	±
Development	Planning Advice for a property for sale (or about to be sold)	User Pay		
Development	- By owner prior to being placed on the market	User Pay		
Development	- Minor Advice	User Pay	\$ 114.50	±
Development	- Major Advice	User Pay	\$ 550.00	±
Development	Clause 4.6 variation			
Development	- Less than 10%	User Pay	\$ 2,000.00	
Development	- Greater than 10%	User Pay	\$ 4,000.00	
Development	Application under Section 8.2 EPA Act			
Development	- Review of Council Decision	Regulatory	As prescribed in the EP&A Regulation (s.257)	
Development	Erection of a building or carrying out work (based on cost of development) (Cl.246B REG)			
Development	(a) Development up to \$5,000 estimated cost	Statutory**	\$ 100.00	
Development	(b) Development \$5,001 to \$50,000	Statutory**	\$170.00 + \$3.00 per \$1,000 (or part thereof) of the estimated cost	
Development	(c) Between \$50,001 to \$250,000	Statutory**	\$352.00 + \$3.64 per \$1,000 (or part thereof) over \$50,001	
Development	(d)**Between \$250,001 to \$500,000	Statutory**	\$1,160.00 + \$2.34 per \$1,000 (or part thereof) over \$250,001	
Development	(e)**Between \$500,001 to \$1,000,000	Statutory**	\$1,745.00 + \$1.64 per \$1,000 (or part thereof) over \$500,001	
Development	(f) **Between \$1,000,001 to \$10,000,000	Statutory**	\$2,615.00 + \$1.44 per \$1,000 (or part thereof) over \$1,000,001	
Development	(g) **Over \$10,000,000	Statutory**	\$15,875.00 + \$1.19 per \$1,000 (or part thereof) over \$10,000,001	
Development	** INCLUDES an additional DA fee imposed by the State Government of 0.064 cents in the dollar (or \$64.00 per \$100,000) on developments valued at over \$50,000 (for implementation of Planning NSW 'PLAN FIRST' scheme).			
Development	Dwelling House and not exceeding \$100,000 (Cl.247 REG)	Statutory**	\$ 455.00	
Development	Development not involving building work or subdivision (Cl.250 REG)	Statutory**	\$ 285.00	

Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
Development	<b>Referral to Heritage Advisor (outside monthly visit)</b> <i>Construction Certificate File Maintenance and Compliance Inspection Fees Apply</i>	User Pay	\$ 310.00	±
Development	<b>Subdivision of Land (EP &amp; A Reg. 249)</b>			
Development	(a)(i) Subdivision (opening of public road)	Statutory**	\$ 665.00	
Development	PLUS per additional lot	Statutory**	\$ 65.00	
Development	(ii) Subdivision (not involving opening of public road)	Statutory**	\$ 330.00	
Development	PLUS per additional lot	Statutory**	\$ 53.00	
Development	(b) Strata- State Significant	Statutory**	\$ 330.00	
Development	PLUS per additional lot	Statutory**	\$ 65.00	
Development	(c) Registration & Release fee	User Pay	\$ 157.00	
Development	(d) Subdivision and or strata certificate	User Pay	\$ 260.00	
Development	PLUS per lot numbered on the plan	User Pay	\$ 60.00	
Development	<b>Designated Development (EP &amp; A Reg. 251)</b>	Statutory**	\$ 952.00	
Development	<b>Integrated Development Referral fee (Per Agency) (EP &amp; A Reg. 253(4))</b>	Statutory**	\$ 331.00	
Development	<b>Concurrence Fee (Additional) (EP &amp; A Reg. 252A) (5)</b>	Statutory**	\$ 331.00	
Development	<b>Processing Fee (Integrated 353 (1)) B Concurrence (252A (1))</b>	User Pay	\$ 151.00	
Development	<b>Development requiring advertising or notification (EP &amp; A Reg. 252)</b>			
Development	(a) Designated Development	Statutory**	\$ 2,220.00	
Development	(b) Prohibited & Other Advertised Development	Statutory**	\$ 1,105.00	
Development	(c) Development Requiring Notice	Statutory**	\$ 1,105.00	
Development	(d) Community Participation Plan Notified Development	User Pay	\$ 190.00	
Development	(e) Community Participation Plan Advertised Development	User Pay	\$ 801.00	
Development	<b>Section 4.55 Modification (EP &amp; A Reg. 258) Application Fee</b>			
Development	(a) Section 4.55(1) of the Act (Cl.258 EPA REG) - Minor	Statutory**	\$ 71.00	
Development	(b) Section 4.55(1A) of the Act (Cl. 258(1A) EPA REG) - involving minimal environmental impact	Statutory**	Lesser of 50 % of the original fee OR \$645.00	
Development	(c) Section 4.55(2) or Section 4.56 of the Act (Cl.258(2) EPA REG) - Major:			
Development	(d) If original fee less than \$100.00	Statutory**	50% of original fee	
Development	(e) If original fee was \$100.00 or more and the DA does not involve the erection of a building, the carrying out of work, or demolition	Statutory**	50% of original fee	
Development	(f) If original fee was \$100.00 or more and the DA is for the erection of dwelling with a cost of \$100,000 or less	Statutory**	\$ 190.00	
Development	PLUS an additional amount if notice of the application is required to be given under Section 4.55(2) or 4.56 of the Act	Statutory**	\$ 665.00	
Development	<b>Refund of Fees: DA, CC, CDC, s68</b>			
Development	(a) After issue of consent or approval	User Pay	Nil	
Development	(b) After lodgement, but prior to issue of consent or approval	User Pay	Lesser of 50% or \$250	
Development	(c) Compliance Certificate fees where inspections are not carried out	User Pay	100%	
Development	(d) Construction Certificate fee after lodgement, but prior to issue of construction certificate	User Pay	Lesser of 50% or \$250	
Development	(e) Septic Tank/Sewer after Approval	User Pay	Nil	
Development	(f) Septic Tank/Sewer prior to Approval	User Pay	50%	
Development	(g) Compliance Certificate fees where inspections are not carried out	User Pay	100%	
Construction	<b>Long Service Leave Levy</b>			
Construction	<b>Construction Certificates (includes engineering construction certificates)</b> <i>Note: The General Manager can authorise reduced fees for construction certificates and complying development on an individual basis where the value of development exceeds \$1,000,000</i>			
Construction	(a) Less than \$12,000	User Pay	\$ 150.00	±
Construction	(b) Between \$12,001 and \$100,000 PLUS \$5.00 per \$1,000 over \$12,000	User Pay	\$ 200.00	±
Construction	(c) Between \$100,001 and \$500,000 PLUS \$20.00 per \$5,000 over \$100,000	User Pay	\$ 650.00	±
Construction	(d) Between \$500,001 and \$1,000,000 PLUS \$15.00 per \$5,000 over \$500,000	User Pay	\$ 2,600.00	±
Construction	(e) Greater than \$1,000,000 PLUS \$75.00 per \$50,000 over \$1,000,000	User Pay	\$ 5,200.00	±
Construction	(f) Subdivision Works Certificate (minimum charge)	User Pay	\$ 400.00	±
Construction	(g) Alternate Solution	User Pay	By Assessment	
Construction	(h) Construction Certificate Modification after approval - minor change minimum charge	User Pay	\$ 110.00	±

Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
Construction	(i) Construction Certificate Modification after approval- major change	User Pay	\$500 or 50% of original fee whichever is the greater	±
Construction	<b>Complying Development Certificate</b>			
Construction	(a) Less than \$12,000	User Pay	\$ 385.00	±
Construction	(b) Between \$12,001 and \$50,000	User Pay	\$ 655.00	±
Construction	(c) Between \$50,001 and \$100,000	User Pay	\$ 1,300.00	±
Construction	(d) Between \$100,001 and \$500,000	User Pay	\$ 2,000.00	±
Construction	(e) Between \$500,001 and \$1,000,000	User Pay	\$ 3,300.00	±
Construction	(f) Greater than \$1,000,001 and \$2,000,000	User Pay	\$ 5,000.00	
Construction	(g) Greater than \$2,000,000	User Pay	By Assessment	
Construction	PLUS Compliance Certificate Fees		\$ -	
Construction	(h) Modification after certificate issued - updated documents supplied (no reassessment)	User Pay	Nil	
Construction	(i) Modification after certificate issued - minor change	User Pay	\$ 150.00	±
Construction	(j) Modification after certificate issued - major change	User Pay	\$500 or 50% of original fee whichever is the greater	±
Construction	<b>Construction Inspections</b>			
Construction	(a) Per inspection - Council PCA	User Pay	\$ 200.00	±
Construction	(b) Package of 4 Inspections	User Pay	\$ 660.00	±
Construction	(c) Re-Inspection	User Pay	\$ 200.00	±
Construction	(d) Per Inspection - Private PCA	User Pay	\$ 400.00	±
Construction	(e) Inspection of a building to be relocated	User Pay	By Assessment - hourly rate	±
Construction	<b>Accredited Certifiers</b>			
Construction	- Engagement of accredited certifiers from private sector or other councils to undertake Council Certification Functions	User Pay	Full Cost + 30%	
Construction	- Private Certifier Fee (EP & A Reg. 263)	Statutory**	\$ 36.00	
Construction	<b>Building Information Certificate</b>			
Construction	(a) Floor area of building or part < 200m <sup>2</sup>	Statutory**	\$ 250.00	
Construction	(b) Floor area of building > 200m <sup>2</sup> and < 2,000m <sup>2</sup>	Statutory**	\$ 250.00	
Construction	PLUS: If > 200m <sup>2</sup> (per m <sup>2</sup> )	Statutory**	\$ 0.50	
Construction	(c) Floor area > 2,000m <sup>2</sup>	Statutory**	\$ 1,165.00	
Construction	PLUS: If > 2,000m <sup>2</sup> (per m <sup>2</sup> )	Statutory**	\$ 0.75	
Construction	(d) Unauthorised building works	User Pay	Fee calculated using Construction Certificate fee, using estimated value of construction works	
Construction	<b>Swimming Pools</b>			
Construction	- Swimming Pool Compliance Certificate Application	User Pay	\$ 150.00	
Construction	- Registering Pool on Behalf of Owner	Statutory**	\$ 10.00	
Construction	- Initial Inspection Fee	Statutory**	\$ 150.00	
Construction	- Reinspection fee resulting from initial inspection	Statutory**	\$ 100.00	
Waste Management	<b>Residential and Small Business waste</b>			
Waste Management	- 20L Drum	User Pay	\$ 2.00	±
Waste Management	- Bag of Waste - per bag	User Pay	\$ 5.00	±
Waste Management	- 240L wheelie bin	User Pay	\$ 8.00	±
Waste Management	- Timber Waste (processed timber inc. builders timber and furniture (per m <sup>3</sup> ))	User Pay	\$ 20.00	±
Waste Management	- Timber Waste (processed timber inc. builders timber and furniture (per ½m <sup>3</sup> ))	User Pay	\$ 10.00	±
Waste Management	- Timber Waste (processed timber inc. builders timber and furniture (per 250L/Kg))	User Pay	\$ 5.00	±
Waste Management	- Unsorted waste (per m <sup>3</sup> )	User Pay	\$ 60.00	±
Waste Management	- Sorted waste (per m <sup>3</sup> )	User Pay	\$ 30.00	±
Waste Management	- Bricks & Concrete (sorted no other waste)(per m <sup>3</sup> )	User Pay	\$ 30.00	±
Waste Management	- Skip Bin unsorted waste (per m <sup>3</sup> )	User Pay	\$ 40.00	
Waste Management	- Resource Recovery Items (provided they are not contaminated; already separated; and do not go into landfill.)	User Pay	Nil	
Waste Management	- Residential Green Waste (organic material including grass clippings and branches etc.)	User Pay	Nil	
Waste Management	- Clean Fill	User Pay	Nil	
Waste Management	- Light and Heavy Steel	User Pay	Nil	
Waste Management	- Motor Vehicles	User Pay	Nil	
Waste Management	- Glass containers	User Pay	Nil	

Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
Waste Management	- Aluminium Cans	User Pay	Nil	
Waste Management	- Plastic Bottles	User Pay	Nil	
Waste Management	- Cardboard and Paper	User Pay	Nil	
Waste Management	- E-Waste Items (all computer, ancillary computer items and televisions)	User Pay	Nil	
Waste Management	<b>Commercial Waste</b>			
Waste Management	- Commercial green/timber waste requiring mulching (per m <sup>3</sup> )	User Pay	\$ 30.00	±
Waste Management	- Commercial waste per tonne (weighbridge receipt provided)	User Pay	\$ 180.00	±
Waste Management	- Commercial waste (per m <sup>3</sup> )	User Pay	\$ 250.00	±
Waste Management	- Commercial construction & demolition waste (per m <sup>3</sup> )	User Pay	\$ 68.00	±
Waste Management	<b>Tyres (Residential)</b>			
Waste Management	- Car	User Pay	\$ 15.00	±
Waste Management	- Truck/small tractor	User Pay	\$ 30.00	±
Waste Management	- Tractor (large greater than 1m diameter)	User Pay	\$ 180.00	±
Waste Management	- Tyre components (cut up tyres per m <sup>3</sup> )	User Pay	\$ 90.00	±
Waste Management	<b>Lounges &amp; mattresses</b>			
Waste Management	- Single lounge or mattress	User Pay	\$ 10.00	±
Waste Management	- Double lounge or mattress	User Pay	\$ 15.00	±
Waste Management	<b>Animals</b>			
Waste Management	- Small carcasses (cats, dogs, sheep, goats)	User Pay	\$ 15.00	±
Waste Management	- Large carcasses (cattle and horses)	User Pay	\$ 70.00	±
Waste Management	<b>Asbestos (must be triple wrapped in black plastic and sealed)</b>			
Waste Management	- Minimal (no more than a wheel-barrow)	User Pay	\$ 50.00	±
Waste Management	- Within the local government area (per m <sup>3</sup> )	User Pay	\$ 400.00	±
Waste Management	<b>Waste generated from outside the Local Government Area</b>	User Pay	Subject to assessment	±
Waste Management	- Contaminated Material	User Pay	Subject to assessment	±
Cemeteries	<b>Monumental Works</b>			
Cemeteries	Supply of plaques / interments are performed by Funeral Directors. Council only provides for allocation of plots / niches & keeps records of reservations / interments.			
Cemeteries	<b>Cemetery Fees</b>			
Cemeteries	- Reservation Fee (Fee deducted from final plot fee)	User Pay	\$ 593.00	±
Cemeteries	- Monument Burial Plot Permit and Grave Fee	User Pay	\$ 3,016.00	±
Cemeteries	- Lawn Cemetery Burial Plot	User Pay	\$ 3,016.00	±
Cemeteries	- Re-Opening Fee	User Pay	\$ 728.00	±
Cemeteries	- Inspection Fee	User Pay	\$ 343.00	±
Cemeteries	- Interment of Child (under 16 years)	User Pay	\$ 1,508.00	±
Cemeteries	- Exhumation Administration Fees	User Pay	\$ 7,280.00	±
Cemeteries	- Niche Walls (Blayney, Carcoar, Hobbys Yards, Lyndhurst, Neville and Millthorpe)	User Pay	\$ 593.00	±
Cemeteries	- Internment of ashes into existing grave fee (max 4 per lot)	User Pay	\$ 593.00	±
Cemeteries	<b>Search Fees</b>			
Cemeteries	<i>Cemetery Information required for Family Trees, locating graves, etc.</i>			
Cemeteries	- Per hour	User Pay	\$ 222.00	±
Cemeteries	- Per 15 min (or part thereof)	User Pay	\$ 55.00	±
Sewerage Services	<b>Liquid Trade Waste</b>			
Sewerage Services	<i>Council will issue Category 1 and 2/2S trade waste usage every three months in arrears.</i>			
Sewerage Services	- Application Fee	User Pay	\$ 263.00	±
Sewerage Services	- Application Fee (Large Dischargers - Category 3)	User Pay	\$ 442.50	±
Sewerage Services	- Re-Inspection Fee	User Pay	\$ 98.50	±
Sewerage Services	- Trade Waste Usage Charges for Category 1 with Prescribed Pre-Treatment (per KL)	User Pay	Nil	
Sewerage Services	<b>Total mass charges as calculated using individual parameter charges (U):</b>			
Sewerage Services	- Aluminium	User Pay	\$ 1.00	
Sewerage Services	- Ammonia (as Nitrogen)	User Pay	\$ 3.00	
Sewerage Services	- Arsenic	User Pay	\$ 98.50	
Sewerage Services	- Barium	User Pay	\$ 49.50	
Sewerage Services	- Biochemical Oxygen Demand (BOD)	User Pay	\$ 1.00	
Sewerage Services	- Boron	User Pay	\$ 1.00	
Sewerage Services	- Bromine	User Pay	\$ 20.00	
Sewerage Services	- Cadmium	User Pay	\$ 455.50	
Sewerage Services	- Chloride	User Pay	Nil	
Sewerage Services	- Chlorinated Hydrocarbons	User Pay	\$ 49.50	
Sewerage Services	- Chlorinated phenolic	User Pay	\$ 1,966.50	
Sewerage Services	- Chlorine	User Pay	\$ 2.00	
Sewerage Services	- Chromium	User Pay	\$ 33.00	
Sewerage Services	- Cobalt	User Pay	\$ 20.50	



Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
Sewerage Services	- Copper	User Pay	\$ 20.50	
Sewerage Services	- Cyanide	User Pay	\$ 99.00	
Sewerage Services	- Fluoride	User Pay	\$ 5.00	
Sewerage Services	- Formaldehyde	User Pay	\$ 2.00	
Sewerage Services	- Oil and Grease (Total O & G)	User Pay	\$ 2.00	
Sewerage Services	- Herbicides/defoliants	User Pay	\$ 984.00	
Sewerage Services	- Iron	User Pay	\$ 2.00	
Sewerage Services	- Lead	User Pay	\$ 49.50	
Sewerage Services	- Lithium	User Pay	\$ 10.00	
Sewerage Services	- Manganese	User Pay	\$ 10.00	
Sewerage Services	- Mercaptans	User Pay	\$ 99.00	
Sewerage Services	- Mercury	User Pay	\$ 3,277.50	
Sewerage Services	- Methylene Blue Active Substances	User Pay	\$ 1.00	
Sewerage Services	- Molybdenum	User Pay	\$ 1.00	
Sewerage Services	- Nickel	User Pay	\$ 33.00	
Sewerage Services	- Nitrogen (as TKN – Total Kjeldahl Nitrogen)	User Pay	\$ 0.50	
Sewerage Services	- Organ arsenic Compounds	User Pay	\$ 986.00	
Sewerage Services	- Pesticides General (excludes organochlorines and organophosphates)	User Pay	\$ 983.00	
Sewerage Services	- Petroleum Hydrocarbons (non-flammable)	User Pay	\$ 3.00	
Sewerage Services	- Phenolic Compounds (non-chlorinated)	User Pay	\$ 10.00	
Sewerage Services	- Phosphorous (Total Phosphorous)	User Pay	\$ 2.00	
Sewerage Services	- Polynuclear aromatic hydrocarbons	User Pay	\$ 20.50	
Sewerage Services	- Selenium	User Pay	\$ 69.50	
Sewerage Services	- Silver	User Pay	\$ 1.50	
Sewerage Services	- Sulphate (SO4)	User Pay	\$ 0.50	
Sewerage Services	- Sulphide	User Pay	\$ 2.00	
Sewerage Services	- Sulphite	User Pay	\$ 2.00	
Sewerage Services	- Suspended Solids (SS)	User Pay	\$ 1.00	
Sewerage Services	- Thiosulphate	User Pay	\$ 0.50	
Sewerage Services	- Tin	User Pay	\$ 10.00	
Sewerage Services	- Total Dissolved Solids (TDS)	User Pay	\$ 0.05	
Sewerage Services	- Uranium	User Pay	\$ 10.00	
Sewerage Services	- Zinc	User Pay	\$ 20.00	
Sewerage Services	<b>Liquid Trade Waste Excess Mass Charge (\$)</b> $= \frac{(S - D) \times Q \times U}{1000}$ Where: S = Concentration (mg/L) of substance in sample. D = Concentration (mg/L) of substance deemed to be present in domestic sewerage. Q = Volume (kl) of liquid trade waste discharged to the sewerage system. U = Unit prices (\$/kg) for disposal of substance to the sewerage system.			
Sewerage Services	<b>Non Compliance</b>			
Sewerage Services	Non compliance PH charge (K = pH coefficient)	User Pay	K = 0.5	
Sewerage Services	<b>Food Waste Disposal Charge</b>			
Sewerage Services	Where Blayney Shire Council has approved installation of a food waste disposal unit for an existing hospital, nursing home or other eligible facility. The following additional food waste disposal charge will be payable annually. <b>Food Waste Disposal Charge (\$)</b> = B x UF Where: B = Number of beds in hospital or nursing home. UF = Annual unit price (\$/bed) for a food waste disposal unit at a hospital or nursing home. Where: UF = \$21.00/bed			
Sewerage Services	<b>Treated Recycled Water</b>			
Sewerage Services	- per kilolitre	User Pay	\$3.65	
Sewerage Services	<b>Supply of Drainage Diagram</b>			
Sewerage Services	- Domestic/Commercial Premises (Solicitor Enquiry Per Property)	User Pay	\$ 83.00	±
Sewerage Services	- Sewer Diagram (new)	User Pay	\$ 156.00	±
Sewerage Services	- Septic Tank (if required)	User Pay	\$ 156.00	±
Sewerage Services	- Amendment to Drainage Diagram	User Pay	\$ 156.00	±
Village Bore	<b>Village Bore Access</b>			
Village Bore	- Village bore user access charge - Paid upfront for 12 months (not pro-rata if key returned within 12 months)	User Pay	\$ 129.00	
Village Bore	- Village bore Key deposit – refundable on return of the key	User Pay	\$ 156.00	

Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
Public Halls	<b>Community Centre Hire for Local entertainment, concerts, public meetings, trade exhibitions, school functions (other than dinners), religious services, etc. where NO door charge is made (does not incl. use of kitchen or bar).</b> <i>Hire of facility is subject to terms and conditions. Community Centre furniture is not available for external hire. Community Centre furniture is not available for external hire.</i>			
Public Halls	- Evening Hire (between 5.00pm & 1.00am)	User Pay	\$ 334.00	±
Public Halls	- Day Hire (between 9.00am & 5.00pm)	User Pay	\$ 183.00	±
Public Halls	- School & Sporting Presentations	User Pay	Nil	
Public Halls	<b>Community Centre Hire for balls, weddings, luncheons, dinners etc. where food and beverages are served (includes use of the kitchen, bar &amp; stage &amp; a maximum of 48 hours hire).</b> <i>Hire of facility is subject to terms and conditions. Community Centre furniture is not available for external hire. Community Centre furniture is not available for external hire.</i>			
Public Halls	- Hire	User Pay	\$ 678.00	±
Public Halls	- School Age Dances / Disco's	User Pay	\$ 183.00	±
Public Halls	<b>Community Centre Meeting Room Hire (per day)</b>			
Public Halls	- Meeting room (Chambers or Cadia Room)	User Pay	\$ 124.00	±
Public Halls	- Shire charitable organisations and Service Clubs (Chambers or Cadia Room)	User Pay	\$ 51.00	±
Public Halls	- Hire of both Cadia Room and Chambers	User Pay	\$ 174.50	±
Public Halls	- Blayney Shire charitable organisations and Service Clubs	User Pay	\$ 102.00	±
Public Halls	<b>Community Centre Meeting Room Hire (per annum)</b>			
Public Halls	- Meeting room (Chambers or Cadia Room) - School terms only	User Pay	\$ 2,040.00	±
Public Halls	- Shire charitable organisations and Service Clubs	User Pay	\$ 561.00	±
Public Halls	<b>Community Centre Hire of Other Areas (per day)</b>			
Public Halls	- Kitchen Hire	User Pay	\$ 108.00	±
Public Halls	- Bar Hire	User Pay	\$ 54.00	±
Public Halls	<b>Rehearsals &amp; Prior Entry</b>			
Public Halls	- Up to 4 hours	User Pay	\$ 43.50	±
Public Halls	- 4 to 8 hours	User Pay	\$ 54.00	±
Public Halls	<b>Cleaning</b>			
Public Halls	- Cleaning Cost chargeable if facility is not left in a clean state by the Hirer.	User Pay	\$ 474.00	±
Public Halls	<b>Security Deposit - Refundable</b>			
Public Halls	- Security Deposit (Excl. Shire Charitable Organisations/ Pensioner Groups/Schools)	User Pay	\$ 500.00	
Public Halls	- Security Deposit (Shire Charitable Organisations/ Pensioner Groups/Schools)	User Pay	\$ 100.00	
Public Libraries	<b>Blayney Library</b> <i>Fees as recommended by Central West Libraries</i>			
Public Libraries	- Photocopies B&W (per copy)	User Pay	\$ 0.20	
Public Libraries	- Lost Borrower Card	User Pay	\$ 2.00	±
Public Libraries	- Lost or damaged material – replacement cost and processing fee	User Pay	\$ 32.00	±
Public Libraries	- Inter Library Loans: Search fee	User Pay	\$ 7.00	±
CentrePoint	<b>Casual Admission Fees</b>			
CentrePoint	<b>Casual Swim</b>			
CentrePoint	- Adult	User Pay	\$ 6.50	±
CentrePoint	- Child	User Pay	\$ 4.50	±
CentrePoint	- Child (under 3 with a paying adult)	User Pay	No charge	
CentrePoint	- Family (Up to 2 adults and all children at one address)	User Pay	\$ 16.00	±
CentrePoint	<b>Gym &amp; Classes Casual Entry</b>			
CentrePoint	- Adult	User Pay	\$ 13.50	±
CentrePoint	- Concession (Student & Senior)	User Pay	\$ 10.00	±
CentrePoint	- Healthy Life for Life & Gentle Tai Chi	User Pay	\$ 7.00	±
CentrePoint	<b>Dry Courts Casual Entry</b>			
CentrePoint	- All Ages per person	User Pay	\$ 4.00	±
CentrePoint	<b>Gym Induction/Fitness Assessment</b>			
CentrePoint	Complimentary when signing up - includes one 30 minute induction	User Pay		
CentrePoint	<b>Gym Program &amp; or PT (One Hour)</b>			
CentrePoint	- All Ages	User Pay	\$ 60.00	±
CentrePoint	<b>Group Training Rate - 60 Mins (max 4 clients)</b>			
CentrePoint	- 2 Client (per person)	User Pay	\$ 30.00	±
CentrePoint	- 3 Client (per person)	User Pay	\$ 25.00	±
CentrePoint	- 4 Client (per person)	User Pay	\$ 20.00	±
CentrePoint	<b>Crèche (per session)</b>			
CentrePoint	- Per Child	User Pay	\$ 4.00	±
CentrePoint	<b>Short Term Options (Valid to 30 June 2022)</b>			
CentrePoint	<b>Pool Access - Includes Aqua Aerobics</b>			
CentrePoint	- Adult - 10 Visit Pass	User Pay	\$ 63.00	±
CentrePoint	- Concession (Child, Student & Senior)	User Pay	\$ 43.00	±

Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
CentrePoint	<b>Full Centre Access (Gym, Classes, Pool and Dry Courts)</b>			
CentrePoint	- Adult - 10 Visit Pass	User Pay	\$ 145.00	±
CentrePoint	- Concession (Child, Student & Senior)	User Pay	\$ 105.00	±
CentrePoint	- FIFO	User Pay	\$ 105.00	±
CentrePoint	<b>Gym &amp; Class Access</b>			
CentrePoint	- Adult - 10 Visit Pass	User Pay	\$ 105.00	±
CentrePoint	- Concession (Child, Student & Senior)	User Pay	\$ 85.00	±
CentrePoint	<b>Concession - Class only membership</b>			
CentrePoint	- Concession - 3 months	User Pay	\$ 130.00	±
CentrePoint	<b>Memberships</b>			
CentrePoint	<b>Aquatic Membership - Includes Aqua Aerobics</b>			
CentrePoint	- Concession (Child, Student & Senior) Upfront p.a	User Pay	\$ 520.00	±
CentrePoint	- Concession (Child, Student & Senior) FN Direct Debit	User Pay	\$ 20.00	±
CentrePoint	- Adult - Upfront	User Pay	\$ 620.00	±
CentrePoint	- Adult - FN Direct Debit	User Pay	\$ 24.00	±
CentrePoint	- Family (2 adults and 3 children) Upfront p.a	User Pay	\$ 1,302.00	±
CentrePoint	- Family (2 adults and 3 children) FN Direct Debit	User Pay	\$ 50.00	±
CentrePoint	<b>Fitness Membership (Gym and classes)</b>			
CentrePoint	- Concession (Child, Student & Senior) Upfront p.a	User Pay	\$ 580.00	±
CentrePoint	- Concession (Child, Student & Senior) Direct Debit		\$ 22.00	±
CentrePoint	- Adult - Upfront p.a	User Pay	\$ 720.00	±
CentrePoint	- Adult - FN Direct Debit		\$ 28.00	±
CentrePoint	- Family (2 adults and 3 children) Upfront p.a	User Pay	\$ 1,450.00	±
CentrePoint	- Family (2 adults and 3 children) FN Direct Debit	User Pay	\$ 56.00	±
CentrePoint	<b>CentrePoint Membership (Gym, Pool, Classes, Dry Courts)</b>			
CentrePoint	- Concession (Child, Student & Senior) Upfront p.a	User Pay	\$ 750.00	±
CentrePoint	- Concession (Child, Student & Senior) FN Direct Debit	User Pay	\$ 28.00	±
CentrePoint	- Adult - Upfront p.a	User Pay	\$ 1,050.00	±
CentrePoint	- Adult - FN Direct Debit	User Pay	\$ 40.00	±
CentrePoint	- Family (2 adults and 3 children) Upfront p.a	User Pay	\$ 1,800.00	±
CentrePoint	- Family (2 adults and 3 children) FN Direct Debit	User Pay	\$ 70.00	±
CentrePoint	<b>Joining Fee</b>			
CentrePoint	- Fitness & CentrePoint Memberships	User Pay	\$ 20.00	±
CentrePoint	<b>Fob fee &amp; replacement Fob</b>		\$ 10.00	±
CentrePoint	<b>Fitness Passport</b>			
CentrePoint	- Swim/Gym/Class per visit per holder	User Pay	TBC	
CentrePoint	<b>Swimming Lessons</b>			
CentrePoint	<b>Swimming Lessons (includes entry fee for child)</b>			
CentrePoint	- Swimming Lessons - Per Child for 12 week block - Upfront	User Pay	\$ 192.00	
CentrePoint	- Swimming Lessons - Per Child for 12 week block - FN Direct Debit	User Pay	\$ 32.00	±
CentrePoint	<b>Swim Squad - School Term (12 weeks)</b>			
CentrePoint	- 1 Session per week - Upfront	User Pay	\$ 96.00	±
CentrePoint	- 1 Session per week - FN Direct Debit		\$ 16.00	±
CentrePoint	- 2 Sessions per week - Upfront	User Pay	\$ 192.00	±
CentrePoint	- 2 Sessions per week - FN Direct Debit	User Pay	\$ 32.00	±
CentrePoint	<b>Private Lessons 1:1 (12 weeks)</b>			
CentrePoint	- Learn to swim per half hour - Upfront	User Pay	\$ 540.00	±
CentrePoint	- Learn to swim per half hour - FN Direct Debit	User Pay	\$ 90.00	±
CentrePoint	<b>Miscellaneous</b>			
CentrePoint	<b>Instructors</b>			
CentrePoint	- LTS instructor per hour	User Pay	\$ 50.00	±
CentrePoint	<b>Venue Hire</b>			
CentrePoint	<b>Scout Hall and Aerobic Room Venue Hire</b>			
CentrePoint	- Per Hour	User Pay	\$ 30.00	±
CentrePoint	- Half Day (3-5hours)	User Pay	\$ 100.00	±
CentrePoint	- Full Day	User Pay	\$ 200.00	±
CentrePoint	<b>Dry Courts Hire</b>			
CentrePoint	- Per 1/2 Court per hour	User Pay	\$ 25.00	±
CentrePoint	- Per Court per hour	User Pay	\$ 50.00	±
CentrePoint	- Per Court per 1/2 day	User Pay	\$ 120.00	±
CentrePoint	- Per Court per full day	User Pay	\$ 200.00	±
CentrePoint	<b>Lane Hire</b>			
CentrePoint	- 1 Lane per hour	User Pay	\$20 + Pool Entry	±
CentrePoint	<b>CentrePoint Birthday Parties</b>			
CentrePoint	<i>Minimum 15 Children per Booking</i>			
CentrePoint	- Catered per child	User Pay	\$ 22.00	±
CentrePoint	- Non catered per child	User Pay	\$ 16.00	±
CentrePoint	<b>NSW Companion Card Entry</b>			
CentrePoint	- Entry for person who shows NSW Companion Card	User Pay	No charge	
CentrePoint	<b>NDIS Fees</b>			
CentrePoint	- Services and prices as per NDIS support catalogue	User Pay	No charge	
CentrePoint	<b>Definitions</b>			

Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
CentrePoint	Family: Members must reside at the same address, must be immediate family, children must be under 18 years of age	User Pay		
CentrePoint	Concession: Must hold and present a valid concession card	User Pay		
CentrePoint	Student: A full time high school, tertiary/uni or TAFE student. Valid student card must be presented.	User Pay		
Sporting Grounds	<b>All Schools</b>			
Sporting Grounds	- St Joseph's Primary School	User Pay	\$ 249.50	±
Sporting Grounds	- Heritage Schools Group	User Pay	\$ 249.50	±
Sporting Grounds	- Blayney High School	User Pay	\$ 936.50	±
Sporting Grounds	- Millthorpe Public School (Redmond Oval)	User Pay	\$ 501.00	±
Sporting Grounds	<b>King George Oval Seasonal Hire</b>			
Sporting Grounds	- Cricket	User Pay	\$ 699.00	±
Sporting Grounds	- Junior Rugby League	User Pay	\$ 1,665.00	±
Sporting Grounds	- Rugby League	User Pay	\$ 2,611.50	±
Sporting Grounds	- Rugby Union	User Pay	\$ 2,539.50	±
Sporting Grounds	- Little Athletics	User Pay	\$ 699.00	±
Sporting Grounds	<b>Redmond Oval Seasonal Hire</b>			
Sporting Grounds	- Senior Cricket	User Pay	\$ 677.00	±
Sporting Grounds	- Junior Cricket	User Pay	\$ 677.00	±
Sporting Grounds	- Junior Soccer	User Pay	\$ 942.00	±
Sporting Grounds	- Senior Soccer	User Pay	\$ 1,012.00	±
Sporting Grounds	- Millthorpe Junior Rugby Union (inc. Blayney based-Gala Day)	User Pay	\$ 622.00	±
Sporting Grounds	<b>Dakers/Napier Oval Seasonal Hire</b>			
Sporting Grounds	<i>Per facility (Dakers Oval or Napier Oval)</i>			
Sporting Grounds	- Cricket	User Pay	\$ 475.50	±
Sporting Grounds	- Junior Soccer	User Pay	\$ 597.00	±
Sporting Grounds	- Senior Soccer	User Pay	\$ 597.00	±
Sporting Grounds	<b>Stillingfleet Courts Seasonal Hire</b>			
Sporting Grounds	- Blayney Netball Association	User Pay	\$ 998.50	±
Sporting Grounds	<b>Blayney Shire Recreation Grounds</b>			
Sporting Grounds	<i>(Excludes Blayney and Millthorpe Grounds)</i>			
Sporting Grounds	- Annual Fee per Ground	User Pay	\$ 475.50	±
Sporting Grounds	<b>Specific Event - Redmond Oval</b>			
Sporting Grounds	- Millthorpe Markets Incl. cleaning of amenities, line marking etc.	User Pay	\$ 2,373.50	±
Sporting Grounds	<b>Casual Hire (per day or part thereof) Redmond Oval</b>			
Sporting Grounds	- Casual Hire (incl. Toilets/Change rooms/Canteen)	User Pay	\$ 626.00	±
Sporting Grounds	PLUS Cleaning Deposit	User Pay	\$ 104.00	
Sporting Grounds	PLUS Key Deposit	User Pay	\$ 104.00	
Sporting Grounds	PLUS Power & Lighting (as requested)	User Pay	\$ 214.00	±
Sporting Grounds	<b>King George Oval Casual Hire (per day or part thereof)</b>			
Sporting Grounds	- Casual Hire (inc Toilets/Change rooms/Canteen)	User Pay	\$ 627.00	±
Sporting Grounds	PLUS Cleaning Deposit	User Pay	\$ 104.00	
Sporting Grounds	PLUS Key Deposit	User Pay	\$ 104.00	
Sporting Grounds	PLUS Power & Lighting (as requested)	User Pay	\$ 214.00	±
Sporting Grounds	<b>Napier Oval Casual Hire (per day or part thereof)</b>			
Sporting Grounds	- Casual Hire (incl. Toilets/Change rooms)	User Pay	\$ 581.50	±
Sporting Grounds	PLUS Cleaning Deposit	User Pay	\$ 104.00	
Sporting Grounds	PLUS Key Deposit	User Pay	\$ 104.00	
Sporting Grounds	PLUS Power & Lighting (as requested)	User Pay	\$ 214.00	±
Sporting Grounds	<b>Dakers Oval Casual Hire (per day or part thereof)</b>			
Sporting Grounds	- Casual Hire	User Pay	\$ 463.00	±
Sporting Grounds	PLUS Cleaning Deposit	User Pay	\$ 104.00	
Sporting Grounds	PLUS Key Deposit	User Pay	\$ 104.00	
Sporting Grounds	<b>Blayney Shire Recreation Grounds Casual Hire (per day or part thereof)</b>			
Sporting Grounds	<i>Excludes Blayney and Millthorpe Grounds</i>			
Sporting Grounds	- Casual Hire (inc Toilets)	User Pay	\$ 463.00	±
Sporting Grounds	PLUS Cleaning Deposit	User Pay	\$ 104.00	
Sporting Grounds	PLUS Key Deposit	User Pay	\$ 104.00	
Sporting Grounds	<b>All Recreational Facilities / Open Space e.g. Heritage Park</b>			
Sporting Grounds	- Booking Cancellation Fee (all facilities)	User Pay	\$ 104.00	±
Sporting Grounds	- Personal Training Facility Access Charge for all Parks, Gardens & Outdoor Facilities (excluding King George Oval & Redmond Oval)	User Pay	\$ 144.50	±
Sporting Grounds	PLUS Key Deposit	User Pay	\$ 104.00	
Sporting Grounds	- Not for profit Community Service events (at GM discretion)	User Pay	Contract Price	
Blayney Showground	<b>Blayney Showground Seasonal Hire (includes Pavilion)</b>			
Blayney Showground	<i>*Security Deposit is refundable as per Conditions of Hire.</i>			
Blayney Showground	- Blayney Junior Soccer (excluding equestrian facility)	User Pay	\$ 657.50	±
Blayney Showground	- Blayney Senior Soccer (excluding equestrian facility)	User Pay	\$ 1,022.50	±
Blayney Showground	- Seasonal Hire Fee: Junior groups (includes Gator & Rake Fee)	User Pay	\$ 1,066.00	±

Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
Blayney Showground	- Seasonal Hire Fee: Senior Groups (includes Gator & Rake Fee)	User Pay	\$ 1,752.50	±
Blayney Showground	- Blayney Harness Racing Trainers	User Pay	\$ 280.00	±
Blayney Showground	- Individual/Group Horse Riders (per hour minimum 2 hours) for up to 5 Horse Riders	User Pay	\$ 104.00	±
Blayney Showground	PLUS Security Deposit (Keys/Cleaning or Damages)*	User Pay	\$ 600.00	
Blayney Showground	PLUS Additional Gator and Rake Fee	User Pay	\$ 416.00	±
Blayney Showground	- Additional Hire Days	User Pay	\$ 260.00	±
Blayney Showground	- Ground Levy (\$5 per rider/per event) paid in arrears every 6 months	User Pay	\$ 5.00	±
Blayney Showground	<b>Casual Hire (per day of part thereof)</b>			
Blayney Showground	<b>Central West Equestrian and Livestock Centre</b>			
Blayney Showground	- Livestock/Equestrian Sales and Shows	User Pay	\$ 2,368.00	±
Blayney Showground	- Individual Accredited Coaching Clinics	User Pay	\$ 270.50	±
Blayney Showground	- Individual/Group Horse Riders (Outdoor Arena's only)	User Pay	Contract Price	
Blayney Showground	- Surface Preparation (Watering and Raking Only)	User Pay	\$ 541.00	±
Blayney Showground	- Surface (Fill, Refill, Spreading and Removal)	User Pay	Contract Price	
Blayney Showground	- Hire of Gator (per hour)	User Pay	\$ 145.50	±
Blayney Showground	- Hire of Rake (per hour)	User Pay	\$ 31.00	±
Blayney Showground	- Lights (per hour)	User Pay	\$ 41.50	±
Blayney Showground	- Pavilion Hire	User Pay	\$ 437.00	±
Blayney Showground	PLUS Security Deposit (Keys/Cleaning or Damages)*	User Pay	\$ 600.00	
Blayney Showground	<b>Special Events</b>			
Blayney Showground	- Blayney A & P Association Show	User Pay	\$ 1,945.00	±
Blayney Showground	- Blayney Harness Racing	User Pay	\$ 884.00	±
Blayney Showground	- Special Events hosted by Seasonal Hire User Groups (Regional)	User Pay	\$ 1,945.00	±
Blayney Showground	PLUS Security Deposit (Keys/Cleaning or Damages)	User Pay	\$ 600.00	
Blayney Showground	- Other Events (National, State and Regional)		Contract Price	
Blayney Showground	- Other Event (at GM Discretion)	User Pay	Contract Price	
Mining, Manufacturing & Construction	<b>Outstanding Notice 735A Certificate</b>			
Mining, Manufacturing & Construction	- Outstanding Notices Certificate	Statutory**	\$ 120.00	
Transport & Communication	<b>Contributions to Works – Council Programmed Works</b>			
Transport & Communication	- Kerb & Guttering (per lineal metre)	Regulatory	50% of cost	
Transport & Communication	- Foot paving (per square metre)	Regulatory	50% of cost	
Transport & Communication	Recovery of Costs from adjacent owners in accordance with S.217 of the Roads Act, 1993.			
Transport & Communication	<b>Road Opening Permit</b>			
Transport & Communication	- Minor works (Standard Design & TGS)	User Pay	\$ 78.00	
Transport & Communication	- When Council is PCA and applied for in conjunction other approval (plus 1 inspection)	User Pay	\$ 78.00	

Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
Transport & Communication	- When applied for when Council is not PCA or not in conjunction with other approval (plus 1 inspection)	User Pay	\$ 156.00	
Transport & Communication	- Non-standard works (Design and TGS by others) plus 1 inspection	User Pay	\$ 150.00	
Transport & Communication	- Per Inspection / Re Inspection	User Pay	\$ 125.00	±
Transport & Communication	<b>Restoration Charge - Minimum Charge 5m<sup>2</sup></b>			
Transport & Communication	- Concrete Road Pavements (per m <sup>2</sup> )	User Pay	\$ 446.00	
Transport & Communication	- Concrete Footpaths (per m <sup>2</sup> )	User Pay	\$ 179.00	
Transport & Communication	- Residential Driveways (per m <sup>2</sup> )	User Pay	\$ 241.50	
Transport & Communication	- Bitumen surface on all bases (per m <sup>2</sup> )	User Pay	\$ 197.00	
Transport & Communication	- Gravel Roads / Footpaths (per m <sup>2</sup> )	User Pay	\$ 127.00	
Transport & Communication	- Kerb & Gutter (per m)	User Pay	\$ 197.00	
Transport & Communication	- Turfed Footpaths (per m <sup>2</sup> )	User Pay	\$ 120.00	
Transport & Communication	- Block paved Footpaths (per m <sup>2</sup> )	User Pay	\$ 291.50	
Economic Affairs	<b>Visitor Information Centre Café (Per Lease Agreement)</b>	User Pay	Market Rental	±
Economic Affairs	<b>Private Works</b>			
Economic Affairs	- Direct Costs including labour on-costs + 30% surcharge	User Pay	Full Cost + 30%	±
Economic Affairs	<b>Gravel Sales</b>			
Economic Affairs	- Uncrushed material (All Quarries)			
Economic Affairs	- Ex Pit (per tonne)	User Pay	\$ 13.00	±
Economic Affairs	- 0-9km (per tonne)	User Pay	\$ 18.00	±
Economic Affairs	- 10-19km (per tonne)	User Pay	\$ 24.50	±
Economic Affairs	- 20-29km (per tonne)	User Pay	\$ 30.00	±
Economic Affairs	<b>Crushed material inc. Rubble (Whites and Cadia)</b>			
Economic Affairs	- Ex Pit (per tonne)	User Pay	\$ 26.00	±
Economic Affairs	- 0-9km (per tonne)	User Pay	\$ 31.00	±
Economic Affairs	- 10-19km (per tonne)	User Pay	\$ 36.50	±
Economic Affairs	- 20-29km (per tonne)	User Pay	\$ 43.00	±
Economic Affairs	<b>Wet Plant Hire Rates for Private Works (per hour during normal hours)</b>			
Economic Affairs	- Water Cart	User Pay	\$ 160.00	±
Economic Affairs	- Grader Cat 12 Series	User Pay	\$ 204.00	±
Economic Affairs	- Loader	User Pay	\$ 197.50	±
Economic Affairs	- Backhoe	User Pay	\$ 160.00	±
Economic Affairs	- Roller Dynapac	User Pay	\$ 154.50	±
Economic Affairs	- Roller Multi Tyred	User Pay	\$ 235.00	±
Economic Affairs	- Tractor/Mower/Slasher	User Pay	\$ 154.50	±
Economic Affairs	- Skid Steer Loader	User Pay	\$ 225.00	±
Economic Affairs	- Front Deck Mower	User Pay	\$ 127.00	±
Economic Affairs	- Street Sweeper	User Pay	\$ 160.00	±
Economic Affairs	- Sewer Jetta (2 x Works Operators)	User Pay	\$ 298.50	±
Economic Affairs	- Pipe CTV Crawler	User Pay	\$ 266.00	±
Economic Affairs	<b>Truck Hire Rates</b>			
Economic Affairs	- 12 Tonne Tipper	User Pay	\$ 212.00	±
Economic Affairs	- 2.7 Tonne Excavator	User Pay	\$ 118.50	±
Developer Contributions	<b>Section 7.11 Contributions</b>			
Developer Contributions	- Residential accommodation development resulting in additional dwelling or lot (per new dwelling or allotment)	User Pay	\$ 6,880.00	
Developer Contributions	<b>Heavy haulage developments</b>			
Developer Contributions	- Regional Sealed Road (per ESA per km)	User Pay	\$ 0.22	
Developer Contributions	- Local Sealed Road (per ESA per km)	User Pay	\$ 0.50	
Developer Contributions	- Local Gravel Road (per ESA per km)	User Pay	\$ 0.25	
Developer Contributions	<b>Section 7.12 Levies</b>			
Developer Contributions	- Development that is not type A or B and where the proposed cost of carrying out the development is more than \$100,000 and up to and including \$200,000	User Pay	0.5% of that cost	
Developer Contributions	- Development that is not type A or B and where the proposed cost of carrying out the development is more than \$200,000	User Pay	1% of that cost	



Function/ Activity	Fee Name	Pricing Principle	Total Fee 2022/23	GST Incl
Developer Contributions	<b>LGA Sect. 64 - Water Management Act 2000 - s305 - Contributions for water supply Infrastructure</b>			
Developer Contributions	- Developer Charges for Miltthorpe Sewerage Scheme (per new dwelling or lot)	User Pay	\$ 7,862.50	
Developer Contributions	- Developer Charges for Blayney Sewerage Scheme (per new dwelling or lot)	User Pay	\$ 4,717.50	
Developer Contributions	<p><b>Notes to Developer Contributions</b></p> <p>1. The development and implementation of a new Contribution Plan for Blayney Shire, under the provision of s.7.11 and s.7.12 of the Environmental Planning and Assessment Act 1979 was undertaken by Council in 2013. The Blayney Local Infrastructure Contribution Plan 2012 was adopted by Council on 12 September 2013.</p> <p>2. Refer to development exclusions identified in clause 2.8 of Blayney Local Infrastructure Contributions Plan 2013.</p> <p>3. ESA means Equivalent Standard Axle.</p>			



**Blayney Shire Council**

91 Adelaide Street,  
Blayney NSW 2799

P.O. Box 62  
Blayney NSW 2799

Phone: 02 6368 21 04  
Email: [council@blayney.nsw.gov.au](mailto:council@blayney.nsw.gov.au)  
Web: [www.blayney.nsw.gov.au](http://www.blayney.nsw.gov.au)





**2022/23 – 2031/32**

**LONG TERM FINANCIAL  
PLAN**



Published by Blayney Shire Council

2022/23 – 2031/32 Long Term Financial Plan

Prepared XXX

Adopted XXX

More  
information:  
91 Adelaide St  
PO Box 62  
BLAYNEY NSW 2799  
Phone 02 6368 2104  
<http://www.blayney.nsw.gov.au>

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2022/23 – 2031/32 Long Term Financial Plan

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## 1. INTRODUCTION

### 1.1 Objectives

The Long Term Financial Plan (LTFP) forms part of Council's Resourcing Strategy, together with the Asset Management Plan and Workforce Management Plan.

Council's LTFP provides a framework to assess its revenue building capacity to meet the activities and level of services outlined in its Community Strategic Plan (CSP).



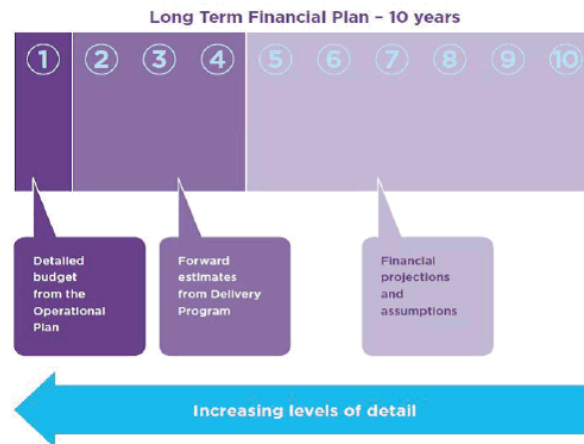
Blayney Shire Council's LTFP seeks to:

- establish greater transparency and accountability of Council to the community;
- provide an opportunity for early identification of financial issues and any likely impacts in the longer term;
- provide a mechanism to:
  - solve financial problems as a whole
  - see how various plans fit together
  - understand the impact of some decisions on other plans or strategies;
- provide a means of measuring Council's success in implementing strategies;
- compare the community wants to financial reality; and,
- confirm that Council can remain financially sustainable in the longer term.

## 1.2 Timeframe

Council must prepare a LTFP for a minimum of 10 years. It must be updated annually as part of the Operational Plan preparation with adoption and detailed review every 4 years, as part of the Delivery Plan preparation and adoption and review of the CSP.

The Blayney Shire Council LTFP covers a time period spanning ten years from 2022/23 to 2031/32.



## 2. PLANNING ASSUMPTIONS

A LTFP is dependent on a number of planning assumptions. In preparing the LTFP Council considered a range of matters and made appropriate assumptions. These assumptions were used to model and formulate the plan, test a range of scenarios and have ultimately formed the basis of the agreed plan.

Some of the key assumptions/variables reviewed as part of the setup of the LTFP are:

- Financial Assumptions as per below table:

Assumption/Variable	Calculation Basis	Year
Rate Peg (Ordinary Rates)	IPART	0.70% Year 1
	IPART ASV	1.80% Year 1
		4.00% Year 2
		3.00% Year 3-10

<b>Assumption/Variable</b>	<b>Calculation Basis</b>	<b>Year</b>
Sewer Rates Income	The SBP will not be conducted in 2022/23, therefore CPI plus marginal increase assumed throughout the life of the plan.	<b>4.00%</b>
Waste Rates Income	Based on reasonable cost estimate – cost of increase has been tied to increased cost of contractor charges (CPI)	<b>3.50%</b>
Fees and Charges Income	User pay fees CPI + 0.5%	<b>4.00%</b>
Consumer Price Index (CPI)	NSW TCorp Forecast is much lower however unrealistic to assume that prices will only increase in line with CPI	<b>3.50%</b>
Salaries and Employee On-costs	Award increase 2.00% plus progression based Increases assumed 1.00%  Superannuation guarantee charge is increasing by 0.50% per year until it reaches 12% in 2026	<b>3.00%</b> <b>0.50% Year 1</b> <b>0.50% Year 2</b> <b>0.50% Year 3</b> <b>0.50% Year 4</b>
Interest Rate Income	Current average annual rate of return is 0.48%. Investments are currently seeing returns of 0.85% and expected to rise over the next 18 months.	<b>1.00% Year 1</b> <b>1.25% - 3.00% by year 10</b>
Interest Rate Expense	TCorp forecast – proposed loans Other Institutions – proposed loans	<b>3.50% - 5.00%</b> <b>3.75% - 6.00%</b>
Depreciation	Existing Depreciation does not increase until revaluation of the asset class every 5 years (excludes plant & equipment and sewer)  Depreciation for new capital projects that have been identified will be in addition to annual increase.	<b>1%</b>

- Service Levels: Refer to Blayney Shire Council Community Strategic Plan (CSP).
- Population Growth: NSW Governments' Planning and Environment Department has the Blayney Shire population to increase by over 8% up to the year 2031. To forecast this impact is negligible as any increase in revenue maybe offset against any increase in costs servicing a greater population base. As a result, the LTFP has been prepared on the assumption of a constant population base.
- Economic Growth: Due to uncertainties in economic growth rates in regional NSW, the LTFP has been prepared on the assumption of a constant economic growth rate.

As part of the planning process, Council modelled a few scenarios involving variations to the mining income but keeping the asset management plan the same throughout.

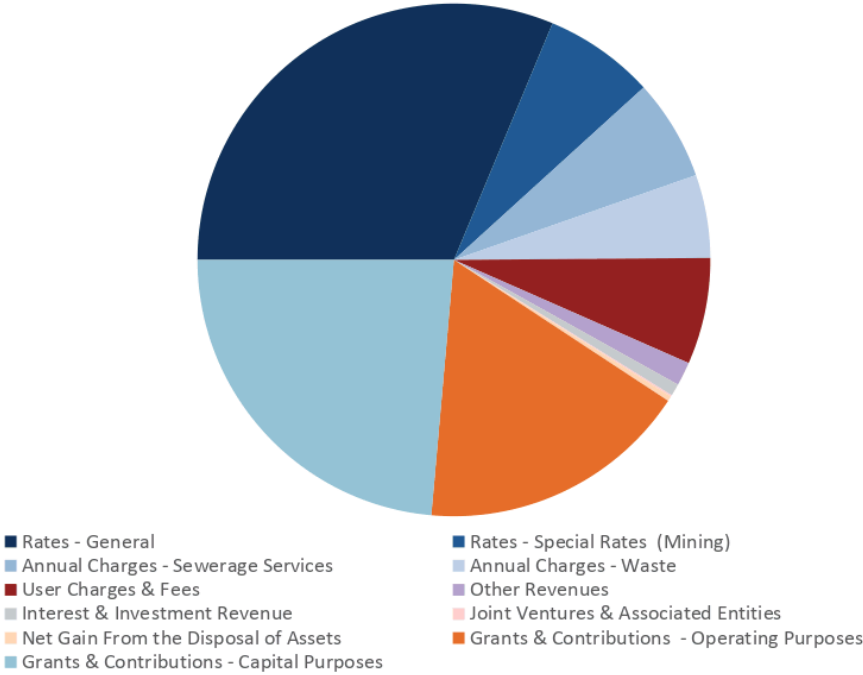
Council found that in the case of a reduction in income the asset management plan would not be achievable without reliance on other compensating measures such as a significant expenditure / service reduction strategy or increases to external funding from grants and contributions or special variation to rates. Capital projects would likely be pared back in this event until Council was to achieve a satisfactory solution.



### 3. REVENUE FORECASTS

The major sources of revenue for councils are:

- Rates and Annual Charges
- User Charges and Fees
- Grants & Contributions
- Investment Revenue
- Borrowings
- Other Revenues



### 3.1 Rates and Annual Charges

The major component of Council's income is produced via the levying of rates and annual charges, which accounts for 50% of total income.

Blayney Shire Council is proactive and determined to produce a fair balance between rates levied on the shire population and the level of services that can be provided. The amount that is required to be raised from rating is determined after considering Council's proposed capital works program whilst ensuring the long-term financial viability of the funds.

Council is limited on the percentage that it can increase its rating income known as the Rate Peg. Determined annually by the Independent Pricing and Regulatory Tribunal (IPART) the Rate Peg applies to both Ordinary & Special Rates.



<b>Financial Year</b>	<b>Rate Peg</b>
2017/18	1.50%
2018/19	2.30%
2019/20	2.70%
2020/21	2.60%
2021/22	2.00%
<b>5 Year Average</b>	<b>2.22%</b>
2022/23	0.70%
<b>2022/23 Additional Special Rate (Subject to Approval)</b>	<b>1.80%</b>

For the 2022/23 financial year, IPART has determined the rate peg between 0.70% and 5.00% depending on its population factor which ranges from 0.00% - 4.30%. Council received a 0.00% population index and therefore the general rate peg is fixed at just 0.70%.

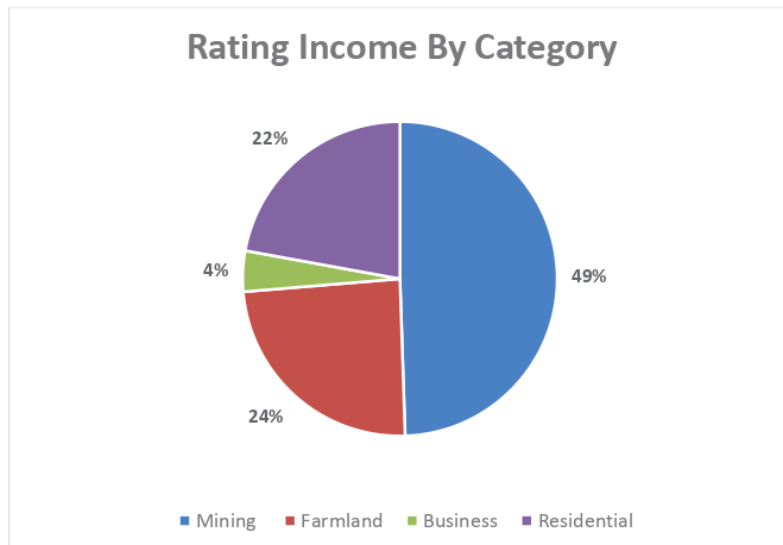
Subject to approval by IPART Council has applied for an additional special rate variation up to 2.50% for 2022/23 which aligns with the increase forecast throughout the term of Council's prior Long Term Financial Plan.

Section 492 of the Local Government Act 1993 provides two types of rates: Ordinary rates and Special rates

### **3.1.1 Ordinary Rates**

By virtue of section 494 of the Act, Council is required to make and levy an ordinary rate for each year on all ratable land in its area. This is a mandatory requirement. Land is rated based upon the use of that land or the zoned use of that land. There are four main rating categories, within which Council can create additional sub-categories. The four categories provided by Section 493 of the Act are:

- Farmland
- Residential
- Business
- Mining



All ratable land is classed within one of the four categories unless it is deemed non-ratable, such as a church or school or similar institution.

### 3.1.2 Special Rates

Council has discretion to levy special rates. Special rates must be made pursuant to section 495 of the Local Government Act 1993 but may be levied under either section 495 or the provisions of Division 2 of Part 5 of Chapter 15 of the Act. In the former instance, the special rates may be levied for works or services provided or proposed to be provided by Council (e.g. town improvement works benefiting a specific locality, tourism promotion benefiting a particular ratepayer sector) or for other specific purposes. It is important to note that these rates will usually apply to specific rating categories or specific rating areas. Special rates are also capable of application across all ratepayers. For example, all ratepayers in a Council area could be made subject to a special rate, intended to finance a project that will benefit the whole of the Council area. Special rates can also be raised to fund sewer, water supply and waste management projects.

### 3.1.3 Rate Pegging

Rate pegging is a term that is commonly associated with section 506 and 509 of the Local Government Act 1993. This term refers to the practice of limiting the amount of revenue a Council can raise from ordinary and special rates by setting a limit on the increase of these rates from previous years. It is important to note that this limit (in the form of a percentage cap) does not apply to an individual's rate levy but rather the total rate levies raised from ordinary and special rates. The Independent Pricing and Regulatory Tribunal (IPART) advise Councils of the allowable rate pegging limit in November/December each year.

### 3.1.4 Special Rate Variation

Blayney Shire Council has modelled its 10-year LTFP with just the continuation of the Mining only special variation in the Base Case. In 2012/13, pursuant to S.508A Council levied a one off 40.7% special variation to the mining category.

A summary of anticipated income from the current Mining SRV based on the assumptions modelled in this plan is shown below:

	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
<b>Mining SRV</b>	1,732	1,801	1,855	1,911	1,968	2,027	2,088	2,151	2,215	2,282

Blayney Shire Council's LTFP Scenario models an additional future Special Rate Variations of 5% in Scenario 3.

	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
<b>Special Rate</b>	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
<b>Variation</b>	427	724	573	594	615	668	691	716	741

## 3.2 User Charges & Fees

In accordance with Sections 496, 501 and 502 of the Local Government Act 1993, Council is able to charge for the provision of sewerage and domestic waste services.

### 3.2.1 Sewerage Charges

The [NSW Best-Practice Management of Water Supply and Sewerage Framework](#) requires Council to prepare and implement a sound 20 to 30 year strategic business plan and financial plan in accordance with the [NSW Water and Sewerage Strategic Business Planning Guidelines](#)

On 9 February 2015, Council adopted the Strategic Business Plan for Sewerage Services (SBP). The Sewer Strategic Plan demonstrates best practice management, which encourages the effective and efficient delivery of sewerage services.

Best Practice requires the SBP be reviewed every four-five years, and provides guidance for the future management of sewerage business. Council is currently in the process of reviewing the SBP, which it hopes to adopt in the coming financial year.

Council has set charges to provide sufficient funds to operate and maintain sewerage services, to re-pay existing loans and to generate additional reserves to provide capital works and upgrades in the future.

#### For Residential Properties

A uniform sewerage charge will be applied to all residential customers in accordance with the Department of Environment, Climate Change and Water Best Practice sewer pricing guidelines.

#### **For Non-Residential Properties**

A two-part tariff, being a connection charge and a usage charge will be applied. Non-residential properties include multiple occupancies, such as non-strata flats and units, and those properties, which are categorised as “business” for rating purposes.

The connection charge is determined by multiplying the access charge applicable to the water service connection size, by the sewerage discharge factor (SDF).

The usage charge is determined by multiplying the number of kilolitres of water consumed, by the SDF, and then by \$1.15.

Council will issue sewer usage charges every three months in arrears, which will be included on the rates instalment notice.

The SDF is a customer's estimated volume discharged into the sewerage system to the customers total water consumption. For non-residential properties, the SDF varies based on the usage requirements of a customer's enterprise. For the majority of customers, a SDF is applied within one of the five levels outlined in Council's revenue policy.

#### **Future Sewerage Infrastructure Subsidy Charge**

Council has adopted a Sewerage Development Servicing Plan which informs Council of the Developer Charges to be applied to new development. The Developer Charges are levied under s.64 of the Local Government Act and contribute to funding Council's future expansion of the sewerage infrastructure as a result of the new development.

The Development Servicing Plan is prepared in accordance with the 2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater issued by the Minister for Lands and Water, pursuant to s.306(3) of the Water Management Act.

Council has elected to levy Developer Charges lower than the calculated Developer Charges for the 2 service areas, Blayney and Millthorpe. The Developer Charges have been set in consideration of financial, social and environmental factors to determine a Developer Charge which is balanced, fair and meets Council's objectives. The cross-subsidy, resulting from capping of Developer Charges, must be disclosed in Council's DSP, annual Operational Plan and Annual Report.

#### **3.2.2 Waste Management Charges**

The Local Government Act 1993 requires that Domestic Waste Management Charges must reflect the actual cost of providing those services. The service is provided to residents of Blayney, Millthorpe, Carcoar, Lyndhurst, Neville, Newbridge, Hobbys Yards, Barry, Forest Reefs and specific rural areas. The service includes a weekly garbage collection service and a fortnightly recycling collection service.

The Domestic Waste Strategy is supported by a ten-year financial strategy, as part of the LTFP, which determines the annual charge. The forecast increase in the charges has been set in accordance with the strategy and applies a 3% increase to the kerb side domestic waste service throughout the plan. Council has in place a 10 year waste collection contract due for expiry in 2027/28. A new tender will be sought for commencement in the 2028/29 financial year that may impact on the LTFP. Any potential impact as a result of the above will be reflected in the domestic waste user charges.

A Waste Management Levy is applied to all properties in the Blayney Shire to create an equitable contribution by all residents towards the operation of the Blayney Waste Facility, in particular management and processing of recycling and green waste, which will incur a significant increase in costs.

### **3.2.3 Statutory Charges**

Council has no discretion to determine the amount of a fee for service when the amount is fixed by regulation or by another authority. Examples of statutory fees include development assessment fees and planning certificates.

The majority of statutory charges do not increase annually in line with CPI, however for the purposes of financial modelling these fees are assumed to increase in line with CPI over the long term.

### **3.2.4 Other Fees**

User fees and charges include office fees (photocopying, binding etc.), fees for use of Council facilities and other statutory and regulatory fees.

No significant new user charge or fee opportunities have been identified as part of the development of the CSP.

## **3.3 Grants & Contributions**

In reviewing operational grants and contributions, it is considered prudent not to forecast an increase, other than for CPI, over the period of the plan. It is unlikely that there will be any increase in grants, or provision of new grants, for current services. Any reduction or discontinuance of grants will be offset by a corresponding reduction in expenditure.

Council receives a general purpose Financial Assistance Grant from the Commonwealth Government. Since 2016/17 50% of this funding has been received in advance, with 75% of the Financial Assistance Grant paid in advance in the 2021/22 financial year. It is not known when the advanced payments will cease therefore Council has forecast receipt of 100% of the Financial Assistance Grant annually over the term of this plan.

Any advanced payment of the financial assistance grant received is restricted as an internal allocation until the year in which it relates.

The Office of Local Government measures Councils on their reliance on external funding through the Own Source Operating Revenue. Councils should be able to generate greater than 60% of total revenue without the reliance of external funding.

Capital grants and contributions fluctuate from year to year dependent on scheduled capital works programs and available funding programs. Dependent on the funding agreements Council may be required to match funding with monetary or in-kind contributions with a strong focus on upgrade or renewal of existing assets over new assets.

**Major Grant Funding - accepted**

Project	Funding \$	Project Total \$	Year
<b>Resources for Regions Round 7</b>			
Forest Reefs Road	600,958	1,408,040	22/23
<b>Resources for Regions Round 8</b>			
Active Movement Strategy Project	805,414	805,414	22/23
KGO Refurbishment Project	1,095,000	1,095,000	22/23
Amenities Refurbishment Project	500,000	500,000	22/23
Road Safety Projects	2,631,956	2,631,956	22/23
<b>Stronger Country Communities Round 4</b>			
Belubula River Walk Stage 4	457,190	471,200	22/23
Light it up Blayney Shire Sports Stage 1	244,929	244,929	22/23
<b>TfNSW – Repair Program</b>			
Culvert Replacement over Icely Creek	360,000	700,000	22/23

**Major grant funding - pending**

Project	Funding \$	Project Total \$	Year
<b>Building Better Regions Round 6</b>			
Richards Lane	1,000,000	1,860,700	23/24

The following projects forecast are currently unfunded and subject to receipt of successful grant funding.

Project	Funding \$	Project Total \$	Year
Hobbys Yards Road	350,000	700,000	Annually from 23/24
Mandurama Road	550,000	1,000,000	Annually from 23/24
Four Mile Creek Bridge over Swallow Ck	2,000,000	2,000,000	23/24
Liscombes Creek	850,000	850,000	24/25
Sewerage Treatment Plan – Capacity Upgrade	5,796,375	8,917,500	25/26



The Section 7.11 Developer Contribution Plan aims to generate contributions that will support the maintenance of levels of service for new community infrastructure to the present standard of facilities per head of existing population.

The Developer Contribution Plan is currently under review and is scheduled to be adopted in 2022/23.

### 3.4 Investments Revenue

Council's investment strategy is to undertake investment of surplus funds, maximising earnings from authorised investments, whilst ensuring the security of Council funds.

Council's investment policy is conservative and limits investments to those covered by the Government Guarantee. Council's investment portfolio consists of predominately term deposits with major banks and institutions. Council's policy also limits the amount invested per institution ensuring a diversified investment mix and spreading of associated risks.

Forecast returns on Council's investment portfolio are based on the forecast 90 Day Bank Bill Swap Rate plus a small margin of 0.5% to reflect strategic investments in longer-term investment products where appropriate.

Council also aims to ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.

### 3.5 Borrowings

Councils can finance some of their capital expenditure through the use of borrowings. Typically, these are for expenditures on major infrastructure projects. Borrowing allows Council to spread the cost of these projects over a number of years in order to facilitate inter-generational equity particularly for those long life assets.

Borrowings can also be used to smooth out long-term expenditure peaks and troughs. In financial modelling scenarios, the strategy to address identified funding gaps includes the raising of loans to fund, or part fund, some of the capital projects included in the capital expenditure program.

Council continues to maintain a relatively low debt service cover ratio. However, the impact on this ratio and the ability to service proposed borrowings in the future should be assessed when borrowings are being considered to fill funding gaps.

There are currently no proposed borrowings modelled throughout this plan.

### 3.6 Other Revenue

The majority of other revenues are generated by rental income on Council properties and various other sources.

Rentals will vary according to supply and demand, however forecast fluctuations in supply and demand over ten-year period, if available, are not considered reliable. Therefore, assuming rents will increase in line with CPI over the long term is considered a reasonable approach.

Given that 'other revenues' represent less than 3% of total revenues the potential margin of error of this assumption, and resultant impact on financial position, is considered immaterial.

### 3.7 Cash Restrictions

An alternative to borrowing for expenditure peaks and troughs is to build up cash reserves in years when expenditure is lower, for use in years when higher expenditure will occur. The problem with cash reserves is that they can often be diverted to uses other than those originally intended, leaving the council short of funds for its other planned expenditures. Cash reserves need to be carefully managed to achieve optimum investment incomes and to be available when needed for planned expenditures.

## 4. EXPENDITURE FORECASTS

### 4.1 Salaries, Wages and Employee On-costs

Council's long-term forecast relating to staffing is contained in detail within the Workforce Management Plan. The Workforce Management Plan also identifies the human resources Blayney Shire Council requires to continue its strategic direction and deliver services in an efficient and effective manner.

Over the last few years, Council has completed an unprecedented number of major infrastructure works programs that have required additional resources which have been filled via a mix of existing and casual staff.

In 2021/22 Council undertook an Organisational Review to identify and address the gaps in resources for not only delivery of significant grant funded projects but also address the increased levels of service to new and improved facilities. Whilst the longevity of these significant grant funded projects is unknown, it is not anticipated that the demand for these additional resources will reduce and therefore have been modelled throughout the entire plan.

For the purpose of projecting future salary, wage and ELE costs to Council a percentage increase of 3% has been applied (see Planning Assumptions). This is to account for future Award increases and staff progression increases.

The superannuation guarantee charge will incrementally increase from 10% to 12% in 2025/26 which has been allowed for in addition to the 3% increase.

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Employee on-costs are assigned to labour hours to recover fixed employment costs such as workers compensation and superannuation premiums, supervision and provision of tools and equipment. Further, the attribution of other organisation support costs, such as human resources or IT support, may be distributed based on number of staff or labour hours.

Other employee on-costs e.g. training, protective clothing and travel costs are separately allocated against functions.

Further details about Council's staff costs are included in the Workforce Management Plan.

#### 4.2 Loans / Debt Service Costs

In financial modelling scenarios, the strategy to address identified funding gaps includes the raising of loans to fund, or part fund, some of the capital projects included in the capital works program.

Council's ability to service future debt is measured via the debt service cover ratio. Council has historically maintained a low level of borrowings which makes exceeding the industry benchmark of >2 achievable.

Where possible the term of the loan will be matched against the future economic benefit of the asset. This means that the asset/borrowing will be paid for by residents who will consume the services provided by the asset over its useful life.

Council can now access low cost borrowings through TCorp subject to eligibility. Interest rates have been at an all time low over the last couple of years with Council utilizing low cost borrowings to fund a number of major projects and locking in long term rates as low as 2.36% for 20 years.

With external factors impacting on inflation and an increase in the RBA cash rate for the first time in over 10 years the cost of borrowings is no longer as attractive with indicative rates for a 20 year loan now in excess of 4.35%.

Subsequently no new borrowings have been forecast throughout the life of this plan.

#### 4.3 Materials, Contracts and Other Operating Costs

Expenditure on materials, contracts and other operating cost has been generally based on CPI. The exceptions to this are expenditures that are either:

- i) not recurrent every year;
- ii) have been identified as increasing by an amount different to CPI; or
- iii) a result of increased services or service levels.

Examples of these expenditures include:

	<b>Cost</b>	<b>Year</b>
Sale of Land for Unpaid Rates	49,000	2023/24
Sale of Land for Unpaid Rates	53,000	2028/29
Council Elections 2025/26	89,000	2024/25 – 2025/26
Council Elections 2029/30	94,000	2028/29 – 2029/30
Millthorpe Settlement Strategy Addendum	30,000	2022/23
Infrastructure Contributions Plan	36,900	2028/29
BCO Strategy Review	100,000	2028/29
Blayney Shire Settlement Strategy	150,000	2029/30
Sewer Strategic Business Plan	60,000	2022/23
Sewer Cadastral Realignment	50,000	2022/23
Active Movement Strategy Review	40,000	2028/29

#### 4.4 Asset Management

Infrastructure (assets) expenditure will progressively be mapped against maintenance and renewal programs recommended by respective asset management plans. In accordance with Council's asset management review, asset maintenance has been increased by CPI with a strong focus on asset renewals as opposed to construction of new assets.

Subject to available funding and resources, assets should be maintained and renewed in accordance with the respective asset management plans and agreed condition intervention levels.

Infrastructure asset classes are subject to revaluation no less than every 5 years or following a material increase in fair value of an asset class. Although no longer mandated through the Code of Accounting Practice, revaluations are generally undertaken in the following cycle.

<b>Asset Class</b>	<b>Year</b>
Buildings and Operational Land	2023/24
Transportation	2025/26
Open Space & Other Recreational Assets and Community Land	2026/27
Sewerage Infrastructure	2027/28

The revaluation process is undertaken by a mix of Council staff and specialised consultants, dependent on the complexity of the assets contained within each asset class. The following details the proposed cost of consultants to be engaged.

	<b>Cost</b>	<b>Year</b>
Road Condition Valuation	42,450	2022/23
Road Condition Valuation	51,309	2024/25
Road Condition Valuation	48,000	2027/25
Road Condition Valuation	58,052	2029/30
Building Valuation	14,941	2022/23
Building Valuation	16,905	2027/28
Stormwater Valuation	70,000	2023/24
Sewer Complex Assets	10,881	2026/27

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## 5 SENSITIVITY ANALYSIS AND FINANCIAL MODELLING

The LTFP is based on a number of underlying assumptions. Sensitivity analysis identifies the impact on Council's financial position of changes in these assumptions and highlights the factors most likely to affect the outcomes of the plan.

Sensitivity analysis looks at "what if" scenarios. For example, what happens to Council's financial position if salary and wages increases are 1% higher than forecast; growth is half that forecast, or investment returns are 1% less than forecast in plan.

All sensitivity analysis was undertaken utilising the status quo of Council's financial position, the impacts were assessed by reference to the changes in the cash and investment balance over the 10 years of the LTFP and the impacts to Council's operating performance.

The major assumptions underpinning the LTFP have been subject to sensitivity analysis which has identified the following impacts:

### 5.1 Employee Costs

Employee costs make up 37% of projected 2022/2023 operating expenditure. This is reflective of the service based nature of a significant proportion of Council activities as well as the construction and maintenance of the considerable infrastructure owned by Council. As it makes up such a large proportion of the operating expenditure budget, and movements in rates of pay are determined through industry wide Award negotiations and market forces, the Council is sensitive to unplanned changes in employee costs. The LTFP assumes annual increases of 3% to employee costs.

Due to the above factors an impact of a 1% increase in employee costs each year was modelled and resulted in an average annual increase of \$75k to operating costs over the life of the plan.



## 5.2 Rates and Annual Charges Revenue

Rates and Annual Charges revenue makes up 50% of the projected 2022/2023 operating revenue. Council cannot set the rate of increase but can only accept the rate pegging imposed on it without a Special Variation application.

The LTFP has been projected on the premise that current rating income collection patterns are maintained. Any financial shocks or changed economic conditions have the ability to impact ratepayer capacity to pay and in so doing will affect the Council cash flow from rating. Annual Charges, particularly domestic waste charges, are susceptible to significant cost increases as a result of legislative and contractual changes in this area of operation (due to Federal and State climate change policies and other regulations/Collection and landfill contractual changes).

## 5.3 Inflation

Given the considerable number of assets held, constructed and maintained by Council, variations in underlying inflation have the potential to have a significant impact on the LTFP. Council has considerable pressure from rising raw material costs including fuel and other construction materials. Any major unplanned hikes in these costs will impact the LTFP.

## 5.4 Investment Returns

Council's current approach is that interest earnings from investments are used to fund the operational budget. This source of revenue, however, is impacted by the various fluctuations of the investment market and is not necessarily a reliable source of revenue. The potential use of interest income as a source of revenue to balance the operational budget may in turn be impacted.

The impact of both a reduction and increase in investment interest rates of 0.5% of the forecast rate was modelled. The impact over the term of the plan was roughly \$670k. It was concluded that any impact on Council's operating result was deemed immaterial.

## 5.5 Grants

The Financial Assistance Grant is calculated using a formula that takes into account the population of the Local Government areas, road lengths and a number of other demographics. Given the complexity of the formula Council forecasts a CPI increase of 2.5% over the life of the plan.

Freezing the indexation applied to the Financial Assistance Grant has occurred in prior years and has the potential to have a significant impact on Council's operating result. Council has modeled freezing the 2.5% increase applied in Scenario 4 and would reduce Council's total Operating Income by roughly \$3.6m over the life of the plan.

The Financial Assistance Grant makes up 12% of Council's total income.



In April 2021/22 Council received the first 3 instalments of the 2022/23 Financial Assistance Grant in advance. To date there has been no indication that the advance payments will continue and therefore this plan has been modelled on the basis that any future payments will be made as normal.

Money provided under the Roads to Recovery Program is not intended to replace council spending on roads but to assist councils in their local road construction and maintenance. The Roads to Recovery Program was originally scheduled to conclude in 2019. However due to the heavy reliance of this program throughout NSW there has been much lobbying for the continuation of this program which has now been extended until 2022. The LTFP has been prepared with the assumption that the Roads to Recovery or similar Program will continue indefinitely.

Council has also submitted and in some instances been successful in application of a number of grant funded programs for the completion of a significant number of infrastructure and building projects which have been modelled throughout this plan.

## 6 PERFORMANCE MEASURES

### Financial Analysis

A number of key indicators are used to monitor performance against the LTFP to assess Council's long-term sustainability. These key performance indicators will provide clear targets against which the council can report its progress to the community. **All financial indicators are modelled on Base Case - ASV Scenario.**

#### 6.1 Cash / Liquidity Position

Cash and cash management is vital for the short and long-term survival and of any business. The ability to convert an asset to cash quickly to meet current obligations/liabilities is an important part of managing Council's day to day business needs.

#### Unrestricted Current Ratio

**Definition:**

$$\frac{\text{Unrestricted Current Assets}}{\text{Unrestricted Current Liabilities}}$$

**Description:**

Measures the ability of council to pay its debts as and when they fall due.

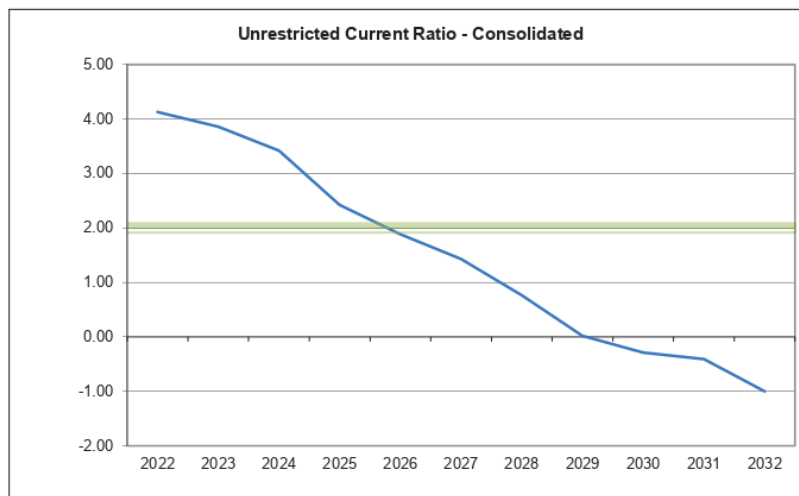
**Target:**

Council aims to maintain a ratio above 2.0 at all times.

**Projection:**

Based on the current scenario this ratio does not remain above 2.0

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## 6.2 Operating Result

### Definition:

Result or surplus/deficit from operations after considering all income and expenditure.

### Description:

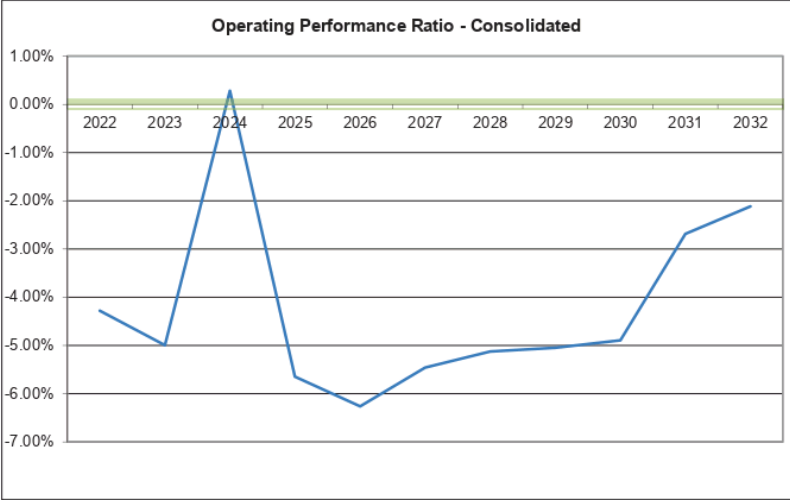
Council's operating result is normally regarded as an important criterion in measuring performance. The issue for Council is whether the operating results can be maintained and in particular if those operating results can sustain the current level of services into the future.

### Target:

To average an operating surplus over 10 years of the LTFP. It should be noted that this measure has not been achieved since 2018.

### Projection:

The following graph projects the estimated result for each year of the LTFP.



**6.3 Debt Management**

Prudent financial management dictates that a council does not over commit itself to debts that it cannot fulfil. It is important to assess the ongoing risk that is associated with meeting any debt and interest commitments to ensure there are sufficient funds available to meet any current and future liabilities of Council.

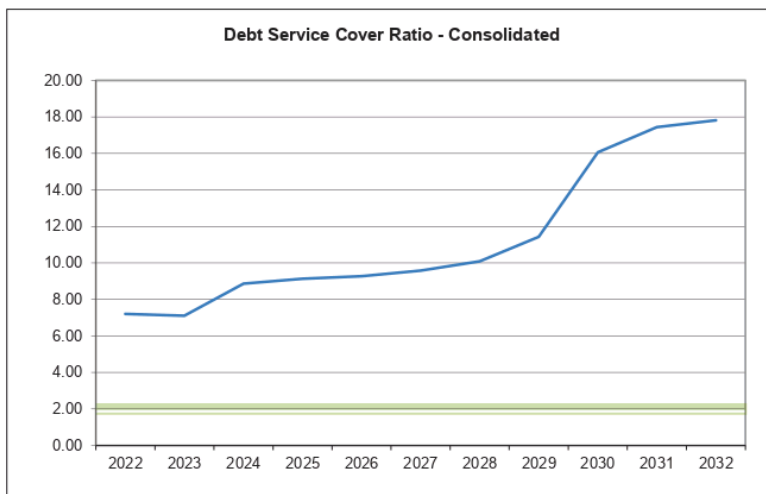
**Debt Service Cover Ratio**

**Definition:**  
Operating result before capital, excluding interest & depreciation  
 Principal repayments plus borrowing costs

**Description:**  
 The ratio measures the availability of operating cash to service debt including principal & interest repayments.

**Target:**  
 Minimum  $\geq 2.00x$

**Projection:**  
 The following graph projects the estimated percentage throughout the LTFP which is favorable throughout the life of the plan due to repayment of existing borrowings.



#### 6.4 Dependence on Revenue from Rates and Annual Charges

Councils throughout NSW have become dependent on Rating and Annual Charges Revenue to meet the various costs associated with servicing their communities. This dependence highlights the need for Council to look for new opportunities to ensure the long-term sustainability of the Shire.

#### Own Source Operating Revenue Ratio

##### Definition:

$$\frac{\text{Total continuing operating revenue excluding grants \& contributions}}{\text{Total Income from continuing operations}}$$

##### Description:

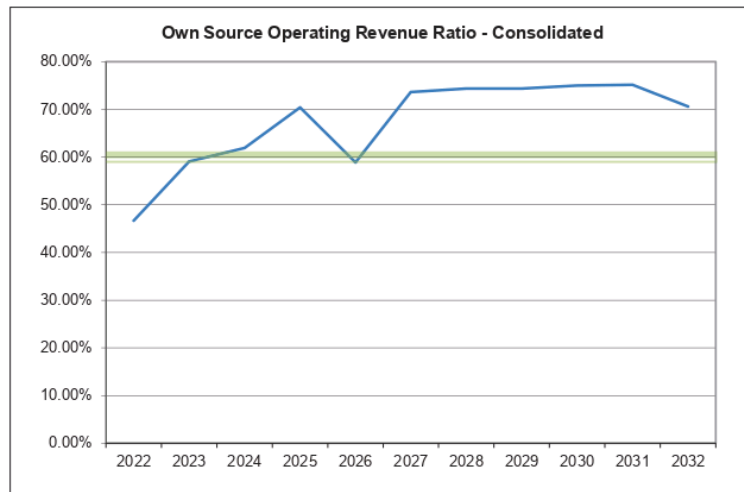
This ratio measures the degree of reliance on external funding sources such as operating grants and contributions.

##### Target:

Minimum  $\geq 60.00\%$

##### Projection:

The following graph projects the estimated percentage of the LTFP.



## 7 SCENARIOS

The Long Term Financial Plan spans for the next 10 years addressing Council's revenue streams, pricing policy, assumptions, risks and forecasts. A consolidated income statement, balance sheet & cash flow statement is tabled for each of the 4 scenarios shown below as follows:

1. Additional Special Rate (ASV)
2. Base Case
3. SRV plus Increased Development & Mining
4. Reduced Mining & Increased CPI

### 1. Base Case - Additional Special Rate (ASV)

The Base Case - Additional Special Rate simulates Council's current environment using the service levels and resources in accordance with Council's Asset Management Plan and Workforce Management Plans. It assumes approval of the ASV, a 2.5% rate increase applied in year 1. It assumes a conservative increase in revenue from mining should approval for the McPhillamy's Gold Mine be granted. Additional revenue is also anticipated through new development but has been modelled conservatively.

### 2. Base Case

The Base Case simulates Council's current environment using the service levels and resources in accordance with Council's Asset Management Plan and Workforce Management Plans. It applies the 0.7% rate peg as determined by IPART should application for the additional special rate variation not be approved. It assumes a conservative increase in revenue from mining should approval for the McPhillamy's Gold Mine be granted. Additional revenue is also anticipated through new development but has been modelled conservatively.

### **3. SRV plus Increased Development & Mining**

The Increased Development & Mining scenario allows for an increase in Council's rating income to accommodate the likely expansion of the mining industry within the Blayney Shire over the next 10 years and the flow on of increased land development as a result. An established Gold Mine is located within the Blayney Shire and currently undergoing a major expansion. A second Gold Mine is currently in the final stages of approval which if granted will provide additional revenue.

In an attempt to address Council's declining cash position whilst maintaining agreed service levels and delivery of projects in accordance with Council's Asset Management Plans, a 5% permanent special rate variation has also been modelled.

### **4. Reduced Mining & Freeze Indexation on Financial Assistance Grants**

The Reduced Mining & Freeze on Indexation of the Financial Assistance Grant was modelled to demonstrate the reliance of Council on these income streams. The Mining rating category makes up 49% of Council's rate base and is likely to increase. Any significant impact on the valuation of mining would have a considerable effect on Council's Operating Performance. Similarly, the Financial Assistance Grant also makes up around 12% of Council's income. A freeze on the indexation of financial assistance grants against the increasing cost of fixed expenses such as wages results in a significant disparity over the life of the plan.

This scenario is modelled on a 25% reduction in mining income from 2024/25 equating to roughly \$11m over the remainder of the plan.







Blayney Shire Council 10 Year Financial Plan for the Years ending 30 June 2032 CASH FLOW STATEMENT - CONSOLIDATED Scenario: Base Case - ASV												
	Actuals 2020/21	Current Year 2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
<b>Cash Flows from Operating Activities</b>												
Receipts:												
Rates & Annual Charges	11,572,000	11,738,862	12,386,524	12,925,497	13,321,182	13,713,851	14,146,250	14,591,987	15,054,689	15,525,795	16,014,755	16,519,034
User Charges & Fees	1,621,000	1,548,817	1,651,928	1,845,981	1,898,993	2,004,277	2,084,681	2,136,259	2,170,969	2,277,292	2,315,402	2,427,660
Government Grants	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Grants & Contributions	12,468,000	14,349,185	10,063,172	9,393,666	5,763,152	11,473,885	6,089,341	6,034,288	6,203,888	6,131,741	6,331,194	8,233,568
Bonds & Deposits Received	341,000	-	-	-	-	-	-	-	-	-	-	-
Other	1,340,000	409,881	477,109	408,614	434,913	412,666	398,216	412,705	442,800	433,746	444,691	424,985
Payments:												
Employee Benefits & On-Costs	(7,059,000)	(6,764,100)	(7,208,676)	(7,457,382)	(7,695,514)	(8,097,692)	(8,311,638)	(8,562,262)	(8,856,067)	(9,087,388)	(9,364,751)	(9,682,410)
Materials & Contracts	(5,690,000)	(4,901,325)	(4,631,757)	(4,981,232)	(5,521,377)	(5,790,798)	(6,291,885)	(6,291,073)	(6,524,318)	(6,872,043)	(6,737,664)	(6,988,072)
Borrowing Costs	(275,000)	(247,472)	(225,658)	(197,558)	(174,933)	(158,028)	(140,352)	(122,888)	(108,276)	(96,796)	(87,596)	(78,087)
Bonds & Deposits Refunded	(761,000)	(1,011,661)	(844,113)	(1,102,014)	(1,147,528)	(1,235,992)	(1,210,349)	(1,245,888)	(1,298,898)	(1,386,786)	(1,368,360)	(1,409,349)
Other	-	-	-	-	-	-	-	-	-	-	-	-
<b>Net Cash provided (or used in) Operating Activities</b>	13,734,000	15,314,220	11,776,383	11,053,993	7,177,557	12,625,167	7,316,300	7,275,386	7,424,888	7,344,619	7,946,595	9,855,495
<b>Cash Flows from Investing Activities</b>												
Receipts:												
Sale of Investment Securities	-	2,239,115	1,715,797	1,240,705	2,143,008	1,160,111	1,089,349	1,642,905	580,011	-	-	-
Sale of Investment Property	-	-	-	-	-	-	-	-	-	-	-	-
Sale of Real Estate Asset	796,000	-	-	-	-	-	-	-	-	-	-	-
Sale of Infrastructure, Property, Plant & Equipment	560,000	256,526	776,438	414,111	644,903	667,014	647,894	714,184	689,377	352,023	349,015	813,658
Other Receipts as "held for sale"	-	-	-	-	-	-	-	-	-	-	-	-
Other Investing Activity Receipts	4,000,000	-	-	-	-	-	-	-	-	-	-	-
Payments:												
Purchase of Investment Securities	-	(500,000)	-	-	-	-	-	-	-	-	-	-
Purchase of Investment Property	-	-	-	-	-	-	-	-	-	-	-	-
Purchase of Infrastructure, Property, Plant & Equipment	(9,619,000)	(18,502,705)	(11,513,365)	(11,430,422)	(8,800,570)	(16,485,582)	(7,852,510)	(7,957,549)	(8,367,299)	(6,798,223)	(6,716,441)	(10,132,534)
Purchase of Real Estate Assets	(38,000)	-	-	-	-	-	-	-	-	-	-	-
Purchase of Intangible Assets	(16,000)	-	-	-	-	-	-	-	-	-	-	-
Purchase of Interests in Joint Ventures & Associates	-	-	-	-	-	-	-	-	-	-	-	-
Dividends Received	-	-	-	-	-	-	-	-	-	-	-	-
Contributions Paid to Joint Ventures & Associates	-	-	-	-	-	-	-	-	-	-	-	-
Other Investing Activity Payments	(8,500,000)	-	-	-	-	-	-	-	-	-	-	-
<b>Net Cash provided (or used in) Investing Activities</b>	(13,017,000)	(16,507,064)	(9,021,134)	(9,775,606)	(6,012,659)	(14,658,457)	(6,135,427)	(5,600,160)	(7,106,911)	(6,446,200)	(6,367,416)	(9,318,876)
<b>Cash Flows from Financing Activities</b>												
Receipts:												
Proceeds from Borrowings & Advances	-	-	-	-	-	-	-	-	-	-	-	-
Proceeds from Other Financing Activities	-	-	-	-	-	-	-	-	-	-	-	-
Other Financing Activity Receipts	-	-	-	-	-	-	-	-	-	-	-	-
Payments:												
Repayment of Borrowings & Advances	(976,000)	(601,202)	(628,847)	(596,298)	(466,027)	(457,028)	(474,193)	(469,471)	(416,233)	(279,771)	(289,015)	(301,041)
Repayment of lease liabilities (principal repayments)	(30,000)	-	-	-	-	-	-	-	-	-	-	-
Distributions to non-controlling interests	-	-	-	-	-	-	-	-	-	-	-	-
Other Financing Activity Payments	-	-	-	-	-	-	-	-	-	-	-	-
<b>Net Cash Flow provided (used in) Financing Activities</b>	(606,000)	(601,202)	(628,847)	(596,298)	(466,027)	(457,028)	(474,193)	(469,471)	(416,233)	(279,771)	(289,015)	(301,041)
<b>Net Increase/(Decrease) in Cash &amp; Cash Equivalents</b>	111,000	(1,794,046)	2,126,406	681,489	698,871	(2,490,319)	706,680	1,205,155	(94,256)	616,648	1,290,154	238,578
<b>plus: Cash &amp; Cash Equivalents - beginning of year</b>	3,554,000	3,665,000	1,870,954	3,957,360	4,678,849	5,377,721	2,887,402	3,594,068	4,759,238	4,704,982	5,323,629	6,613,783
<b>Cash &amp; Cash Equivalents - end of the year</b>	3,665,000	1,870,954	3,957,360	4,678,849	5,377,721	2,887,402	3,594,068	4,759,238	4,704,982	5,323,629	6,613,783	6,852,361
<b>Cash &amp; Cash Equivalents - end of the year</b>	3,665,000	1,870,954	3,957,360	4,678,849	5,377,721	2,887,402	3,594,068	4,759,238	4,704,982	5,323,629	6,613,783	6,852,361
<b>Investments</b>	17,680,000	15,400,884	13,545,098	13,204,894	10,561,175	9,001,365	7,291,916	6,289,031	5,709,020	5,796,000	5,796,000	5,796,000
<b>Cash, Cash Equivalents &amp; Investments - end of the year</b>	20,665,000	17,131,839	17,542,448	16,883,233	15,539,066	11,888,667	11,525,988	11,088,249	10,413,982	11,032,629	12,322,783	12,561,361
<b>Representing:</b>												
- External Restrictions	9,279,000	9,176,702	9,856,139	10,599,854	11,352,476	8,925,794	9,700,391	10,978,178	12,313,970	13,833,177	15,437,354	17,114,433
- Internal Restrictions	7,716,000	5,941,541	4,815,182	5,033,115	4,485,487	3,697,665	2,499,665	2,499,665	1,664,096	2,377,436	3,786,132	3,596,040
- Unrestricted	3,510,000	2,013,596	2,871,129	1,356,264	(278,867)	(734,679)	(1,672,057)	(2,388,576)	(3,565,086)	(5,177,968)	(6,902,703)	(8,149,112)
<b>20,665,000</b>	<b>17,131,839</b>	<b>17,542,448</b>	<b>16,883,233</b>	<b>15,539,066</b>	<b>11,888,667</b>	<b>11,525,988</b>	<b>11,088,249</b>	<b>10,413,982</b>	<b>11,032,629</b>	<b>11,032,629</b>	<b>12,322,783</b>	<b>12,561,361</b>

2022/23 - 2031/32 Long Term Financial Plan

2. Base Case

Blayney Shire Council 10 Year Financial Plan for the Years ending 30 June 2032 INCOME STATEMENT - CONSOLIDATED Scenario: Base Case												
	Actuals 2020/21	Current Year 2021/22	2022/23	2023/24	2024/25	2025/26	Projected Years				2030/31	2031/32
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Income from Continuing Operations</b>												
Revenue:												
Rates & Annual Charges	11,423,000	11,817,073	12,215,136	12,749,600	13,141,244	13,238,638	13,955,268	14,395,271	14,646,067	15,317,089	15,795,783	16,297,608
User Charges & Fees	1,486,000	1,710,011	1,666,780	1,646,936	1,909,280	2,026,248	2,036,242	2,136,683	2,173,406	2,300,546	2,318,423	2,452,132
Other Revenues	244,000	494,795	371,099	395,095	388,382	397,746	404,779	414,487	446,510	455,380	447,457	459,877
Grants & Contributions provided for Operating Purposes	5,227,000	4,687,235	4,254,674	5,168,337	4,280,649	4,364,301	4,453,964	4,339,926	4,637,907	4,744,933	4,699,108	4,955,889
Grants & Contributions provided for Capital Purposes	4,677,000	11,322,014	5,857,002	4,258,132	2,395,801	7,097,719	1,389,354	1,484,120	1,363,665	1,446,633	1,483,382	3,541,142
Interest & Investment Revenue	138,000	174,111	189,451	214,625	265,827	284,372	287,629	318,720	319,496	354,514	397,850	413,139
Other Income:												
Net Gains from the Disposal of Assets	-	-	77,644	31,332	64,890	63,899	64,783	68,474	68,438	35,202	34,902	81,366
Fair value increment on investment properties	-	-	-	-	-	-	-	-	-	-	-	-
Reversal of revaluation decrements on IPPE previously expensed	-	-	-	-	-	-	-	-	-	-	-	-
Reversal of impairment losses on receivables	-	-	-	-	-	-	-	-	-	-	-	-
Other Income	130,000	-	-	-	-	-	-	-	-	-	-	-
Joint Ventures & Associated Entities - Gain	231,000	46,741	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
<b>Total Income from Continuing Operations</b>	<b>23,586,000</b>	<b>30,461,980</b>	<b>24,686,787</b>	<b>24,721,157</b>	<b>22,470,972</b>	<b>27,787,392</b>	<b>22,817,018</b>	<b>23,404,691</b>	<b>24,085,488</b>	<b>24,689,297</b>	<b>25,355,903</b>	<b>28,226,164</b>
<b>Expenses from Continuing Operations</b>												
Employee Benefits & On-Costs	7,124,000	6,764,100	7,208,676	7,457,382	7,695,514	8,097,692	8,311,638	8,562,561	8,856,067	9,087,985	9,361,751	9,682,410
Borrowing Costs	262,000	249,494	272,888	194,639	172,631	155,764	138,599	120,584	108,283	95,457	86,213	76,646
Materials & Contracts	4,388,000	4,991,611	4,656,999	4,976,732	5,482,088	5,766,730	5,894,019	6,256,225	6,503,956	6,853,749	6,748,580	6,975,302
Depreciation & Amortisation	6,735,000	6,688,319	6,773,594	6,762,056	6,801,763	6,828,313	6,893,927	6,962,799	7,006,732	7,076,994	7,106,269	7,177,332
Impairment of investments	6,000	-	-	-	-	-	-	-	-	-	-	-
Impairment of receivables	837,000	1,008,356	944,497	1,104,884	1,150,659	1,238,542	1,211,114	1,248,691	1,296,314	1,389,470	1,368,844	1,411,667
Interest & Investment Losses	-	-	-	-	-	-	-	-	-	-	-	-
Net Losses from the Disposal of Assets	512,000	341,768	-	-	-	-	-	-	-	-	-	-
Revaluation decrement/impairment of IPPE	5,000	-	-	-	-	-	-	-	-	-	-	-
Fair value decrement on investment properties	-	-	-	-	-	-	-	-	-	-	-	-
Joint Ventures & Associated Entities	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Expenses from Continuing Operations</b>	<b>19,869,000</b>	<b>20,043,648</b>	<b>19,806,354</b>	<b>20,493,713</b>	<b>21,302,665</b>	<b>22,087,042</b>	<b>22,481,287</b>	<b>23,150,860</b>	<b>23,769,352</b>	<b>24,502,455</b>	<b>24,671,658</b>	<b>25,323,356</b>
<b>Operating Result from Continuing Operations</b>	<b>3,687,000</b>	<b>10,418,333</b>	<b>4,850,433</b>	<b>4,225,444</b>	<b>1,168,307</b>	<b>5,700,881</b>	<b>325,721</b>	<b>253,831</b>	<b>316,136</b>	<b>156,842</b>	<b>684,245</b>	<b>2,657,809</b>
Discontinued Operations - Profit/(Loss)	-	-	-	-	-	-	-	-	-	-	-	-
<b>Net Profit/(Loss) from Discontinued Operations</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Net Operating Result for the Year</b>	<b>3,687,000</b>	<b>10,418,333</b>	<b>4,850,433</b>	<b>4,225,444</b>	<b>1,168,307</b>	<b>5,700,881</b>	<b>325,721</b>	<b>253,831</b>	<b>316,136</b>	<b>156,842</b>	<b>684,245</b>	<b>2,657,809</b>
Net Operating Result before Grants and Contributions provided for Capital Purposes	(930,000)	(1,103,682)	(1,006,569)	(98,747)	(1,227,594)	(1,336,839)	(1,263,632)	(1,230,289)	(1,249,529)	(1,289,791)	(799,136)	(638,344)

2022/23 - 2031/32 Long Term Financial Plan

	Blayney Shire Council 10 Year Financial Plan for the Years ending 30 June 2032 BALANCE SHEET - CONSOLIDATED Scenario: Base Case											
	Actuals 2020/21	Current Year 2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
<b>ASSETS</b>												
Current Assets												
Cash & Cash Equivalents	3,665,000	1,670,954	3,997,360	4,678,649	5,377,721	2,887,402	3,594,083	4,301,725	3,422,074	3,827,210	4,905,085	4,923,885
Investments	16,500,000	15,159,623	13,236,145	11,900,625	9,665,383	8,277,210	7,083,509	5,709,000	5,709,000	5,709,000	5,709,000	5,709,000
Receivables	587,000	1,019,283	1,019,283	1,007,970	952,988	929,469	957,087	957,087	958,251	988,426	1,018,681	1,108,885
Inventories	1,528,000	1,582,176	1,500,468	1,569,569	1,685,771	1,749,729	1,756,636	1,851,458	1,910,941	1,989,904	1,959,135	2,007,753
Contract assets	-	-	-	-	-	-	-	-	-	-	-	-
Contract cost assets	-	-	-	-	-	-	-	-	-	-	-	-
Other	63,000	72,035	66,711	72,613	79,481	84,257	84,286	89,971	98,863	99,421	97,461	100,692
Non-current assets classified as "held for sale"	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Current Assets</b>	<b>22,893,000</b>	<b>20,417,297</b>	<b>19,881,970</b>	<b>19,229,624</b>	<b>17,676,374</b>	<b>13,928,067</b>	<b>13,403,221</b>	<b>12,908,219</b>	<b>12,094,129</b>	<b>12,623,961</b>	<b>13,685,262</b>	<b>13,850,216</b>
Non-Current Assets												
Investments	500,000	101,262	81,317	66,843	41,748	27,518	14,192	-	-	-	-	-
Receivables	-	61,040	64,046	66,965	69,029	71,059	73,314	75,640	78,040	80,515	83,068	85,701
Inventories	-	-	-	-	-	-	-	-	-	-	-	-
Contract assets	-	-	-	-	-	-	-	-	-	-	-	-
Contract cost assets	-	-	-	-	-	-	-	-	-	-	-	-
Infrastructure, Property, Plant & Equipment	296,774,000	308,025,776	312,104,552	316,390,139	317,808,533	326,862,687	327,236,318	327,585,658	328,330,287	327,795,294	327,030,353	329,235,263
Investment Property	83,000	45,300	7,400	7,400	7,400	7,400	7,400	7,400	7,400	7,400	7,400	7,400
Intangible Assets	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000
Right of use assets	29,835,000	29,881,741	29,906,741	29,931,741	29,956,741	29,981,741	30,006,741	30,031,741	30,056,741	30,081,741	30,106,741	30,131,741
Investments Accounted for using the equity method	-	-	-	-	-	-	-	-	-	-	-	-
Non-current assets classified as "held for sale"	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Non-Current Assets</b>	<b>327,332,000</b>	<b>338,155,610</b>	<b>342,204,056</b>	<b>346,502,588</b>	<b>347,623,451</b>	<b>356,980,405</b>	<b>357,377,965</b>	<b>357,740,439</b>	<b>358,512,467</b>	<b>357,844,950</b>	<b>357,267,562</b>	<b>359,518,105</b>
<b>TOTAL ASSETS</b>	<b>396,125,000</b>	<b>338,572,916</b>	<b>362,086,026</b>	<b>365,732,212</b>	<b>365,300,826</b>	<b>370,910,472</b>	<b>370,781,186</b>	<b>370,648,659</b>	<b>370,606,596</b>	<b>370,468,911</b>	<b>370,952,824</b>	<b>373,368,321</b>
<b>LIABILITIES</b>												
Current Liabilities												
Bank overdraft	-	-	-	-	-	-	-	-	-	-	-	-
Payables	1,533,000	1,781,033	1,726,348	1,808,584	1,899,467	1,965,142	1,977,777	2,052,459	2,108,581	2,186,116	2,175,792	2,224,373
Income received in advance	3,869,000	1,751,380	1,097,520	1,032,184	1,08,483	115,447	115,955	123,250	124,043	131,621	132,606	140,580
Contract liabilities	20,000	-	-	-	-	-	-	-	-	-	-	-
Lease liabilities	600,000	638,817	596,298	466,027	457,038	474,193	469,471	416,233	278,771	289,015	301,041	-
Provisions	2,356,000	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415
Liabilities associated with assets classified as "held for sale"	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Current Liabilities</b>	<b>7,880,000</b>	<b>6,489,625</b>	<b>5,748,582</b>	<b>5,695,211</b>	<b>4,799,392</b>	<b>4,888,197</b>	<b>4,891,619</b>	<b>4,920,357</b>	<b>4,840,811</b>	<b>4,995,168</b>	<b>4,935,854</b>	<b>4,698,369</b>
Non-Current Liabilities												
Payables	2,000	2,423	2,441	2,581	2,794	2,888	2,930	3,067	3,184	3,315	3,339	3,452
Income received in advance	-	-	-	-	-	-	-	-	-	-	-	-
Contract liabilities	-	-	-	-	-	-	-	-	-	-	-	-
Lease liabilities	21,000	41,000	41,000	41,000	41,000	41,000	41,000	41,000	41,000	41,000	41,000	41,000
Borrowings	6,601,000	5,972,951	5,376,583	4,910,626	4,453,598	3,979,405	3,509,934	3,083,701	2,813,930	2,524,915	2,223,874	2,223,874
Provisions	1,028,000	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585
Investments Accounted for using the equity method	-	-	-	-	-	-	-	-	-	-	-	-
Liabilities associated with assets classified as "held for sale"	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Non-Current Liabilities</b>	<b>7,652,000</b>	<b>7,071,958</b>	<b>6,475,679</b>	<b>6,009,792</b>	<b>5,552,917</b>	<b>4,659,448</b>	<b>4,188,352</b>	<b>3,913,699</b>	<b>3,913,699</b>	<b>3,624,615</b>	<b>3,323,768</b>	<b>3,323,911</b>
<b>TOTAL LIABILITIES</b>	<b>15,532,000</b>	<b>13,561,583</b>	<b>12,224,261</b>	<b>11,645,003</b>	<b>10,343,309</b>	<b>9,547,645</b>	<b>9,080,067</b>	<b>8,113,769</b>	<b>8,754,510</b>	<b>8,619,783</b>	<b>8,259,622</b>	<b>8,017,279</b>
<b>Net Assets</b>	<b>334,893,000</b>	<b>345,011,333</b>	<b>349,861,766</b>	<b>354,087,210</b>	<b>355,257,517</b>	<b>360,956,398</b>	<b>361,282,119</b>	<b>361,535,950</b>	<b>361,852,086</b>	<b>362,008,928</b>	<b>362,693,173</b>	<b>365,351,042</b>
<b>EQUITY</b>												
Retained Earnings	157,485,000	167,968,333	172,753,766	176,979,210	178,147,517	183,848,398	184,174,119	184,427,950	184,744,086	184,900,928	185,585,173	188,243,042
Revaluation Reserves	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000
Other Reserves	-	-	-	-	-	-	-	-	-	-	-	-
Council Equity Interest	334,539,000	345,011,333	349,861,766	354,087,210	355,257,517	360,956,398	361,282,119	361,535,950	361,852,086	362,008,928	362,693,173	365,351,042
Non-controlling equity interests	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Equity</b>	<b>334,893,000</b>	<b>345,011,333</b>	<b>349,861,766</b>	<b>354,087,210</b>	<b>355,257,517</b>	<b>360,956,398</b>	<b>361,282,119</b>	<b>361,535,950</b>	<b>361,852,086</b>	<b>362,008,928</b>	<b>362,693,173</b>	<b>365,351,042</b>

2022/23 - 2031/32 Long Term Financial Plan



Blayney Shire Council 10 Year Financial Plan for the Years ending 30 June 2032 CASH FLOW STATEMENT - CONSOLIDATED Scenario: Base Case												
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	
	Current Year											
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	
	Actuals	Actuals	Actuals	Actuals	Actuals	Actuals	Actuals	Actuals	Actuals	Actuals	Actuals	
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	
<b>Cash Flows from Operating Activities</b>												
Receipts:												
Rates & Annual Charges	11,572,000	12,752,006	13,142,500	13,529,809	13,916,685	14,303,561	14,690,437	15,077,313	15,464,189	15,851,065	16,237,941	
Grants & Revenue	4,171,000	4,171,000	4,171,000	4,171,000	4,171,000	4,171,000	4,171,000	4,171,000	4,171,000	4,171,000	4,171,000	
Interest & Dividend Revenue Received	17,000	17,000	17,000	17,000	17,000	17,000	17,000	17,000	17,000	17,000	17,000	
Grants & Contributions	12,468,000	13,349,660	14,349,660	15,349,660	16,349,660	17,349,660	18,349,660	19,349,660	20,349,660	21,349,660	22,349,660	
Bonds & Deposits Received	341,000	-	-	-	-	-	-	-	-	-	-	
Other	1,340,000	402,881	402,881	402,881	402,881	402,881	402,881	402,881	402,881	402,881	402,881	
<b>Payments:</b>												
Employee Benefits & On-costs	(7,059,000)	(7,487,382)	(7,895,514)	(8,297,692)	(8,693,831)	(9,084,930)	(9,471,079)	(9,853,238)	(10,230,407)	(10,602,586)	(10,969,765)	
Materials & Contracts	(9,600,000)	(4,811,232)	(5,321,377)	(5,790,789)	(6,220,201)	(6,610,613)	(6,972,025)	(7,317,437)	(7,646,849)	(7,961,261)	(8,270,673)	
Borrowing costs	(275,000)	(247,472)	(247,472)	(247,472)	(247,472)	(247,472)	(247,472)	(247,472)	(247,472)	(247,472)	(247,472)	
Deposits & Repairs Refunded	(761,000)	(1,402,014)	(1,447,228)	(1,238,392)	(1,210,249)	(1,245,883)	(1,293,898)	(1,346,766)	(1,406,360)	(1,474,949)	(1,549,349)	
<b>Net Cash provided (or used in) Operating Activities</b>	13,794,000	15,314,220	15,314,220	15,314,220	15,314,220	15,314,220	15,314,220	15,314,220	15,314,220	15,314,220	15,314,220	
<b>Cash Flows from Investing Activities</b>												
Receipts:												
Sale of Investment Securities	-	1,851,423	1,412,497	2,319,914	1,342,323	1,257,028	1,330,701	-	-	-	-	
Sale of Real Estate Assets	-	-	-	-	-	-	-	-	-	-	-	
Sale of Infrastructure, Property, Plant & Equipment	-	776,438	444,111	644,903	667,014	647,834	714,184	684,377	351,023	349,015	813,658	
Distributions Received from Joint Ventures & Associates	-	-	-	-	-	-	-	-	-	-	-	
Other Investing Activity Receipts	-	-	-	-	-	-	-	-	-	-	-	
<b>Payments:</b>												
Purchase of Investment Securities	-	-	-	-	-	-	-	-	-	-	-	
Purchase of Real Estate Assets	-	-	-	-	-	-	-	-	-	-	-	
Purchase of Infrastructure, Property, Plant & Equipment	(9,819,000)	(11,513,365)	(11,450,422)	(8,600,570)	(16,405,532)	(7,852,810)	(8,367,299)	(6,798,223)	(6,715,441)	(10,132,154)	(10,132,154)	
Purchase of Intangible Assets	(38,000)	-	-	-	-	-	-	-	-	-	-	
Purchase of Interests in Joint Ventures & Associates	(16,000)	-	-	-	-	-	-	-	-	-	-	
Deferred Debtors & Advances Made	-	-	-	-	-	-	-	-	-	-	-	
Contributions Paid to Joint Ventures & Associates	-	-	-	-	-	-	-	-	-	-	-	
Other Investing Activity Payments	(5,500,000)	-	-	-	-	-	-	-	-	-	-	
<b>Net Cash provided (or used in) Investing Activities</b>	(13,017,000)	(8,651,942)	(8,037,925)	(4,285,657)	(14,063,209)	(6,595,782)	(7,037,217)	(5,414,200)	(5,366,418)	(9,793,139)	(9,318,496)	
<b>Cash Flows from Financing Activities</b>												
Receipts:												
Proceeds from Borrowings & Advances	-	-	-	-	-	-	-	-	-	-	-	
Proceeds from Finance Leases	-	-	-	-	-	-	-	-	-	-	-	
Other Financing Activity Receipts	-	-	-	-	-	-	-	-	-	-	-	
<b>Payments:</b>												
Repayment of Borrowings & Advances	(576,000)	(623,847)	(566,298)	(457,028)	(474,189)	(469,711)	(416,333)	(279,771)	(238,015)	(301,041)	(301,041)	
Repayment of lease liabilities (principal repayments)	(80,000)	-	-	-	-	-	-	-	-	-	-	
Distributions to non-controlling interests	-	-	-	-	-	-	-	-	-	-	-	
Other Financing Activity Payments	-	-	-	-	-	-	-	-	-	-	-	
<b>Net Cash provided (used in) Financing Activities</b>	(656,000)	(623,847)	(566,298)	(457,028)	(474,189)	(469,711)	(416,333)	(279,771)	(238,015)	(301,041)	(301,041)	
<b>Net Increase/(Decrease) in Cash &amp; Cash Equivalents</b>	111,000	1,794,046	1,794,046	1,794,046	1,794,046	1,794,046	1,794,046	1,794,046	1,794,046	1,794,046	1,794,046	
Plus: Cash & Cash Equivalents - beginning of year	3,554,000	3,665,000	3,665,000	3,665,000	3,665,000	3,665,000	3,665,000	3,665,000	3,665,000	3,665,000	3,665,000	
<b>Cash &amp; Cash Equivalents - end of the year</b>	3,665,000	5,459,046	5,459,046	5,459,046	5,459,046	5,459,046	5,459,046	5,459,046	5,459,046	5,459,046	5,459,046	
<b>Reconciling:</b>												
Cash & Cash Equivalents - end of the year	3,665,000	5,459,046	5,459,046	5,459,046	5,459,046	5,459,046	5,459,046	5,459,046	5,459,046	5,459,046	5,459,046	
Less: Cash & Cash Equivalents - beginning of the year	(17,131,839)	(17,376,822)	(16,645,815)	(11,924,173)	(11,924,173)	(11,924,173)	(11,924,173)	(11,924,173)	(11,924,173)	(11,924,173)	(11,924,173)	
<b>Cash, Cash Equivalents &amp; Investments - end of the year</b>	20,665,000	20,665,000	20,665,000	20,665,000	20,665,000	20,665,000	20,665,000	20,665,000	20,665,000	20,665,000	20,665,000	
<b>Representing:</b>												
- External Restrictions	9,279,000	9,176,702	9,856,139	11,352,476	11,352,476	9,700,391	10,978,178	12,313,970	13,833,177	15,437,354	17,114,433	
- Internal Restrictions	7,476,000	5,941,541	4,811,115	5,093,115	4,485,487	3,697,551	3,497,668	2,499,647	2,377,496	3,781,132	3,996,040	
- Unrestricted	3,910,000	2,019,398	2,795,502	1,025,815	(933,195)	(1,435,272)	(3,464,771)	(4,864,992)	(4,864,992)	(6,614,451)	(10,077,588)	
	17,665,000	17,131,839	17,376,822	16,645,815	15,024,173	11,924,173	10,641,784	10,000,172	9,131,074	9,338,210	10,614,035	

2022/23 - 2031/32 Long Term Financial Plan



3. SRV plus Increased Development & Mining

	Actuals 2020/21	Current Year 2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
<b>Blayney Shire Council</b>												
<b>10 Year Financial Plan for the Years ending 30 June 2032</b>												
<b>INCOME STATEMENT - CONSOLIDATED</b>												
<b>Scenario: Proposed SRV, Increased Mining &amp; Development</b>												
<b>Income from Continuing Operations</b>												
Revenue:												
Rates & Annual Charges	11,423,000	11,817,073	12,381,904	12,979,113	13,007,998	14,233,861	14,918,634	16,137,727	16,917,910	17,737,297	18,597,914	19,501,888
User Charges & Fees	1,486,000	1,710,011	1,666,780	1,848,956	1,909,280	2,026,248	2,086,242	2,158,683	2,173,406	2,300,546	2,318,423	2,452,132
Other Revenues	244,000	498,795	371,099	398,095	388,582	397,746	404,779	414,497	446,510	435,380	447,457	459,877
Grants & Contributions provided for Operating Purposes	4,627,000	4,699,235	4,254,674	5,168,357	4,364,649	4,364,301	4,453,964	4,539,926	4,637,907	4,744,983	4,889,108	4,955,889
Grants & Contributions provided for Capital Purposes	138,000	1,152,014	5,857,002	4,285,192	2,395,901	7,097,719	1,589,354	1,484,120	1,565,665	1,446,633	1,483,382	3,541,142
Interest & Investment Revenue	-	174,111	189,451	214,625	265,827	284,372	287,629	318,120	319,486	354,514	397,850	413,139
Other Income:	-	-	-	-	-	-	-	-	-	-	-	-
Net Gains from the Disposal of Assets	-	77,644	77,644	31,332	64,490	63,899	64,783	68,474	68,438	35,202	34,902	81,366
Fair value increment on investment properties	-	-	-	-	-	-	-	-	-	-	-	-
Reversal of revaluation decrements on IPPE previously expensed	-	-	-	-	-	-	-	-	-	-	-	-
Reversal of impairment losses on receivables	130,000	-	-	-	-	-	-	-	-	-	-	-
Other Income	231,000	46,741	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
Joint Ventures & Associated Entities - Gain	23,596,000	30,461,380	24,823,556	24,950,670	22,337,722	28,493,146	23,780,384	25,147,146	26,154,331	27,079,595	28,154,034	31,430,434
<b>Total Income from Continuing Operations</b>												
<b>Expenses from Continuing Operations</b>												
Employee Benefits & On-Costs	7,124,000	6,764,100	7,208,676	7,457,382	7,695,514	8,097,692	8,311,658	8,562,561	8,856,067	9,087,385	9,361,751	9,682,410
Borrowing Costs	262,000	249,494	222,588	194,639	172,631	135,764	138,599	120,384	106,283	95,457	86,213	76,646
Materials & Contracts	4,388,000	4,994,811	4,656,989	4,976,732	5,482,098	5,766,730	5,394,019	6,256,225	6,308,956	6,853,789	6,748,580	6,975,302
Depreciation & Amortisation	6,735,000	6,686,319	6,773,594	6,762,056	6,801,763	6,828,313	6,895,927	6,962,799	7,006,732	7,076,394	7,106,289	7,177,532
Impairment of investments	6,000	-	-	-	-	-	-	-	-	-	-	-
Impairment of receivables	-	-	-	-	-	-	-	-	-	-	-	-
Other Expenses	837,000	1,006,356	944,497	1,104,884	1,150,659	1,238,542	1,211,114	1,246,691	1,296,314	1,389,470	1,368,844	1,411,667
Interest & Investment Losses	-	-	-	-	-	-	-	-	-	-	-	-
Net Losses from the Disposal of Assets	512,000	341,768	-	-	-	-	-	-	-	-	-	-
Revaluation decrement/impairment of IPPE	5,000	-	-	-	-	-	-	-	-	-	-	-
Fair value decrement on investment properties	-	-	-	-	-	-	-	-	-	-	-	-
Joint Ventures & Associated Entities	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Expenses from Continuing Operations</b>												
<b>Operating Result from Continuing Operations</b>												
Discontinued Operations - Profit/(Loss)	19,869,000	20,043,646	19,806,334	20,495,713	21,302,665	22,087,042	22,491,297	23,150,860	23,769,332	24,502,455	24,671,658	25,323,356
Net Profit/(Loss) from Discontinued Operations	3,687,000	10,418,333	5,017,201	4,454,937	1,635,057	6,408,104	1,289,088	1,996,286	2,384,979	2,577,050	3,482,376	5,862,149
<b>Net Operating Result for the Year</b>												
Net Operating Result before Grants and Contributions provided for Capital Purposes	(930,000)	(1,103,682)	(639,801)	(760,844)	(631,615)	(300,265)	(300,265)	512,166	819,314	1,130,417	1,398,994	2,565,936

	Actuals 2020/21	Projected Years										
		2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	
<b>Blayney Shire Council</b>												
<b>10 Year Financial Plan for the Years ending 30 June 2032</b>												
<b>BALANCE SHEET - CONSOLIDATED</b>												
<b>Scenario: Proposed SRV, Increased Mining &amp; Development</b>												
<b>ASSETS</b>												
Current Assets												
Cash & Cash Equivalents	3,665,000	3,997,360	4,678,849	5,377,771	2,897,482	3,594,093	4,799,288	6,057,098	8,869,676	13,722,845	15,930,472	
Investments	16,569,000	16,569,000	17,288,664	10,457,725	9,814,785	9,549,685	9,099,288	9,329,537	9,108,936	9,328,592	9,328,592	
Receivables	1,587,000	1,038,471	1,018,397	937,664	885,568	938,950	1,025,489	1,048,534	1,048,996	1,048,884	1,048,884	
Inventories	1,538,000	1,500,468	1,569,569	1,683,771	1,749,729	1,736,886	1,851,488	1,910,941	1,989,904	1,959,185	2,007,753	
Contract assets	550,000	-	-	-	-	-	-	-	-	-	-	
Contract cost assets	-	-	-	-	-	-	-	-	-	-	-	
Other	-	-	-	-	-	-	-	-	-	-	-	
Non-current assets classified as "held for sale"	63,000	66,711	74,613	79,481	84,267	84,286	89,971	93,863	99,421	97,461	100,692	
<b>Total Current Assets</b>	<b>22,833,000</b>	<b>20,050,030</b>	<b>19,625,932</b>	<b>18,540,861</b>	<b>15,482,723</b>	<b>15,927,840</b>	<b>17,175,480</b>	<b>18,436,073</b>	<b>21,392,554</b>	<b>25,257,873</b>	<b>28,634,528</b>	
Non-Current Assets												
Investments	500,000	83,073	70,510	50,823	44,004	40,799	39,649	38,783	38,783	38,783	38,783	
Receivables	-	65,036	68,328	71,800	75,246	79,034	85,986	90,324	94,885	99,682	104,727	
Inventories	-	-	-	-	-	-	-	-	-	-	-	
Contract assets	-	-	-	-	-	-	-	-	-	-	-	
Contract cost assets	-	-	-	-	-	-	-	-	-	-	-	
Infrastructure, Property, Plant & Equipment	296,774,000	312,104,552	316,390,139	317,808,533	326,862,687	327,236,318	327,586,658	328,330,287	327,795,294	327,031,353	329,254,263	
Investment Property	-	-	-	-	-	-	-	-	-	-	-	
Intangible Assets	83,000	7,400	7,400	7,400	7,400	7,400	7,400	7,400	7,400	7,400	7,400	
Right of use assets	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	
Investments Accounted for using the equity method	29,835,000	29,906,741	29,993,741	29,956,741	29,981,741	30,005,741	30,031,741	30,056,741	30,081,741	30,106,741	30,131,741	
Non-current assets classified as "held for sale"	-	-	-	-	-	-	-	-	-	-	-	
Other	-	-	-	-	-	-	-	-	-	-	-	
<b>Total Non-Current Assets</b>	<b>327,232,000</b>	<b>342,206,802</b>	<b>346,508,118</b>	<b>347,985,297</b>	<b>357,011,078</b>	<b>357,410,292</b>	<b>357,790,434</b>	<b>358,563,534</b>	<b>357,998,104</b>	<b>357,323,960</b>	<b>359,576,914</b>	
<b>TOTAL ASSETS</b>	<b>350,125,000</b>	<b>362,256,832</b>	<b>366,134,051</b>	<b>366,476,158</b>	<b>372,503,801</b>	<b>373,338,132</b>	<b>374,965,914</b>	<b>376,999,607</b>	<b>379,390,658</b>	<b>382,581,833</b>	<b>388,211,443</b>	
<b>LIABILITIES</b>												
Current Liabilities												
Bank Overdraft	-	-	-	-	-	-	-	-	-	-	-	
Payables	1,533,000	1,730,386	1,814,141	1,910,768	1,980,217	2,001,103	2,094,649	2,158,674	2,244,717	2,241,543	2,301,958	
Income received in advance	-	-	-	-	-	-	-	-	-	-	-	
Contract liabilities	3,369,000	1,097,520	1,092,184	108,483	115,447	115,955	123,250	124,043	131,621	132,606	140,580	
Lease liabilities	20,000	-	-	-	-	-	-	-	-	-	-	
Borrowings	602,000	596,298	466,027	457,028	474,193	469,471	416,233	279,771	289,015	301,041	-	
Provisions	2,356,000	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	
Liabilities associated with assets classified as "held for sale"	-	-	-	-	-	-	-	-	-	-	-	
<b>Total Current Liabilities</b>	<b>7,880,000</b>	<b>5,752,620</b>	<b>5,640,768</b>	<b>4,804,694</b>	<b>4,900,272</b>	<b>4,914,945</b>	<b>4,962,547</b>	<b>4,890,904</b>	<b>4,993,768</b>	<b>5,008,605</b>	<b>4,770,954</b>	
Non-Current Liabilities												
Payables	2,000	2,441	2,581	2,734	2,888	2,990	3,067	3,184	3,315	3,339	3,452	
Income received in advance	-	-	-	-	-	-	-	-	-	-	-	
Contract liabilities	-	-	-	-	-	-	-	-	-	-	-	
Lease liabilities	21,000	41,000	41,000	41,000	41,000	41,000	41,000	41,000	41,000	41,000	41,000	
Borrowings	6,601,000	5,376,653	4,910,626	4,453,598	3,979,405	3,509,894	3,093,701	2,813,930	2,524,915	2,223,874	2,223,874	
Provisions	1,028,000	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	
Investments Accounted for using the equity method	-	-	-	-	-	-	-	-	-	-	-	
Liabilities associated with assets classified as "held for sale"	-	-	-	-	-	-	-	-	-	-	-	
<b>Total Non-Current Liabilities</b>	<b>7,652,000</b>	<b>6,975,679</b>	<b>6,009,792</b>	<b>5,582,917</b>	<b>5,078,877</b>	<b>4,609,448</b>	<b>4,198,352</b>	<b>3,913,699</b>	<b>3,624,815</b>	<b>3,323,911</b>	<b>3,323,911</b>	
<b>TOTAL LIABILITIES</b>	<b>15,532,000</b>	<b>12,728,299</b>	<b>11,650,560</b>	<b>10,387,610</b>	<b>9,979,150</b>	<b>9,524,393</b>	<b>9,160,899</b>	<b>8,804,603</b>	<b>8,618,583</b>	<b>8,327,403</b>	<b>8,094,864</b>	
<b>Net Assets</b>	<b>334,593,000</b>	<b>350,028,534</b>	<b>354,483,491</b>	<b>356,118,548</b>	<b>362,524,651</b>	<b>363,813,739</b>	<b>365,810,025</b>	<b>368,195,005</b>	<b>370,772,055</b>	<b>374,254,430</b>	<b>380,116,579</b>	
<b>EQUITY</b>												
Retained Earnings	157,485,000	172,920,534	177,375,491	179,010,548	185,416,651	186,705,799	188,702,025	191,087,005	193,664,055	197,146,430	203,008,579	
Revaluation Reserves	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	
Other Reserves	-	-	-	-	-	-	-	-	-	-	-	
Control Equity Interest	334,593,000	350,028,534	354,483,491	356,118,548	362,524,651	363,813,739	365,810,025	368,195,005	370,772,055	374,254,430	380,116,579	
Non-controlling equity interests	-	-	-	-	-	-	-	-	-	-	-	
<b>Total Equity</b>	<b>334,593,000</b>	<b>350,028,534</b>	<b>354,483,491</b>	<b>356,118,548</b>	<b>362,524,651</b>	<b>363,813,739</b>	<b>365,810,025</b>	<b>368,195,005</b>	<b>370,772,055</b>	<b>374,254,430</b>	<b>380,116,579</b>	

2022/23 - 2031/32 Long Term Financial Plan



4. Reduced Mining & Freeze Indexation on Financial Assistance Grants

Blayney Shire Council 10 Year Financial Plan for the Years ending 30 June 2032 INCOME STATEMENT - CONSOLIDATED Scenario: Reduced Mining Income	Actuals 2020/21	Current Year		2022/23		2023/24		2024/25		2025/26		Projected Years		2029/30		2030/31		2031/32		
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
<b>Income from Continuing Operations</b>																				
Revenue:																				
Rates & Annual Charges	11,423,000	11,517,073	12,381,904	12,923,039	12,083,009	12,838,656	12,892,587	13,238,910	13,658,015	14,080,305	14,506,196	14,986,114								
User Charges & Fees	1,486,000	1,710,011	1,666,780	1,646,936	1,909,280	2,026,248	2,036,242	2,158,683	2,173,406	2,300,546	2,318,423	2,452,332								
Other Revenues	244,000	494,795	371,099	395,095	388,382	397,746	404,779	414,487	446,510	455,360	447,457	459,877								
Grants & Contributions provided for Operating Purposes	5,227,000	4,697,235	4,254,674	5,094,238	4,130,999	4,136,401	4,146,267	4,150,459	4,184,384	4,185,678	4,201,772	4,218,772								
Grants & Contributions provided for Capital Purposes	4,677,000	11,322,014	5,857,002	4,258,132	2,395,811	7,097,719	1,389,354	1,484,120	1,363,665	1,446,633	1,483,582	1,481,442								
Interest & Investment Revenue	198,000	174,111	189,451	214,625	265,827	284,372	287,629	318,720	319,496	354,514	397,850	433,139								
Other Income:																				
Net Gains from the Disposal of Assets	-	-	77,644	31,332	64,890	63,899	64,783	68,474	68,498	35,202	94,902	81,366								
Fair value increment on investment properties	-	-	-	-	-	-	-	-	-	-	-	-								
Reversal of revaluation decrements on IPPE previously expensed	-	-	-	-	-	-	-	-	-	-	-	-								
Reversal of impairment losses on receivables	-	-	-	-	-	-	-	-	-	-	-	-								
Other Income	130,000	-	-	-	-	-	-	-	-	-	-	-								
Joint Ventures & Associated Entities - Gain	231,000	45,741	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000								
<b>Total Income from Continuing Operations</b>	<b>23,556,000</b>	<b>30,461,980</b>	<b>24,823,555</b>	<b>24,820,437</b>	<b>21,262,688</b>	<b>26,470,041</b>	<b>21,386,641</b>	<b>21,858,842</b>	<b>22,421,113</b>	<b>22,873,259</b>	<b>23,444,380</b>	<b>24,187,042</b>								
<b>Expenses from Continuing Operations</b>																				
Employee Benefits & On-Costs	7,124,000	6,764,100	7,208,676	7,457,382	7,695,514	8,097,692	8,311,638	8,562,561	8,856,067	9,087,385	9,361,751	9,682,410								
Borrowing Costs	262,000	249,494	272,888	194,639	172,631	155,764	138,599	120,594	106,283	95,457	86,213	76,446								
Materials & Contracts	4,388,000	4,991,611	4,656,999	4,976,732	5,482,088	5,766,730	5,894,019	6,256,225	6,503,956	6,853,749	7,048,580	7,375,302								
Depreciation & Amortisation	6,735,000	6,688,319	6,773,594	6,762,036	6,801,763	6,828,313	6,893,927	6,962,799	7,008,732	7,076,994	7,106,269	7,177,332								
Impairment of Investments	6,000	-	-	-	-	-	-	-	-	-	-	-								
Other Expenses	837,000	1,008,356	944,497	1,104,884	1,150,659	1,238,542	1,211,114	1,248,691	1,296,314	1,389,470	1,368,844	1,411,667								
Interest & Investment Losses	-	-	-	-	-	-	-	-	-	-	-	-								
Net Losses from the Disposal of Assets	512,000	341,768	-	-	-	-	-	-	-	-	-	-								
Revaluation decrement/impairment of IPPE	5,000	-	-	-	-	-	-	-	-	-	-	-								
Fair value decrement on investment properties	-	-	-	-	-	-	-	-	-	-	-	-								
Joint Ventures & Associated Entities	-	-	-	-	-	-	-	-	-	-	-	-								
<b>Total Expenses from Continuing Operations</b>	<b>19,869,000</b>	<b>20,043,648</b>	<b>19,896,354</b>	<b>20,493,713</b>	<b>21,302,665</b>	<b>22,087,042</b>	<b>22,481,287</b>	<b>23,150,860</b>	<b>23,769,332</b>	<b>24,502,455</b>	<b>24,671,638</b>	<b>25,323,356</b>								
<b>Operating Result from Continuing Operations</b>	<b>3,687,000</b>	<b>10,418,333</b>	<b>5,017,201</b>	<b>4,324,724</b>	<b>(99,377)</b>	<b>4,383,000</b>	<b>(1,104,646)</b>	<b>(1,292,018)</b>	<b>(1,346,239)</b>	<b>(1,629,197)</b>	<b>(1,226,677)</b>	<b>(618,757)</b>								
Discontinued Operations - Profit/(Loss)	-	-	-	-	-	-	-	-	-	-	-	-								
<b>Net Profit/(Loss) from Discontinued Operations</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>								
<b>Net Operating Result for the Year</b>	<b>3,687,000</b>	<b>10,418,333</b>	<b>5,017,201</b>	<b>4,324,724</b>	<b>(99,377)</b>	<b>4,383,000</b>	<b>(1,104,646)</b>	<b>(1,292,018)</b>	<b>(1,346,239)</b>	<b>(1,629,197)</b>	<b>(1,226,677)</b>	<b>(618,757)</b>								
Net Operating Result before Grants and Contributions provided for Capital Purposes	(930,000)	(1,103,662)	(839,801)	38,583	(2,435,878)	(2,714,720)	(2,694,069)	(2,776,138)	(2,913,904)	(3,075,830)	(2,710,039)	(2,677,456)								

2022/23 - 2031/32 Long Term Financial Plan

Blayney Shire Council 10 Year Financial Plan for the Years ending 30 June 2032 BALANCE SHEET - CONSOLIDATED Scenario: Reduced Mining Income	Projected Years									
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
<b>ASSETS</b>										
Current Assets										
Cash & Cash Equivalents	3,665,000	4,678,849	5,377,721	2,887,402	1,380,002	-	-	-	-	-
Investments	16,500,000	12,156,572	8,683,142	6,065,625	5,709,000	5,709,000	5,709,000	5,709,000	5,709,000	5,709,000
Receivables	587,000	1,033,475	902,624	884,774	878,338	914,294	927,808	965,159	978,466	1,069,747
Inventories	1,528,000	1,569,569	1,683,771	1,749,729	1,756,856	1,851,438	1,910,941	1,989,904	1,959,135	2,007,753
Contract assets	550,000	-	-	-	-	-	-	-	-	-
Contract cost assets	-	-	-	-	-	-	-	-	-	-
Other	65,000	72,613	79,481	84,257	84,286	89,971	93,863	99,421	97,461	100,692
Non-current assets classified as "held for sale"	22,895,000	19,488,750	16,726,740	11,671,787	9,706,462	8,564,704	8,641,612	8,763,484	8,744,062	8,887,193
<b>Total Current Assets</b>	20,417,297	20,417,297	20,417,297	20,417,297	20,417,297	20,417,297	20,417,297	20,417,297	20,417,297	20,417,297
Non-Current Assets										
Investments	500,000	66,085	31,868	3,821	-	-	-	-	-	-
Receivables	83,073	69,085	31,868	3,821	-	-	-	-	-	-
Inventories	65,036	67,995	62,745	64,587	66,648	68,774	70,967	73,230	75,565	77,973
Contract assets	-	-	-	-	-	-	-	-	-	-
Contract cost assets	-	-	-	-	-	-	-	-	-	-
Infrastructure, Property, Plant & Equipment	296,774,000	312,404,552	316,390,139	317,808,538	326,862,687	327,236,318	327,585,658	328,330,287	327,735,294	327,031,353
Investment Property	-	-	-	-	-	-	-	-	-	-
Intangible Assets	88,000	7,400	7,400	7,400	7,400	7,400	7,400	7,400	7,400	7,400
Right of use assets	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000
Investments Accounted for using the equity method	29,835,000	29,906,741	29,931,741	29,981,741	30,006,741	30,031,741	30,056,741	30,081,741	30,106,741	30,131,741
Non-current assets classified as "held for sale"	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-
<b>Total Non-Current Assets</b>	327,232,000	346,506,361	347,907,287	356,960,216	357,357,107	357,333,573	358,505,395	357,937,666	357,261,059	359,311,377
<b>TOTAL ASSETS</b>	350,125,000	366,923,658	368,324,584	368,377,513	367,774,404	367,750,870	367,940,692	368,354,963	367,678,356	368,728,674
<b>LIABILITIES</b>										
Current Liabilities										
Bank Overdraft	-	-	-	-	-	-	-	-	-	-
Payables	1,533,000	1,812,784	1,873,844	1,998,750	1,950,594	2,024,460	2,079,743	2,156,412	2,143,197	2,192,860
Income received in advance	-	-	-	-	-	-	-	-	-	-
Contract liabilities	3,369,000	1,097,520	1,024,774	115,447	115,955	123,250	124,043	131,621	132,606	140,580
Lease liabilities	20,000	-	-	-	-	-	-	-	-	-
Borrowings	602,000	596,298	466,027	474,193	469,471	416,233	279,771	289,015	301,041	-
Provisions	2,356,000	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415	2,328,415
Liabilities associated with assets classified as "held for sale"	-	-	-	-	-	-	-	-	-	-
<b>Total Current Liabilities</b>	7,880,000	5,752,620	5,632,000	4,856,805	4,854,435	5,805,258	6,281,880	6,542,103	6,542,103	6,542,103
Non-Current Liabilities										
Payables	2,000	2,441	2,734	2,888	2,950	3,067	3,184	3,315	3,339	3,452
Income received in advance	-	-	-	-	-	-	-	-	-	-
Contract liabilities	-	-	-	-	-	-	-	-	-	-
Lease liabilities	21,000	41,000	41,000	41,000	41,000	41,000	41,000	41,000	41,000	41,000
Borrowings	6,600,000	5,976,653	4,910,626	3,979,405	3,509,954	3,093,701	2,813,930	2,524,915	2,223,874	2,233,874
Provisions	1,028,000	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585	1,055,585
Investments Accounted for using the equity method	-	-	-	-	-	-	-	-	-	-
Liabilities associated with assets classified as "held for sale"	-	-	-	-	-	-	-	-	-	-
<b>Total Non-Current Liabilities</b>	7,652,000	6,009,792	5,552,917	5,078,877	4,609,448	4,193,352	3,913,699	3,624,815	3,323,986	3,323,911
<b>TOTAL LIABILITIES</b>	15,532,000	11,762,412	11,184,917	9,935,682	9,463,883	9,998,610	10,195,579	10,166,918	9,866,089	9,866,014
<b>Net Assets</b>	334,593,000	355,161,246	357,139,667	358,441,831	358,312,521	357,752,260	357,745,113	358,188,045	357,812,267	358,962,660
<b>EQUITY</b>										
Retained Earnings	157,485,000	177,245,318	177,205,341	181,588,340	180,483,685	179,191,667	177,843,428	176,214,231	174,987,554	175,606,311
Revaluation Reserves	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000	177,108,000
Other Reserves	-	-	-	-	-	-	-	-	-	-
Council Equity Interest	334,593,000	354,817,928	354,817,928	354,817,928	354,817,928	354,817,928	354,817,928	354,817,928	354,817,928	354,817,928
Non-controlling equity interests	-	-	-	-	-	-	-	-	-	-
<b>Total Equity</b>	334,593,000	354,817,928	354,817,928	354,817,928	354,817,928	354,817,928	354,817,928	354,817,928	354,817,928	354,817,928



Blayney Shire Council 10 Year Financial Plan for the Years ending 30 June 2032 CASH FLOW STATEMENT - CONSOLIDATED See ratio: Reduced Mining Income	2022/23 - 2031/32 Long Term Financial Plan											
	Actuals 2020/21	Current Year 2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
Cash Flows from Operating Activities												
Receipts:												
Rates & Annual Charges	11,572,000	11,739,862	13,386,334	15,935,487	12,074,791	12,439,593	12,833,734	13,240,117	13,659,263	14,091,595	14,537,529	14,997,492
User Charges & Fees	1,621,000	1,549,487	1,631,238	1,845,881	1,898,398	2,004,977	2,034,681	2,159,239	2,270,969	2,277,282	2,315,402	2,427,860
Revenue Received in Advance	12,468,000	14,349,869	10,069,713	9,313,875	5,634,348	11,244,719	5,735,817	5,693,592	5,729,378	5,633,318	5,684,702	7,466,823
Grants & Contributions	-	-	-	-	-	-	-	-	-	-	-	-
Bonds & Deposits Received	-	-	-	-	-	-	-	-	-	-	-	-
Other	1,340,000	409,881	477,109	409,871	436,200	414,187	399,569	414,093	444,222	435,203	446,185	426,516
Payments:												
Employee Benefits & On-costs	(7,659,000)	(6,764,200)	(7,208,676)	(7,437,382)	(7,695,514)	(8,097,682)	(8,311,638)	(8,562,564)	(8,856,047)	(9,087,385)	(9,361,751)	(9,682,410)
Materials & Contracts	(5,690,000)	(4,801,325)	(4,631,757)	(4,931,321)	(5,521,377)	(5,780,798)	(5,936,185)	(6,521,371)	(6,521,318)	(6,872,043)	(6,737,664)	(6,888,072)
Borrowing costs	(275,000)	(247,472)	(225,653)	(197,959)	(174,933)	(158,028)	(140,952)	(122,898)	(108,276)	(96,796)	(87,596)	(79,097)
Bonds & Deposits Refunded	-	-	-	-	-	-	-	-	-	-	-	-
Other	(761,000)	(1,011,861)	(844,113)	(1,102,043)	(1,140,528)	(1,235,392)	(1,210,248)	(1,245,883)	(1,293,898)	(1,366,766)	(1,366,366)	(1,409,549)
Net Cash provided (or used in) Operating Activities	13,734,000	15,314,200	11,776,383	10,974,867	5,809,819	11,139,714	5,711,122	5,202,234	5,543,147	5,347,239	5,834,570	7,601,985
Cash Flows from Investing Activities												
Receipts:												
Sale of Investment Securities	-	2,239,115	1,715,797	1,319,481	3,510,647	2,645,564	360,448	-	-	-	-	-
Sale of Real Estate Assets	-	-	-	-	-	-	-	-	-	-	-	-
Sale of Infrastructure, Property, Plant & Equipment	796,000	-	-	-	-	-	-	-	-	-	-	-
Sale of non-current assets classified as held for sale	360,000	256,262	776,438	414,111	644,903	667,014	647,834	714,184	664,377	393,023	349,015	813,658
Other Investing Activity Receipts	-	-	-	-	-	-	-	-	-	-	-	-
Payments:												
Purchase of Investment Securities	-	(500,000)	-	-	-	-	-	-	-	-	-	-
Purchase of Investment Property	-	-	-	-	-	-	-	-	-	-	-	-
Purchase of Infrastructure, Property, Plant & Equipment	(9,619,000)	(16,502,705)	(11,513,365)	(11,430,421)	(8,800,370)	(16,485,582)	(7,852,610)	(7,957,849)	(8,367,299)	(6,798,223)	(6,746,441)	(10,132,534)
Purchase of Real Estate Assets	(38,000)	-	-	-	-	-	-	-	-	-	-	-
Purchase of Intangible Assets	(16,000)	-	-	-	-	-	-	-	-	-	-	-
Dividends received from Ventures & Associates	-	-	-	-	-	-	-	-	-	-	-	-
Depreciation & Amortisation	-	-	-	-	-	-	-	-	-	-	-	-
Contributions paid to joint ventures & Associates	-	-	-	-	-	-	-	-	-	-	-	-
Other Investing Activity Payments	(8,500,000)	-	-	-	-	-	-	-	-	-	-	-
Net Cash provided (or used in) Investing Activities	(13,017,000)	(16,507,084)	(9,021,130)	(9,696,880)	(4,645,020)	(13,173,004)	(6,844,329)	(7,243,665)	(7,682,922)	(6,446,200)	(6,367,426)	(9,118,676)
Cash Flows from Financing Activities												
Receipts:												
Proceeds from Borrowings & Advances	-	-	-	-	-	-	-	-	-	-	-	-
Proceeds from Financial Institutions	-	-	-	-	-	-	-	-	-	-	-	-
Other Financing Activity Receipts	-	-	-	-	-	-	-	-	-	-	-	-
Payments:												
Repayment of Borrowings & Advances	(576,000)	(601,202)	(628,447)	(596,283)	(466,027)	(457,028)	(474,189)	(469,471)	(416,233)	(279,771)	(239,015)	(301,041)
Repayment of lease liabilities (principal repayments)	(30,000)	-	-	-	-	-	-	-	-	-	-	-
Distributions to non-controlling interests	-	-	-	-	-	-	-	-	-	-	-	-
Other Financing Activity Payments	-	-	-	-	-	-	-	-	-	-	-	-
Net Cash Flow provided (used in) Financing Activities	(606,000)	(601,202)	(628,447)	(596,283)	(466,027)	(457,028)	(474,189)	(469,471)	(416,233)	(279,771)	(239,015)	(301,041)
Net Increase/(Decrease) in Cash & Cash Equivalents	111,000	(1,794,084)	2,126,406	681,489	698,771	(2,498,318)	(1,607,401)	(2,193,902)	(2,557,008)	(1,378,732)	(881,872)	(2,017,982)
plus: Cash & Cash Equivalents - beginning of year	3,554,000	3,665,000	1,870,954	3,997,360	4,678,849	5,377,721	2,887,402	1,280,002	(912,900)	(3,469,908)	(4,848,639)	(5,680,511)
Cash & Cash Equivalents - end of the year	3,665,000	1,870,916	3,997,360	4,678,849	5,377,721	2,887,402	1,280,002	(912,900)	(3,469,908)	(4,848,639)	(5,680,511)	(7,698,493)
Cash & Cash Equivalents - end of the year												
Cash & Cash Equivalents - end of the year												
Cash & Cash Equivalents - end of the year												
Cash & Cash Equivalents - end of the year												
Re present:												
- External Restrictions	9,279,000	9,176,702	9,836,139	10,593,684	11,352,476	9,245,794	9,700,391	10,975,178	12,313,970	13,833,177	15,437,354	17,114,433
- Internal Restrictions	7,476,000	5,941,941	4,815,182	5,033,115	4,465,487	3,697,551	3,497,665	2,499,647	1,661,096	2,377,436	3,786,132	3,996,040
- Unrestricted	3,650,000	2,013,966	8,871,138	2,877,977	(4,753,331)	(8,668,496)	(6,309,054)	(8,681,703)	(11,735,974)	(15,300,252)	(19,196,997)	(22,699,969)
	20,650,000	17,131,639	17,542,449	16,904,566	14,092,621	6,368,849	6,988,002	4,796,100	2,259,092	860,361	28,489	(1,280,493)



8 CAPITAL EXPENDITURE PROGRAM

Council's 10-year capital expenditure program is made up of both recurrent renewal works such as resealing and plant replacement as well as one off major renewal and new works. Often these works are reliant on obtaining sufficient grant funding.

2022-23 - 2031-32 Long Term Financial Plan Capital Expenditure Program										
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2030/32
Roads	4,024,996	5,788,591	4,032,510	4,189,415	4,213,008	5,015,963	4,483,222	4,614,935	4,751,258	4,892,352
Footpaths	2,661,192	2,977,955	483,048	206,106	524,587	388,675	436,896	280,659	276,850	2,049,299
Bridges	1,212,500	2,060,920	1,100,000	1,100,000	367,500	-	286,225	-	306,261	-
Buildings	656,000	100,000	51,750	53,561	125,436	97,376	59,384	146,463	63,614	65,840
Other Structures	420,419	155,750	162,550	169,350	176,650	284,500	188,300	189,150	191,500	194,000
Information Technology	94,500	39,200	526,906	31,616	46,830	134,552	63,278	72,010	108,248	44,490
Plant & Equipment	2,119,528	1,500,145	1,987,947	2,366,225	2,030,588	2,642,180	2,622,939	1,416,506	938,061	2,804,052
Sewerage Services	158,128	308,967	320,456	9,398,307	295,210	-	75,552	-	-	-
Stormwater	166,100	1,178,892	69,400	71,000	72,800	74,600	76,500	78,500	80,500	82,500
Kerb & Gutter	-	-	66,000	-	-	-	75,000	-	-	-
<b>TOTAL</b>	<b>11,513,363</b>	<b>11,430,420</b>	<b>8,800,567</b>	<b>16,485,580</b>	<b>7,852,609</b>	<b>8,637,847</b>	<b>8,367,297</b>	<b>6,798,223</b>	<b>6,716,291</b>	<b>10,132,533</b>
<b>NEW</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>	<b>2028/29</b>	<b>2029/30</b>	<b>2030/31</b>	<b>2030/32</b>
Roads	350,000	1,860,700	200,000	819,842	-	-	-	-	-	-
Footpaths	2,612,455	248,000	431,844	153,622	470,791	333,534	380,377	222,727	217,469	1,988,433
Bridges	-	-	-	-	-	-	-	-	-	-
Buildings	150,000	-	-	-	-	-	-	-	-	-
Other Structures	164,490	144,500	151,000	157,500	164,500	172,000	175,500	176,000	178,000	180,000
Information Technology	94,500	39,200	526,906	31,616	46,830	134,552	63,278	72,010	108,248	44,490
Plant & Equipment	2,108,078	1,482,445	1,981,697	2,359,825	2,019,038	2,629,980	2,607,689	1,400,106	930,886	2,796,702
Sewerage Services	-	-	-	8,917,500	-	-	-	-	-	-
Stormwater	100,000	1,111,142	-	-	-	-	-	-	-	-
Kerb & Gutter	-	-	66,000	-	-	-	75,000	-	-	-
<b>TOTAL</b>	<b>5,579,523</b>	<b>4,885,987</b>	<b>3,357,447</b>	<b>12,439,905</b>	<b>2,701,159</b>	<b>3,270,066</b>	<b>3,301,844</b>	<b>1,870,843</b>	<b>1,434,603</b>	<b>5,009,625</b>
<b>RENEWAL</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>	<b>2028/29</b>	<b>2029/30</b>	<b>2030/31</b>	<b>2030/32</b>
Roads	3,674,996	3,927,891	3,832,510	3,369,573	4,213,008	5,015,963	4,483,222	4,614,935	4,751,258	4,892,352
Footpaths	48,737	49,955	51,204	52,484	53,796	55,141	56,519	57,932	59,381	60,866
Bridges	1,212,500	2,060,920	1,100,000	-	367,500	-	286,225	-	306,261	-
Buildings	506,000	100,000	51,750	53,561	125,436	97,376	59,384	146,463	63,614	65,840
Other Structures	255,929	-	11,250	11,850	12,150	112,500	12,800	13,150	13,500	14,000
Information Technology	-	-	-	-	-	-	-	-	-	-
Plant & Equipment	11,450	17,700	6,250	6,400	11,550	12,200	15,250	16,400	7,175	7,350
Sewerage Services	158,128	308,967	320,456	480,807	295,210	-	75,552	-	-	-
Stormwater	66,100	67,750	69,400	71,000	72,800	74,600	76,500	78,500	80,500	82,500
Kerb & Gutter	-	-	-	-	-	-	-	-	-	-
<b>TOTAL</b>	<b>5,933,840</b>	<b>6,544,433</b>	<b>5,443,120</b>	<b>4,045,675</b>	<b>5,151,450</b>	<b>5,367,781</b>	<b>5,065,453</b>	<b>4,927,380</b>	<b>5,281,689</b>	<b>5,122,908</b>

**Programmed Infrastructure Renewals**

Infrastructure assets including roads, bridges & footpaths make up 66% of Council's total Infrastructure, Property, Plant & Equipment portfolio and not surprisingly makes up the majority of recurrent capital expenditure throughout this plan.

Asset Class	Average annual budget over the plan	What does it cost?	What does it get us?
Road Rehabilitation	\$2,100,127	390k-400k per km.	Between 4 & 6kms annually
Reseals	\$498,584	25k per km	17km per year
Gravel Resheeting	\$457,524		
Heavy Patching	\$621,764	125k per km	4.3km per year
Bridges (Culverts)	\$270,414	Varies	Varies
Footpaths	\$54,601	\$150/m <sup>2</sup>	320m <sup>2</sup>
Urban Stormwater	\$73,965	Varies	Varies

**Other Major Infrastructure works**

**Forest Reefs Road**

Project commencement	2022/23
Project completion	2022/23
Total cost of the project	\$1,298,040
Grant funding sought	\$600,958
Other funding	\$697,082

**Mandurama Road**

Project commencement	2023/24
Project completion	2031/32
Total cost of the project	\$11,405,345
Grant funding sought	\$5,702,672
Other funding	\$5,702,673

**Richards Lane – Millthorpe**

Project commencement	2023/24
Project completion	2023/24
Total cost of the project	\$1,860,700
Grant funding sought	\$1,000,000
Other funding	\$860,700

**Hobbys Yards Road**

Segments in order of priority 220, 221, 190, 150, 160, 200, 210, 170, 180

Project commencement	2023/24
Project completion	2031/32
Total cost of the project	\$6,360,000
Grant funding sought	\$3,180,000
Other funding	\$2,456,306

**Swallow Creek Bridge – Four Mile Creek Road**

Project commencement	2023/24
Project completion	2023/24
Total cost of the project	\$2,000,000
Grant funding sought	\$2,000,000
Other funding	\$0

**Liscombes Creek Bridge Replacement & Realignment**

Project commencement	2024/25
Project completion	2024/25
Total cost of the project	\$850,000
Grant funding sought	\$850,000
Other funding	\$0

**Other Major Capital Works Program**

Council has programed a number of significant major capital works program over the term of this plan. The below programs are often reliant on successful grant funding.

**Corporate Management System Upgrade**

Project Description: Upgrade Council's Corporate Management software including asset management system

Project commencement	2024/25
Project completion	2024/25
Total cost of the project	\$420,000
Grant funding sought	\$0
Other funding – IT Internal Restriction	\$420,000
Proposed borrowings	\$0

**Sewerage Treatment Plant**

Project Description: Capacity upgrade at Blayney STP.

Project commencement	2025/26
Project completion	2025/26
Total cost of the project	\$8,917,500
Grant funding sought	\$5,796,375
Other funding – Sewer reserves	\$3,121,125
Proposed borrowings	\$0





# **Blayney Shire Council Workforce Management Plan 2022/23 – 2025/26**





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More information:

Blayney Shire Council  
91 Adelaide Street, BLAYNEY NSW 2799  
(02) 6368 2104  
[www.blayney.nsw.gov.au](http://www.blayney.nsw.gov.au)

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## Introduction

This Workforce Management Plan (WMP) has been developed in accordance with the New South Wales Government's Integrated Planning and Reporting (IP&R) Framework requirements.

This Workforce Management Plan forms part of the Resourcing Strategy required under section 403 of the Local Government Act 1993. The aim of this plan is to assist Council to meet the priorities identified in the Blayney Shire Council Community Strategic Plan and achieve the objectives and actions identified in the 4-year delivery program.

This is the third Workforce Management Plan that has been developed by Council under the IP&R framework and many of the ideas, strategies and themes contained in previous WMP's are repeated in this plan as they remain relevant and current for this WMP.

This Workforce Management Plan has been informed by Council's own corporate sources, staff workshops held in December 2021, and the Price Waterhouse Coopers (PwC) / Local Government Professionals Australian LG Performance Excellence Program (Council Comparative Analysis Tool FY21).

Although the Australian Bureau of Statistics (ABS) conducted a census in 2021 the information from that Census will not be available until June 2022. So, using the 2016 census data, the Blayney Shire Local Government area (LGA) had a population of 7,259 residents and a land area of 1,524 square kilometres.

Whilst Council already has several initiatives in place to promote Council as a desirable place to work and to promote a healthy work / life balance, this Workforce Management Plan aims to build further strategies and initiatives that will enhance these strategies.

Like many employers, Council was impacted by the COVID-19 pandemic, particularly in relation to staff and government mandates about how staff were able to work during the pandemic. Council was fortunate in that it already had in place initiatives like working from home opportunities and was able to ramp up these arrangements on a broader scale to ensure Council services could continue to be delivered to the community.

Council regards its employees as its greatest assets and acknowledge that it is them who lead the on-ground delivery of services and facilities to the community in an efficient and effective manner. We will use our best endeavours to develop our staff to continue to provide effective and efficient services to the community.

The aim of this Workforce Management Plan are to continue to:

- strategically define Council's Human Resource requirements to maintain and develop the future success of our Council
- identify current and anticipated gaps in Council's workforce to allow it to deliver its services to the community
- deal with succession planning issues
- explore our current working arrangements and identify any areas that require adjustment to meet the demands on an ever-changing employment environment.
- ensure we are a responsible employer of choice with a strong long-term capability and capacity to attract, engage, develop, and retain the right workforce
- provide modern, safe, well-maintained, and supportive human resource systems, strategies, and processes, with a high commitment to risk management
- support and strengthen workforce capability and development
- support Council's ability to deliver future programs and services
- support and strengthen workforce capability and development
- develop and promote cohesive best practice people strategies

This Workforce Management Plan is for the period 2022/23 to 2025/26.

## **Blayney Shire Community Strategic Plan (CSP)**

The community engagement and consultation process that led to the development of the CSP has established 5 future directions for Council to focus on:

1. Maintain and Improve Public Infrastructure and Services
2. Build the Capacity and Capability of Local Governance and Finance
3. Diversify and Grow the Blayney Shire Local and Visitor Economy
4. Enhance recreational facilities and networks that support health and wellbeing of the community, sport, heritage and cultural interests
5. Protect our Natural Environment

This Workforce Management Plan aligns the community expectations with Council's ongoing activities to better allow for Council to meet the community expectation in its functions.

## Consultation

To assist in informing this plan, Council held a series of workshops with staff in December 2021. The purpose of this workshop was to engage with staff to reflect on what is working well and what requires improvement. Staff were asked to identify what they perceived to be our strengths and weaknesses and how we can leverage what they are.

The workshops identified various themes, and these are summarised in the table below. It is noted that many of these themes are similar to those that were identified in the previous workforce management plan for 2018-22.

<b>Strengths</b>	<b>Context</b>
Workplace conditions	Staff liked that workplace conditions allowed for flexibility to allow for a good work / life balance.
Modern equipment	Council, in the main has a modern and up to date fleet, equipment and technology.
Their work teams and mateship they can develop	Many friendships made in the workplace which extends beyond the work environment and into personal and family lives
Job satisfaction and the variety of work available.	Our relatively small size allows flexibility so as not to limit scope of job design so that a variety of tasks are able to be learned and performed leading to multi-skilled employees.
Helping the community in the provision of facilities	Employees like that in many instances they live and work in the same community and that the work they perform benefits the community including themselves
The training and professional development opportunities available	Council offers extensive training through its salary system progression and encourages staff to undertake relevant training so they can reach the top step of their grade in accordance with Council's salary system.
The overall modern equipment Council provides.	Council maintains and renews its fleet of plant and equipment to keep it current and up to date.

Amongst the issues identified were:

<b>Issue</b>	<b>Context</b>
Communication – could Council communicate better with its workforce?	Staff would like to be better informed about what they will be doing on a day-to-day basis and about upcoming projects
Council's salary system and wage structure – in many respects local government rates of pay rates are less than those that could be earned in private enterprise	Council's salary system does not allow for employees to progress beyond the top step for their grade, therefore creating a barrier to additional pay
The scheduling and quantity of work	The scheduling and completion of work can be influenced by our regional climate. Also, the volume of work and Government grant requirements are challenging Local Government in general
Equipment – as the main users of equipment, could they be more included in the procurement process for better fit for purpose equipment.	Staff would like to be more involved in the appraisal and selection and procurement process for equipment as it is they who are the end users

Council has an employee Consultative Committee established under the provisions of the Local Government State Award. The Consultative Committee provides a forum for Council and its employees to discuss matters affecting workplace relations openly and freely.

The functions of the consultative committee include:

- award implementation
- training
- consultation with regard to organisation restructure
- job redesign
- salary systems
- communication and education mechanisms
- performance management systems
- changes to variable working hours arrangements for new or vacant positions
- local government reform
- proposed variations to leaseback vehicle arrangements
- health and wellbeing programs

In developing this plan, Council has and will continue to consult with its employees to determine the best possible personal and organisational outcomes.



## Objectives

The overarching objectives of Council's Workforce Plan are to:

- Link the Workforce Management Plan to the Strategic Objectives of the Delivery Program so that the workforce is capable, motivated, and available, now and into the future, to meet the needs of the community it serves.
- To integrate the Workforce Management Plan into the Resourcing Strategy so that works, projects, programs and services are funded, resourced, and delivered in accordance with the priorities of the Delivery Program and Operational Plan.
- To link the Workforce Management Plan to the Council's strategic, operational, and organisational objectives and future directions.
- Develop strategies so that Council is viewed as an employer of choice and that current and future vacancies in Council's workforce can be filled quickly and efficiently to ensure minimum disruption to the delivery of services to the community.

## Australasian Local Government Performance Excellence Program

Since 2016, Council has participated in the Australasian Local Government Performance Excellence Program conducted by PwC.

During the program, PwC collects data from participating councils and then transforms this data into key metrics, identifying trends and observations that focus on operational and management excellence.

The full report can be made available by contacting Council. Some of the data used in this plan has been derived from this program.



## Blayney Shire Council Workforce

To allow us to plan for the future we need to examine where we are now. As at 31 March 2022 Blayney Shire Council had a current staff headcount staff establishment of \*98 employees (92.14 full time equivalent (FTE), engaged across a diverse range of occupations and employment types.

The table below shows the current employment by category of Council staff:

Employment Category	Number of Employees - including trainees – (FTE)	% of total staff employed
Full time	85 (85)	86.7%
Part time	13 (7.14)	13.3%
<b>Total*</b>	<b>*98 (92.14)</b>	<b>100%</b>

\* Please note that at the time of preparing this WMP there were 4 vacant positions, and the data below is therefore based on a head count of 94 employees.

### Workforce Strategies – Opportunities and Challenges

This plan identifies a number of strategies to manage the opportunities and challenges Council faces in developing, attracting, and retaining its workforce. In many respects, the strategies to deal with these opportunities and challenges can overlap and complement each other. Observations and responses to each of the above opportunities and challenges are detailed in the strategies below.

### A Multigenerational Workforce and Succession Planning

#### Objectives:

- To ensure Council's workforce works together cohesively and shares their varied experiences to maximise service delivery to the community.
- To provide an environment where corporate knowledge can be shared and passed on amongst Council staff.
- Ensure that vacancies in Council workforce can be filled quickly to minimise disruption to service delivery to the community.

The table below shows Council's generational workforce mix.

#### Age Statistics - Permanent Employees (including trainees)

Age bracket	No. (%) permanent employees
<30	10 (10.64%)
31-40	17 (18.09%)
41-50	18 (19.15%)
51-60	35 (37.23%)
61-70	13 (13.83%)
>70	1 (1.06%)
Total	94 (100%)
Average age of Council's workforce as at 31 March 2022	48.81 years of age

As demonstrated in the table above, the average age of Council employees as at 31 March 2022 is 48.81.

The data also shows that Council has its largest proportion of employees in the 51 years plus age brackets. Of these, 14 people are 61 years or older and whilst there is no longer a defined retirement age, it can reasonably be expected that they may retire within the next ten years. Of this cohort, 5 people are over 65 years of age and whilst no formal indications have been forthcoming, may retire in a much shorter period. The challenge for Council is to ensure not only that it has the capacity to replace these positions with people equally skilled and experienced to fill these gaps, but also to keep all employees well engaged in the roles they perform.

It is conceivable that an employee in their late teens could be working alongside an employee in their late sixties or even seventies. It is also conceivable that this disparity will mean that they have very different life and work experience skills. For example, younger employees are more likely to be technological savvy than older employees and can share these skills with older employees. Conversely, older employees will have a greater exposure to work experiences and corporate operational knowledge and can share these with younger employees.

Council currently has provision for 2 civil construction trainees, 1 Trainee Building Surveyor, and 1 Engineering Cadetship (in partnership with Charles Sturt University). It is anticipated that these trainees will have a positive workplace experience and will, more broadly, promote Council as an employer of choice within the wider community and potentially create an opportunity for them to apply for a position within Council should the opportunity arise.



Council seeks to ensure its commitment to the local community by providing opportunities to develop its youth to meet the future objectives of the Shire whilst still meeting its obligations to appoint people on merit. Similarly positions that are hard to fill with qualified people, may be more able to be filled by someone with the right cultural fit, mindset and work ethic who has most of the essential skills, and is provided a pathway to attain those necessary qualifications on the job.



**Strategies:**

1. Share the offering of 'Acting or Higher Duties' work to allow employees to gain experience in higher more senior roles covering leave periods for incumbents.
2. In consultation with relevant supervisors, develop training and secondment opportunities for critical positions recognising talented staff with potential to make the progression.
3. More broadly, and where practical and cost effective, provide training and development opportunities for existing staff to allow them to develop the skills that may require replacing, so as to allow them to effectively compete for vacant positions as they arise, and thereby creating a path for promotion within Council.
4. Advertise vacant roles as soon as possible after pending separations are known, to allow transfer of corporate knowledge and to ensure minimal disruption to workflow.
5. Maintain the Trainees and Engineering Cadetship programs with Skillset, Charles Sturt University and other training providers.
6. Where positions are hard to fill or there are no applicants with necessary qualifications, investigate the opportunity for an apprenticeship or traineeship to be created.

**Labour Market Competition**

**Objective:**

- To position Council as an employer of choice by providing positive and sustainable work life balance opportunities to staff.

Like any organisation that employs labour, Council must compete in the labour market to secure employees with the necessary skills and qualification to perform the work of Council.

In order to accommodate the many changes to the labour market and more importantly skill shortages in key areas, there are a number of strategies that can be further explored and potentially implemented into the Blayney Shire Council workforce.

In the past the mining industry, in particular, has been a significant drain on Council's labour force. Council cannot effectively compete with the wage levels available to employees in the mining industry, but it can provide attractive working conditions, recognising that money is not the only driver of what gets people to work for organisations. Commencement of construction of the Flyers Creek wind farm and the proposed McPhillamys Gold Project (a new greenfield mine only 8km from Blayney) will likely add to the competition for labour in the Blayney LGA more generally.

In addition, Blayney's proximity to the major urban centres of Orange and Bathurst has seen employees leave to explore employment opportunities in these centres. In saying this however, Council has several employees who reside in these centres and commute to Blayney to work.

Council provides its employees with various opportunities for flexible and family friendly work practices. These include:

- flexible work arrangements,

- part-time work,
- job share arrangements,
- variations to ordinary hours and rosters,
- the taking of annual leave at half pay,
- the taking of long service leave at half pay,
- purchased additional annual leave arrangements,
- deferred salary scheme,
- appreciation days,
- working from home arrangements

Council will continue to provide these opportunities to its staff, as well as proactively consider and explore other flexible arrangements to ensure that its current and future employees can maintain a healthy work / life balance, whilst at the same time ensuring our service to our community is not compromised.

Council will continue to promote these arrangements as part of its employee attraction and retention strategy.

**Strategies:**

1. Monitor salaries and wages to remain competitive, especially in the context of specialised local government positions.
2. Provide a supportive environment for flexible work practices and work / life balance.
3. Develop pathways for critical positions as needed by providing apprenticeship and traineeship opportunities where possible.
4. Increased focus on Graduate, Trainee and Apprenticeship recruitment.
5. Maximising job satisfaction and opportunities for skills development.
6. Create a positive work environment and culture based on innovation, continuous improvement, and engagement.
7. Continue to provide flexible employment arrangements and promote these in its recruitment processes.
8. Promote the employee benefits that are particular to Blayney Shire Council.
9. Engage staff and Council to develop attraction and retention strategies with a view to developing a formal staff attraction and retention strategy.

### Work Health and Safety

#### Objective:

- To provide the healthiest and safest workplace possible and minimise the risk of injury to all stakeholders.

The table below provides workers compensation claims lost time injury claims data for the 2018-2021 financial years. Whilst the data shows Council has had a year-on-year increase in lost time injuries since 2018, there has generally been a decrease in the total amount of lost time from the injuries. This recognises that some injuries are more severe than others and Council will continue to investigate and monitor the nature of any injuries that occur in the workplace.

<b>Workers Compensation Claims – Lost time injuries FY 2018-21</b>	
<b>Financial year</b>	<b>No. lost time injuries</b>
2018	1
2019	3
2020	4
2021	7

Council actively promotes a safe and healthy workplace and Council has in place a proactive Health and Safety Committee (H&S Committee).



Injuries and incidents that occur in the workplace are investigated by the WHS and Risk Coordinator and reported to the H&S Committee with a view to collaboratively find ways in an environment where health and safety issues can be discussed openly and freely with the view of implementing measures to prevent similar events in the future.

Council consults extensively with its employees in the preparation of Safe Work Method Statements, changes to work methods, workplace design, purchasing of new equipment and Risk Assessments.



In addition, Council's WHS and Risk Coordinator reviews, in consultation with employees, conducts safe work method statements, site risk assessments, and regular work site observations/ inspections on work practices to ensure processes are in line with site specific risk assessments, safe work method statements and to ensure safe systems of work are followed and hazards are being identified and monitored with any recommendations included in toolbox talks.

Initiatives to assist Council implement a healthy and safe workplace are supported financially by an annual rebate from Council's Workers Compensation insurer StateCover. This rebate amount depends on past claims and strategies implemented to promote a safe workplace.

Workers' compensation premiums are a significant budgetary item for Council's and eliminating or limiting the number of lost time injuries can significantly affect the premiums paid for Council's workers compensation insurance.

Lost time injuries can have a significant effect on workers compensation premium calculations and hence the total workers compensation premium payable. By minimising lost time injuries Council saves considerable money from its budget that could otherwise be used for delivery of Health and Wellbeing services to Councils employees and the community. Council StateCover Workers Compensation insurance base tariff premium for FY 2021 is \$142,250.

A permanent WHS and Risk Coordinator provides guidance and support for Employees, Health and Safety Committee, Managers and MANEX team and ensures the implementation of Health and Safety programs, including an Alcohol and Other Drugs Policy, Wellbeing Health Fair and an Incident Debrief Consultation Process.

**Strategies:**

1. Continue to investigate alternative methods of performing physical tasks to reduce physical stresses and strains.
2. Continue to build on its health and safety systems to ensure workplace incidents and injuries are minimised.
3. Continue to support the Health and Safety Committee and engage staff in initiatives that will receive StateCover Rebate funding.
4. Continue to investigate alternative methods of performing physical tasks to reduce physical stresses and strains.
5. Continue to build on its health and safety systems to ensure workplace incidents and injuries are minimised.
6. Continue to support the Health and Safety Committee and engage staff in initiatives that will receive StateCover Rebate funding.

**Workforce Gender Diversity**

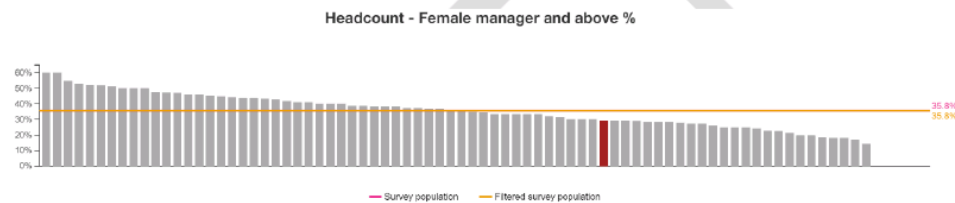
**Objective:**

- Increase gender diversity in its workforce, thereby creating a greater potential labour pool.

The tables below provide data on Council’s workforce gender diversity:

<b>Employment by Gender</b>		
<b>Employment Category</b>	<b>Female</b>	<b>Male</b>
Full time	14 (16.09%)	64 (73.56%)
Part time	9 (10.35%)	0 (0%)
<b>Total*</b>	<b>23 (26.44%)</b>	<b>64 (73.56%)</b>

**Management Gender Diversity**



At management level, as the graph above shows, Council has 29.4% of management roles are occupied by females including the General Manager. This compares with the PwC survey average of 35.8% for NSW Councils.

Council is an advocate for, and is committed to, being an equal opportunity employer in all its employment practices.

Council has areas of its workforce that continue to be traditionally male dominated. Typically, this occurs in the operational areas, such as roads construction and maintenance, water and sewer and waste services and other trade and labouring areas.

Council will target segments of the workforce that have traditionally been under-represented, such as females in outdoor operations roles, and Council will continue to develop strategies to increase the participation of women in its workforce as a whole.

**Strategy:**

1. Encourage greater female participation in all aspects of Council’s work by reinforcing its equal employment opportunities.

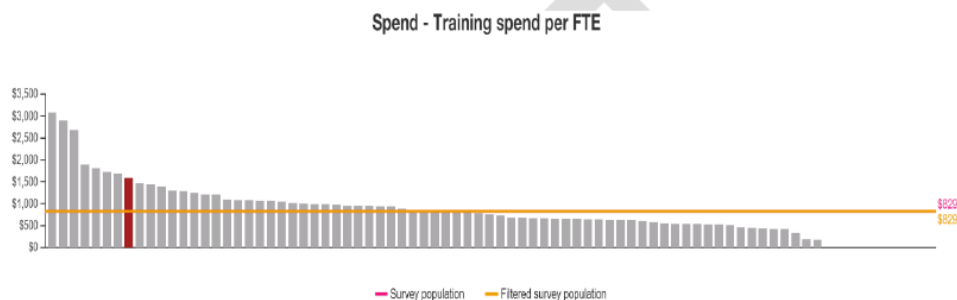
### Staff Development and Training

#### Objectives:

- Ensure staff are adequately trained and their skills are current in their field of work and industry specialisation.
- Provide opportunities for staff to develop their potential to advance their careers within Council and within Local Government.

Consistent with the objectives, Council will continue to develop its staff through the provision of relevant staff development and training.

The graph below provides a comparison between the training spend of other Council's compared to Blayney.



Source: Local Government Performance Excellence Program via the Data IQ Platform. Downloaded by Martin Boyd on 27-Apr-2022 14:33:48. Please note that Data IQ does not provide assurance on the data provided.

Overall, the graph shows that Blayney Shire's average training spend per FTE for FY21 was \$1,594.00 as opposed to the survey average of \$829.00. This demonstrates Council's commitment to the ongoing development of its workforce, so they are continually renewing and obtaining more skills to assist in the delivery of services to the community.

There are peaks and troughs in its training spend, as some of the skills and qualifications that Council staff hold have an expiration date and require renewal on a set basis, e.g., 5 years for chemical application accreditations. Priority in Council's annual training budgets is given to training where the standard of training to be met is determined by other organisations e.g., SafeWork NSW, and to training required to ensure that Council can meet its statutory and regulatory functions.

Council also looks to proactively encourage staff to achieve qualifications and complete courses that will aid their personal development and assist Council in its delivery of services to the community.

Council staff have and will continue to attend, and where required, present at conferences, seminars, forums, networking, mentoring opportunities, and training events so staff can keep abreast of industry and employment trends. Council staff also participate in simulation events such as the Local Government Professionals Rural

Management Challenge where potential scenarios are presented, and staff are required to provide solutions to these. The Rural Management Challenge is an engaging development opportunity for newer and aspiring leaders.

Teams from Council work through real life local government scenarios in a safe learning environment, challenging their leadership communication, time management skills and experience. These events assist in staff developing an understanding of the issues faced by Councils in actual situations. Blayney Shire Council encourages a mixed team to be entered each year in the Central NSW region event.

In accordance with the provisions of the Award, Council has established a competency based salary system that determines the grade and classification of positions within Council.

Council's salary system has 4 steps within each grade being, Entry level, Step 1, Step 2 and Step 3. Steps 1, 2 and 3 are paid at 5%, 10% and 15% respectively above the entry level rate of pay for the grade that has been determined for positions within Council.

By completing relevant training and attaining qualifications, employees have the opportunity to progress through the salary system to the top step of their pay grade. Council actively encourages and provides the opportunity for all staff to complete the relevant training so they can progress through the salary system.

In addition, Council has an Employee Development and Appraisal Review Process, where staff and their supervisors meet to discuss their performance, as well as take the opportunity to identify other training requests an employee may have to assist them in the performance of their work and progression of their career with Council.

**Strategies:**

1. Support employees to complete all required training for progression through Council's salary system.
2. Provide employees with access to training in addition to that required for step progression to facilitate opportunities for career progression.
3. Seek external funding to add value to training needs.
4. Support a Blayney Shire Council team in the Australasian Rural Management Challenge.

**Organisational Structure**

Consistent with strategies identified in the 2018-22 Workforce Management Plan, Council undertook an organisation review in 2021 that led to some changes to Council's organisational structure. The objectives of the review were:

- To undertake a review of the Organisational Structure which ensures that Council has adequate Human Resources that provides flexibility for the organisation to deliver major capital works grant funded projects in addition to maintaining agreed levels of service for ongoing operations.

- To encourage and support management practices that empowers decision making within roles and responsibility of staff to facilitate an efficient and effective workforce.

Extensive employee consultation was undertaken during the course of the review and the end result was that a number of positions were adjusted to reflect the current requirement of various roles within Council.

Going forward Council will continue to review roles to ensure they are current in relation to what the role is required to deliver for Council.



### **Central West NSW Joint Organisation (CNSWJO)**

Council is a member of the Central West NSW Joint Organisation group of Councils. The principal functions of the JO include:

- Establish strategic regional priorities and strategies and plans for their delivery,
- Regional Leadership to advocate for strategic regional priorities, and
- Identify and take up opportunities for intergovernmental co-operation.

Other functions as directed by the Board and determined by member councils will improve operational efficiencies for its members across areas such as compliance and cost savings associated with regional procurement opportunities. Regional networks provide support and collaboration in Work Health and Safety, Risk Management and Human Resource Management functions on an as needs basis.

From the Human Resources perspective, being a member of CNSWJO provides Council with a number of efficiencies and cost benefits by allowing training costs to be



shared amongst Councils, particularly where the training required is only required by a small cohort of people across a number of Councils.

Blayney Shire Council will continue to value add and participate in regional programs and activities of the CNSWJO HR Group and leverage the benefits of being a member when is of benefit and it provides scale and capacity outcomes.



## Summary

Blayney Shire Council's main workforce issues to be addressed over the 4 year delivery plan include its ability to deliver service expectations of the community with finite resources and its capacity to maintain a skilled, flexible and motivated workforce.

This workforce plan has been developed to guide Council's workforce development to allow Council the best opportunity to meet the objectives identified in the CSP and to support Council's ability to deliver future programs and services.



## Strategies

1. Share the offering of 'Acting or Higher Duties' work to allow employees to gain experience in higher more senior roles covering leave periods for incumbents.
2. In consultation with relevant supervisors, develop training and secondment opportunities for critical positions recognising talented staff with potential to make the progression.
3. More broadly, and where practical and cost effective, provide training and development opportunities for existing staff to allow them to develop the skills that may require replacing, so as to allow them to effectively compete for vacant positions as they arise, and thereby creating a path for promotion within Council.
4. Advertise vacant roles as soon as possible after pending separations are known, to allow transfer of corporate knowledge and to ensure minimal disruption to work flow.
5. Maintain the Trainees and Engineering Cadetship programs with Skillset, Charles Sturt University and other training providers.
6. Maintain the Trainees and Engineering Cadetship programs with Skillset and Charles Sturt University.
7. Where positions are hard to fill or there are no applicants with necessary qualifications, investigate the opportunity for an apprenticeship or traineeship to be created.
8. Monitor salaries and wages to remain competitive, especially in the context of specialised local government positions.
9. Provide a supportive environment for flexible work practices and work / life balance.
10. Develop pathways for critical positions as needed by providing apprenticeship and traineeship opportunities.
11. Increased focus on Graduate, Trainee and Apprenticeship recruitment.
12. Maximising job satisfaction and opportunities for skills development.
13. Create a positive work environment and culture based on innovation, continuous improvement and engagement.
14. Continue to provide flexible employment arrangements and promote these in its recruitment processes.

15. Promote the employee benefits that are particular to Blayney Shire Council.
16. Engage staff and Council to develop attraction and retention strategies with a view to developing a formal staff attraction and retention strategy.
17. Continue to investigate alternative methods of performing physical tasks to reduce physical stresses and strains.
18. Continue to build on its health and safety systems to ensure workplace incidents and injuries are minimised.
19. Continue to support the Health and Safety Committee and engage staff in initiatives that will receive StateCover Rebate funding.
20. Encourage greater female participation in all aspects of Council's work by reinforcing its equal employment opportunities.
21. Support employees to complete all required training for progression through Council's salary system.
22. Provide employees with access to training in addition to that required for step progression to facilitate opportunities for career progression.
23. Seek external funding to value add to training needs.
24. Support a Blayney Shire Council team in the Australasian Rural Management Challenge.





## **Asset Management Policy**

<b>Policy</b>	22B
<b>Officer Responsible</b>	Director Infrastructure Services
<b>Last Review Date</b>	16/05/2022

**Strategic Policy**

## **OBJECTIVES**

To ensure adequate provision is made for the long-term replacement of major assets by:

- Ensuring that Council's infrastructure is maintained in a sustainable manner, with the appropriate levels of service to residents, visitors and the environment.
- Implementing appropriate asset management strategies and providing financial resources required to safeguard Council assets.
- Creating and sustaining an asset management awareness throughout the organisation by way of training and development.
- Meeting legislative requirements for asset management.
- Ensuring resources and operational capabilities are identified and responsibilities for asset management are allocated.
- Demonstrating transparent and responsible asset management processes that align with demonstrated best practice.

## **SCOPE**

This policy applies to all physical infrastructure assets owned, controlled or managed by Council.

## **GENERAL**

### **Background**

1. Council is committed to implementing a systematic asset management methodology in order to apply appropriate asset management best practices across all areas of the organisation. This includes ensuring that assets are planned, created, operated, maintained, renewed and disposed of in accordance with Council's priorities for service delivery.
2. Asset management practices impact directly on the core business of the organisation and appropriate asset management is required to achieve our strategic service delivery objectives.
3. Adopting asset management principles will assist Council in achieving its Strategic Longer-Term Plan and Long Term Financial Plan objectives.
4. A strategic approach to asset management will ensure that the Council delivers the required levels of service through its assets. This will provide positive impact on:
  - Members of the public and staff,
  - Council's financial sustainability over the medium to long term,
  - The ability to provide expected levels of service and required infrastructure,
  - The political environment in which Council operates, and
  - The legal liabilities of Council.

**Principles**

1. A consistent Asset Management Strategy (The Strategic Asset Management Plan) must exist for implementing systematic and appropriate asset management best-practice throughout all departments of Council.
2. All relevant legislative requirements and Office of Local Government Long Term Financial Indicators are considered in asset management.
3. Asset management principles will be integrated within existing planning and operational processes.
4. Asset Management Plans will be developed for major asset categories. The plans will be informed by community consultation and financial planning and reporting.
5. An inspection regime will ensure agreed service levels are maintained and to identify asset renewal priorities.
6. Asset renewals required to meet agreed service levels are identified in adopted asset management plans and funded in Councils Long Term Financial Plan.
7. Asset renewal plans will be prioritised and implemented progressively based on agreed service levels and the effectiveness of the current assets to provide that level of service.
8. Renewal works will use current engineering and construction technology (Modern engineering equivalent), and consider intergenerational equity, current and future population growth and social amenity.
9. Systematic and cyclic reviews will be applied to all asset classes and are to ensure that the assets are managed, valued, and depreciated in accordance with appropriate best practice and applicable Australian Standards, including Australian Accounting Standards (AASB).
10. Future life cycle costs will be reported and considered in all decisions relating to new services and assets or upgrading of existing assets and services.
11. Future service levels will be determined in consultation with the community.
12. Training in asset and financial management will be provided for Councillors and relevant staff.

**RESPONSIBILITY**

- **Councillors** are responsible for adopting the policy and ensuring that sufficient resources are applied to manage the assets.
- The **General Manager** has overall responsibility for developing an asset management strategy, plans and procedures and reporting on the status and effectiveness of asset management within Council.

**End of Policy**

	<b>Date</b>	<b>Minute</b>
<b>Adopted:</b>	<b>14/11/2011</b>	<b>1111/018</b>
<b>Last Reviewed:</b>	<b>14/11/2011</b>	<b>1111/018</b>
	<b>12/11/2012</b>	<b>1211/014</b>
	<b>21/05/2018</b>	
	<b>16/05/2022</b>	
<b>Next Review:</b>	<b>8/06/2026</b>	







**2022**  
STRATEGIC ASSEST  
MANAGEMENT PLAN

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REVISION 1.1



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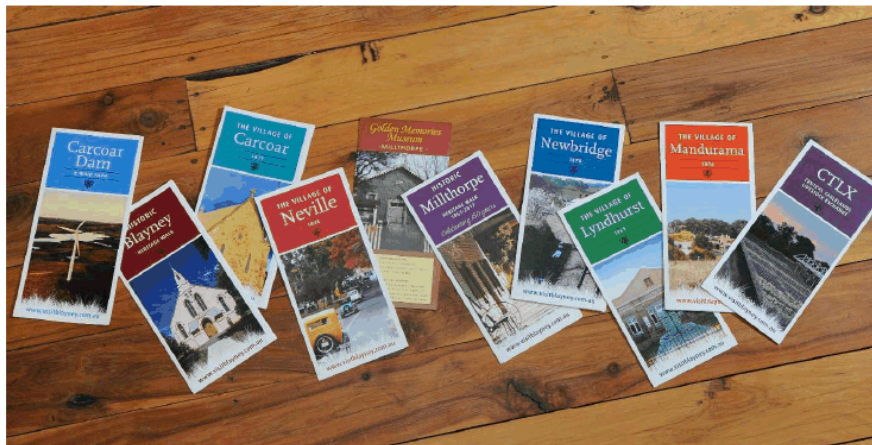
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## EXECUTIVE SUMMARY

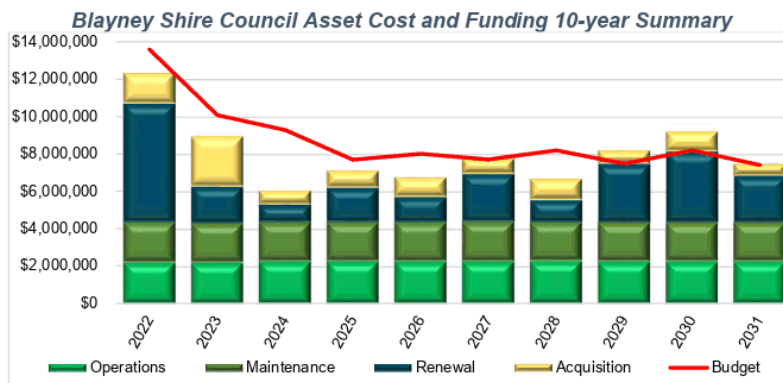
This *Strategic Asset Management Plan* (SAMP) embodies Blayney Shire Council's Asset Management Strategy and defines asset management in the context of Council's broader strategic framework, including the NSW Government's *Integrated Planning and Reporting* (IP&R) Framework. It outlines why Council owns, operates, and maintains infrastructure assets, and provides an overview of the extent, value, and performance of these assets in terms of their proficiency to provide the services that the community desires.

The SAMP combines the output from the individual *Asset Management Plans* (AMPs) covering Transportation and Urban Stormwater, Buildings and Other Structures, Parks and Recreation and Sewer assets, which together represent just under 92% of all of Council's assets, with a combined value of \$352,855.

A key driver of the SAMP is the vision and strategic objectives (Future Directions) identified by the Blayney community in the *Community Strategic Plan* (CSP). This SAMP incorporates these objectives, stakeholder and legislative requirements, and individual Council Strategies and summarises the actions to achieve these that are contained in the individual AMPs. The SAMP considers the impact of future demand trends in the provision of services from assets, which are then incorporated into the individual AMPs.

Critically, the SAMP analyses the sustainability of Council's funding for the maintenance and operations of all infrastructure assets, and the renewal, and acquisition (including upgrading) of individual assets within each asset sub-class (e.g., Roads, Bridges, Buildings, Play Equipment etc.). The available data indicates that Council is budgeting sufficient funds over the medium (10 year) period to maintain assets at, or slightly above their current Condition levels, with an overall life-cycle ratio of 110%, ranging from 108% to 111%.

It should be noted that this does not ensure all assets will be able to be maintained in Condition 3 or better, as some assets are renewed before they reach Condition 4 (e.g., Heritage Park Toilets), asset renewals will generally involve an upgrade component, and the historically high levels of Grant funding may not continue.



The SAMP also includes an overview of Council's asset management maturity and an improvement plan to aid Council to achieve higher levels of maturity.



## INTRODUCTION

### *Why do we provide assets?*

Through consultation, Council has defined a vision for the Shire of Blayney that describes the future desires for the community. Fundamental to realising this vision is the provision of services that are delivered through physical assets.

The sole purpose of a physical asset is to facilitate the provision of a service. A service may be critical such as transportation through roads or to provide amenity through parks and playgrounds.

### *What is Asset Management?*

Asset Management is the process of understanding what services the community require the Shire to provide and delivering the physical assets that will facilitate the delivery of the service and planning to ensure that they are sustainable.

### *Who is responsible for asset management in the Shire?*

Asset Management is everybody's responsibility. It is an organisational activity that is undertaken daily on every level from the elected Council, Executive, Assets, Operations, Fleet, Design, Finance, Revenue and Accounts, Customer Service, Information Technology, Records Management, Building Surveying and Planning Sections. All functions of Council are involved, and each is just as important.



### *Asset Management Example – we all practice it!*

Asset Management is inherently part of our day to day lives. Owning a family car to provide transportation will require decisions to be made as to what type of car will be needed to satisfactorily provide the service, how many seats must it have, will it be a sedan or wagon, a manual or automatic, what price range?

Throughout its life the vehicle will be serviced periodically to ensure it is safe, reliable and will not break down, requiring costly repair works and unable to provide its intended service.

Ultimately a decision will be made to dispose of the vehicle if it is no longer suitable for the family's current requirements or is no longer reliable or affordable.

In the same way, the Shire is responsible for providing and managing assets that deliver important services such as transport, recreation, and community facilities on behalf of the community.





### Integrated Asset Management Framework

Councils' Asset Management Framework comprises a set of four components that enable effective asset management activities to occur, within the context of the NSW Government Integrated Planning and Reporting Framework (IP&R).

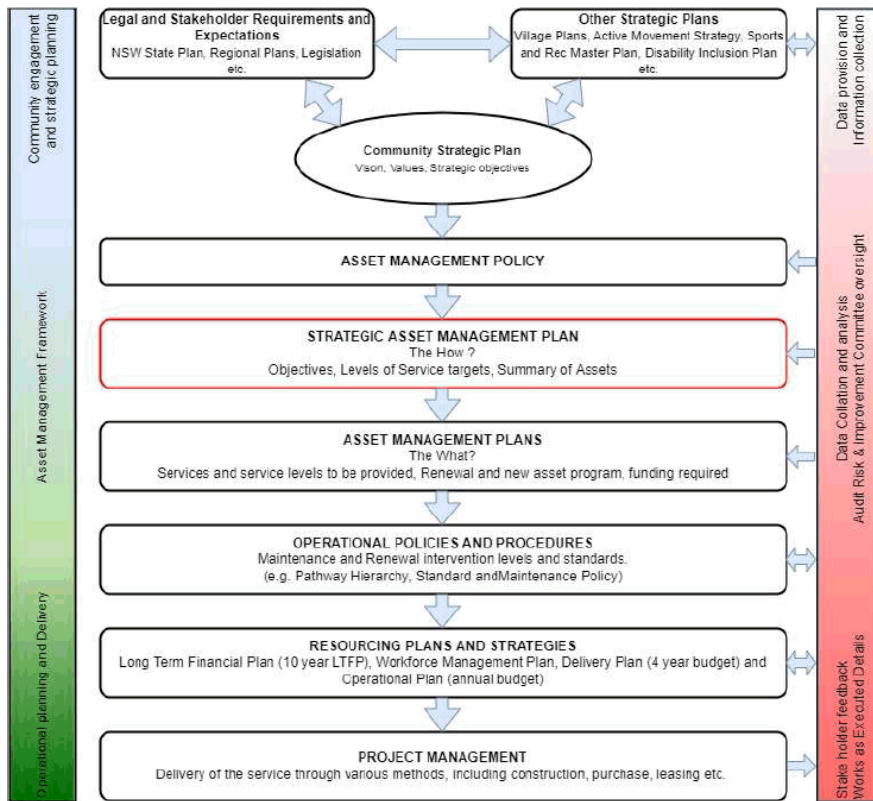
The four elements are integral to Council's overall strategic planning and delivery framework and highlighted in Table 1, below.

Table 1 - Councils' Strategic Planning Elements

Component	Description
Individual Strategic Plans	Individual Village and specific Service area plans (e.g. Active Movement Strategy)
Legal & Stakeholder Requirements & Expectations	State and Regional planning initiatives, Legislative requirements, including Governance.
Community Strategic Plan (CSP)	Community vision, values, and strategic objectives. Medium to long-term priorities. Underpinned by the Community Engagement Strategy, which involves informing, consulting, collaborating, and empowering the community
Asset Management Policy	High level statement of Councils principles and approach to asset management.
Strategic Asset Management Plan (SAMP)  <i>This Document</i>	Implements the AM Policy and gives direction to the preparation of AMPs. Documents how organisational objectives are converted to asset management objectives and actions in the AMPs.  High level summary of individual asset classes in terms of how they are performing and how they are projected to perform over the next 10 years.
Asset Management Plans (AMPs)	Documented information that specifies the activities, resources and timescales required for an individual asset class to achieve Council's asset management objectives.
Long Term Financial Plan (LTFP)	A 10-year financial forecast for council, updated annually as part of the development of the Operational Plan. It must be used by council to inform its decision-making during the finalisation of the CSP and the development of the Delivery Program.
Delivery Program (DP)	Four-year delivery program that turns the goals in the Strategic Community Plan into strategies, supported by actions. It aligns with the four-year term of the council and is reviewed annually.
Operational Plan (OP)	A one-year plan that spells out the detail of the Delivery Program, identifying individual projects and activities. It also contains the annual budget.
Workforce Management Strategy / Workforce Plan	A four-year plan to address the human resources required to achieve the activities identified in the DP.
Annual Report	Reports on progress being made on the implementation of the DP and progress towards achievement of the CSP outcomes. Includes the financial performance against the annual budget (OP) and the longer-term budgets.
Resourcing Strategy	A critical link to translate the CSPs strategic objectives into the actions in the DP and OP, which clearly defines the elements of the CSP that council will take responsibility for.  It consists of three inter-related elements; the LTFP, Asset Management Planning (Policy, SAMP and individual AMPs, and the Workforce Management Strategy / Workforce Plan.
Evaluation	Measurement of performance reaching asset management objectives.

Asset management is an iterative process, requiring continual monitoring, evaluation, and improvement. It is informed by the community's vision and objectives and conveys strategic and financial information to Council to enable those objectives to be delivered in the most cost effective and financial sustainable way over the medium to long term. The interrelationship between the four asset management elements and the broader strategic framework that Council operates in is shown in Figure 1, below.

Figure 1 - Integrated Asset Management Framework



This SAMP summarises how the community’s vision and objectives are translated into asset management objectives, which are detailed in individual Asset Management Plans (AMPs). The SAMP details the state of the Shires assets at a strategic level and how it will inform the development of the AMPs for each asset class.

**How is Asset Management practiced within Council?**

To assist Council in delivering the asset management objectives identified in this Strategy it is important to understand the governance and management framework employed by Council to ensure these objectives are met. A ‘whole of organisation’ approach to asset management is required to ensure that the objectives can be met in a long-term financially sustainable way, without exposing Council to unacceptable financial and reputational risk.

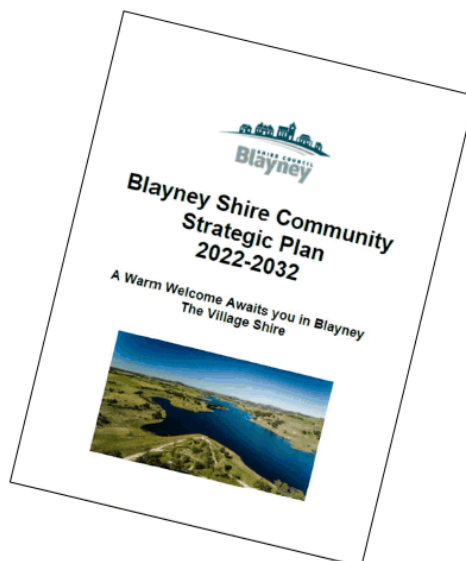
It is critical that a sound life-cycle decision making process is employed when asset management investment decisions are being made that are designed to meet asset management objectives. This includes the application of a ‘whole-of life’ cost approach, and calculation of the cumulative impact of increasing the asset portfolio into Councils AMPs and LTFP.

The key management structures and their asset management responsibilities can be summarised as:

- Elected Council – The Mayor and Councilors are responsible for providing clear direction to Council on the needs of the wider community and ensuring the financial sustainability of Council.
- Senior Management Team (Manex) – This consists of the General Manager and Directors and is responsible for ensuring community engagement is undertaken in accordance with the IP&R framework, that asset management activities and objectives are resourced, and affordable service levels are clearly communicated to the elected Council.
- Audit, Risk and Improvement Committee (ARIC) – This body consists of a Councilor and two independent external members. They are responsible for providing assurance around the integrity of Council's financial reporting and internal controls and Council's risk management plans and systems.
- Assets Section – Together with the Director Infrastructure Services they have a key role in defining levels of service that meet the needs of the community, while ensuring compliance with external stakeholder requirements, including Council's Insurers (Statewide) systems and processes, and Australian and NSW government legislation.
- Council Officers – All Council staff have a role in ensuring actions within the AMPs are delivered, and defined levels of service are met.

### **Translating the Community's Vision into Asset Management Objectives**

Blayney shires community vision is defined within the Community Strategic Plan (CSP). The objectives and strategies that are defined in the CSP have been interpreted into asset management objectives that will achieve the community's vision.



### **Community Vision for Blayney Shire**

*A busy, vibrant, and thriving rural shire – a friendly and open place where people choose to live with a strong sense of community spirit and cohesiveness.*

*With positive population growth, employment opportunities, increased diversity of industry and economic growth, Blayney Shire's township, villages and settlements will be dynamic and prosperous.*

*Our families and homes will continue to be safe within our caring and inclusive communities.*

*Through inclusive design all residents will all have access to, and be able to enjoy the outdoors and facilities, improving our health and lifestyle whilst participating in a range of sporting and recreational activities.*

*Growth will be achieved in a planned and sustainable manner with industry, coexisting with our productive farming land, and open space, protecting and restoring the natural environment and restoring our built heritage as a feature.*

*As a picturesque, centrally located shire in the beautiful central west of NSW, we will be a significant contributor to the regional visitor economy, with a creative and artistic culture, food and wine and historic villages.*

*Blayney Shire will be engaged, proactive and acknowledged for undertaking major projects and delivering valuable services, collaborating at a regional, state and national level.*

### **Strategic Objectives and Future Directions**

The Blayney CSP and the Town and Village Community Plans were reviewed to develop a set of Strategic Objectives, which have been compiled into five headings under the Future Directions for Blayney Shire.

#### ***Maintain and Improve Public Infrastructure and Services***

#### ***Build the Capacity and Capability of Local Governance and Finance***

#### ***Diversify and Grow the Blayney Shire Local and Visitor Economy***

#### ***Enhance recreational facilities and networks that support health and wellbeing of the community, sport, heritage, and cultural interests***

#### ***Protect Our Natural Environment***

Were relevant to infrastructure assets, the Strategic Objectives defined in the CSP under the Future Directions for the Blayney Shire have been translated into asset management objectives. The SAMP details how Council will deliver the infrastructure assets necessary to meet the community's desired services, based on the principles of the AM Policy, including a whole-of-life planning approach to ensure the services supported by assets are provided in a sustainable manner over the long-term.

***Fun Fact:*** *A sound Asset Management Framework assisted Council in obtaining over \$35m in Australian and NSW Government funding over the last 4 years.*



The links between the objectives in the AMPs are detailed in Table 1 below.

**Table 2 - Asset Management Objectives**

Strategic Objective	Strategy	Asset Management Objective
<b>Future Direction 1: Maintain and Improve Public Infrastructure and Services</b>		
1.1 Plan and develop integrated transport networks, providing choices that enable people and freight to move and travel, in a safe, accessible, and efficient manner.	1.1.1 Sealed roads and unsealed roads, bridges and culverts are maintained in accordance with agreed service levels.	Implement Councils TAMP. Maintain Transport infrastructure in accordance with Road Hierarchy, Renewal and Maintenance Policy. Develop and implement a Bridge and Culvert Renewal and Maintenance Policy.
	1.1.2 Deliver the Shire Roads Strategic Plan.	Prioritise road rehabilitation and upgrade works in-line with the Blayney Shire Roads Strategy. Deliver works identified in the TAMP and LTFP.
	1.1.4 Plan for future transport and road infrastructure to service future needs.	Continue to develop and deliver projects identified in the Blayney Shire Roads Strategy.
1.2 The Blayney health service; medical centres, aged care providers, primary and ancillary support and emergency service agencies provided in the Shire meet the future needs of the community.	1.2.1 Advocate to both NSW and Federal Government Ministers of Health, to ensure that Aged Care Services are maintained in Carcoar (Uralba) and Blayney (Lee Hostel), and the Blayney Health Services Clinical Services Plan is delivered.	Maintain Pathways in accordance with Councils' Pathway Hierarchy, Standard and Maintenance Policy. Deliver pathway projects providing access to medical and aged care facilities identified in the Active Movement Strategy.
<b>Future Direction – Build the Capacity and Capability of Local Governance and Finance</b>		
2.1 Council is recognised as a valuable partner with government and private business stakeholders.	2.1.1 Meaningful two-way communication and engagement between NSW and Federal Governments, regional organisations, business, industry, stakeholders, and communities of interest.	Pursue partnerships and Grant funding opportunities to deliver projects identified in all AMPs, particularly for rail crossings identified in the Roads Strategy.
	2.1.2 Provide for the efficient and effective administration of Council.	Ensure services are delivered in accordance with adopted policies and that they are reviewed regularly.
2.2 Responsible management practices, delivery of services and renewal of assets across the Blayney Shire.	2.2.1 Continue to support local community infrastructure projects via the Financial Assistance Program and Village Enhancement Plan allocations.	Implement Councils' PRAMP and BOSAMP. Develop and deliver projects identified in various Village plans.
	2.2.2 Review and report on Council's performance against the Long-Term Financial Plan and ensure OLG Financial Performance Ratios are met.	Deliver works and services identified in Councils' AMPs in accordance with Councils' Asset Management Policy and Strategic Asset Management Plan (SAMP).
	2.2.3 Effective management of land under Council control.	Implement Councils' PRAMP and BOSAMP.
2.3 Town Associations, Village Committees and	2.3.1 Facilitate constructive and timely communication between Council and the Town & Village Committees /Progress Associations.	Ensure Community consultation in the delivery of all of Councils' AMPs.

Strategic Objective		Strategy		Asset Management Objective
	local organisations are capable, resilient, and involved in decision making about issues that impact their own community	2.3.2	Support the development and implementation of improvement projects for the local Halls, School of Arts and other community facilities.	Deliver Councils' BOSAMP.
2.4	The community has confidence in and are engaged with Blayney Shire Council.	2.4.1	Councillors to exhibit leadership on Council, delivering on the Local Community Participation Plan and Community Engagement Strategy.	Seek Councillor input into the development and delivery of all Council AMPs.
		2.4.2	Customer services and information are delivered effectively and efficiently.	Ensure defined Levels of Service in all AMPs are delivered in accordance with relevant Council policies.
<b>Future Direction 3: Diversify and Grow the Blayney Shire Local and Visitor Economy</b>				
3.1	Our local planning instruments supports a viable and productive agricultural sector	3.1.1	Support the growth of the Shire while reserving productive agricultural land and integrate sustainable industries into the future.	Prioritise road rehabilitation and upgrade works in-line with the Blayney Shire Roads Strategy. Deliver works identified in the TAMP and LTFP.
3.4	An attractive shire for employment opportunities with industrial, business, tourism and planned housing residential growth.	3.4.1	Implement Blayney and Millthorpe Mainstreet Masterplans.	Develop projects from the Blayney and Millthorpe Mainstreet Masterplans for inclusion in the AMS, TAMP, and PRAMP.
		3.4.4	Regularly review and update planning instruments, strategies, and policies.	Ensure annual reviews of AMS and Roads Strategy are undertaken. Review policies in line with nominated time-lines.
<b>Future Direction 4: Enhance recreational facilities and networks that support the health and wellbeing of the community, sport, heritage and cultural interests</b>				
4.1	We are an inclusive, diverse and welcoming community.	4.1.2	Deliver the Active Movement Strategy priorities to provide safe and accessible connecting pathway networks.	Ensure AMS projects are included in the TAMP and LTFP.
		4.1.3	Implement the Disability Inclusion Action Plan.	Ensure identified actions are included in relevant Strategies and AMPs. Ensure accessible kerb ramps and Disabled parking are included in AMS projects. Ensure accessibility upgrades are incorporated in any BOSAMP and PRAMP projects.
4.2	There is capacity and facilities to host regional and state sporting events and competition that will increase participation in sport.	4.2.2	Implement Blayney Shire Sports and Recreation Masterplan to enhance and improve sporting facilities.	Continue to develop projects from the Blayney Shire Sports and Recreation Masterplan and include in the BOSAMP and PRAMP.



Strategic Objective	Strategy	Asset Management Objective
4.3 Heritage and First Nations significant sites in the natural and built environment are protected.	4.3.1 Identify items of natural and built heritage in Blayney Shire.	Ensure natural and built heritage are incorporated in the development of projects for all AMPs.
	4.3.2 Heritage Advisory services continue to be provided to owners of heritage items ensuring heritage is preserved whilst allowing development to occur.	Consider heritage in the design of projects arising from the Millothorpe Mainstreet Masterplan.
	4.3.3 Ensure the Shire's 8 heritage listed cemeteries are maintained and protected.	Ensure infrastructure projects from the Cemeteries Management Plan are captured in the PRAMP.
	4.3.4 Prepare a Cemeteries Management Plan.	
4.4 The shire is a centre for cultural interest, arts, performance and entertainment.	4.4.2 Encourage the use of the Blayney Shire Community Centre as a facility for arts and culture.	Ensure maintenance, and renewal works identified in the BOSAMP are delivered for key public facilities.
	4.4.3 Provide effective and consumer friendly library services in the Blayney Shire.	
<b>Future Direction – Protect Our Natural Environment</b>		
5.1 Retain and enhance public open spaces; with a focus on regeneration of native vegetation.	5.1.4 Review the Roadside Vegetation Management Plan to ensure high environmental value vegetation is protected, road safety outcomes maintained, and any clearing is undertaken following agreed principles and guidelines.	Ensure the Roadside Management Plan is considered in any safety works (particularly in relation to roadside hazards) in projects identified in the Blayney Shire Roads Strategy.
5.2 The Belubula River, waterways and tributaries that flow into our regional water catchments and water supply sources, are clean, healthy and biodiverse.	5.2.3 Stormwater Management Plans are prepared for Blayney, Millothorpe and Carcoar and projects scoped for funding.	Ensure Stormwater projects are identified and developed for inclusion in the TAMP. Complete an identification and Condition assessment project for all Stormwater assets in-line with the 2025 revaluation of Transportation assets.
	5.2.4 Ensure provision of Sewerage Treatment and Recycled Water Treatment Plant is adequate for the growth of the Shire and promotes Residential Development.	Ensure projects identified in the Sewer Strategic Business Plan are costed and included in the SSAMP. Ensure maintenance and renewal costs for the Recycled Water Treatment Plant are fully costed in the SSAMP.
5.3 We are on the path to achieving net zero emissions and adapting to climate change risks and opportunities.	5.3.2 Implement the Blayney Shire Renewable Energy Action Plan.	Ensure projects identified in the Blayney Shire Renewable Energy Action Plan are costed and included in the BOSAMP.
	5.3.3 Continue to investigate and challenge emerging renewable energy sources.	
	5.3.4 Support Council's native tree planting program and community engagement.	Budgets for native tree planting are included in the PRAMP.



**Fun Fact:** Council maintains 76 bridges, with a combined length of almost one kilometre.

### WHAT SERVICES DO WE PROVIDE WITH THE SHIRE'S ASSETS?

Blayney Shire Council is responsible for the day-to-day management of an extensive portfolio of transport, recreation, community facilities, sewer. These assets support the delivery of services and the community's day to day activities, such as:

#### **Footpaths:**

Footpaths and shared paths along roads and in parks provide safe access and exercise options.



#### **Parks, Playgrounds and Sporting facilities:**

Provide opportunities for play, sport, and relaxation for all ages.



*Fun Fact: The Learn to Swim program has doubled to over 530 participants, since the CentrePoint Sport and Leisure Centre upgrade.*

#### **Roads:**

Sealed and unsealed roads provide a transport network that connects people, places, and communities.



#### **Buildings:**

Allow for social interaction and learning in halls and the Library. They also support council's service's planning and delivery.



#### **Sewer:**

Transfer and treatment of wastewater effluent in Blayney and Millthorpe.



### What are the assets we manage?

Council manages a wide range of assets, either to provide a direct service, or to support the delivery of services (non-infrastructure assets). Table 3 below summarises Council's assets and the services they provide.

*Table 3: Assets used for providing Services*

Asset Class	Description	Services Provided
<b>Infrastructure Assets</b>		
Transport	Roads, bridges, culverts, footpaths, shared paths, kerb & gutter, urban stormwater, rural drainage, and signage.	Transportation of goods and services from production to market and to consumers.  Movement of people around the Shire for business, education, tourism, recreation, and leisure.  Management of stormwater drainage runoff in urban areas.
Parks and Recreation	Active and passive recreation areas, sports facilities, playgrounds, surfaces, fencing and memorial assets, including Cemeteries.	Open space, sporting and playground areas provided for community recreation and leisure.
Sewer	Reticulation network, pumping stations, rising mains, trunk mains, and treatment plant, excluding Buildings.	Collection of domestic, business, and industrial wastewater, conversion to reusable quality and return to the environment.
Buildings and other structures	Community, cultural, commercial, council operational and leisure facilities.	Community interaction and development.  Support for Councils delivery of services.

*Fun Fact: Sealed Roads account for almost 38% of the value of all Council assets.*

Asset Class	Description	Services Provided
<b>Non – Infrastructure Assets<sup>1</sup></b>		
Plant and Equipment	Heavy and light vehicle fleet, construction and maintenance vehicles and associated accessories.	Road and street maintenance and construction, town maintenance, parks, and recreation maintenance.
Office Equipment	Information technology hardware, software, and accessories.	IT infrastructure to provide information, finance, technical, environmental and administration services to the community.
Furniture and fittings	Office furniture and fittings	Office fit out to provide information, finance, technical, environmental and administration services to the community.
Land and improvements	Carparks, roadworks and fencing not related to Parks and Gardens or council owned buildings.	Improvements to land to provide parking facilities, and other earthworks to provide services.
Quarries	Gravel Pits	Provision of gravel for use in road construction and maintenance.
Waste Management	Waste transfer station (excluding Buildings)	Waste disposal facilities for domestic, bulk, industrial waste.

<sup>1</sup> Non-infrastructure assets are not considered in this SAMP.

### What are our assets worth?

The total value of all of Councils assets is \$382m, of which \$361m are considered to be infrastructure assets. Non-infrastructure assets include, Furniture and Fittings, Office Equipment, Plant and Equipment, Tip and Quarries and other remediation assets and have a value of \$21m. (See Table 4).

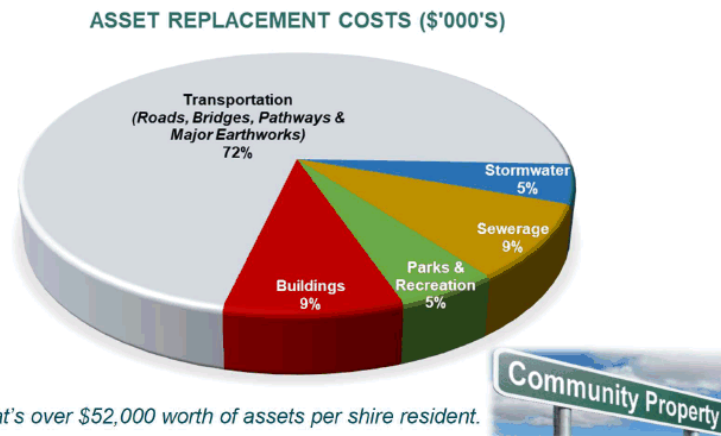
This plan only considers infrastructure assets, with other non-infrastructure assets managed on an operational basis to assist council to deliver services.

Table 4: Financial Status of the Assets (30 June 2021)

Asset Class	Replacement Cost (\$'000)	Depreciated Replacement Cost (\$'000)	Annual Depreciation (\$'000)
<b>Infrastructure Assets</b>			
Transportation	\$254,050	\$209,299	\$3,492
- Urban Stormwater	\$17,279	\$13,417	\$173
Sewer	\$32,488	\$19,355	\$518
Buildings & other structures	\$31,252	\$19,372	\$753
Parks & recreation	\$17,786	\$14,875	\$565
<b>Non – Infrastructure Assets</b>			
Capital works in progress	\$5,366	\$5,366	\$0
Remediation assets (Quarries, Waste etc.)	\$636	\$339	\$32
Plant & equipment	\$13,516	\$6,286	\$1,029
Land	\$7,996	\$7,996	\$0
Furniture & fittings	\$480	\$128	\$13
Office equipment	\$962	\$341	\$84
<b>Total</b>	<b>\$381,811</b>	<b>\$296,774</b>	<b>\$6,659</b>

The importance and value of infrastructure assets is clear, accounting for just over 92% of all of Councils assets. The Transportation asset class accounts for 77% of infrastructure assets as shown in Figure 2, below.

Figure 2 - Asset Replacement Cost (30 June 2021)



**Fun Fact:** That's over \$52,000 worth of assets per shire resident.



## HOW ARE OUR ASSETS PERFORMING?

Asset performance is measured utilising a range of information sources from staff and technical assessments to community feedback. They are broadly categorised under the following three headings:

- **Condition:** *does the Condition of the asset impede its ability to provide the intended service or limit its capacity?*
- **Capacity:** *is the asset able to cope with the demand?*
- **Fit for purpose (Function):** *is the asset appropriate to deliver its intended service in a safe and satisfactory way?*

The key indicator of performance is the physical condition of the asset, as repairs, maintenance and timely replacement of assets helps mitigate safety risks, provide service continuity, and minimise ongoing risk. Council continuously monitors and updates the Condition rating of all infrastructure assets.

Council has yet to fully quantify the performance of its assets in terms of capacity and fitness for purpose. The progressive capture of this data for the various asset classes and sub-classes is included in the Improvement Plan within this strategy.

The assessment of Condition varies with the type and complexity of the asset. More complex assets, like the Blayney Shire Community Centre are assessed using multiple Condition ratings for different components, whereas a bus shelter is rated using a single overall rating.

A key reason for Council to understand the Condition rating of each asset is to enable forward planning for the renewal and the replacement of assets in a timely and cost-effective way, without compromising ongoing service delivery.

Council uses a standardised Condition rating of 1 to 5, allowing for comparison across all asset types. The definition of each rating is detailed in Table 5 below.

*Table 5 - Condition Rating Definitions*

Condition Rating	Condition Description
1	Excellent – as new with no defects
2	Very Good – only minor defects
3	Good – significant maintenance required
4	Fair – significant renewal works required
5	Poor – Unserviceable, with replacement required

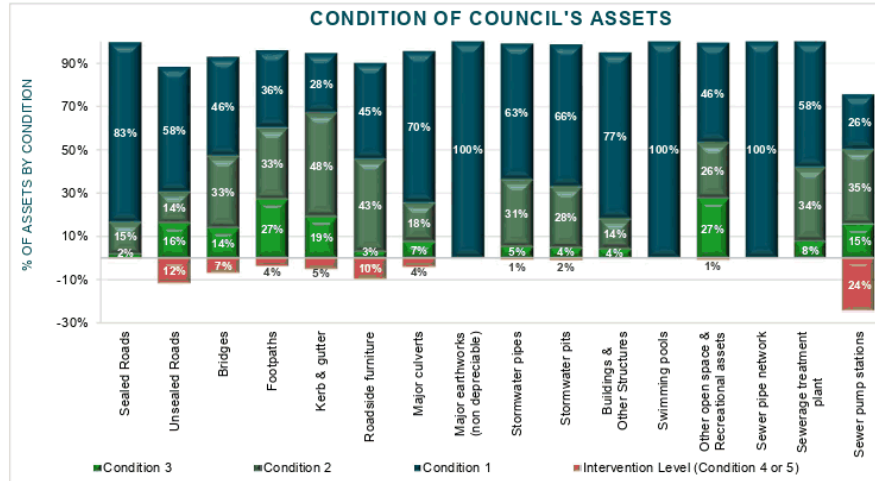
Intervening at a specific Condition level may allow a less expensive treatment to be applied to maintain the desired service level, whereas not acting at this point may result in the need to completely replace the asset at much greater expense.

A simple example being the resurfacing of a sealed road at a certain Condition rating to ensure the sealed surface continues to provide protection from water ingress, and which if not done, may result in the need for a costly pavement rehabilitation.

Asset Condition reflects the amount of the assets useful life that has been consumed. The annual depreciation expense reflects the rate at which assets are being consumed. For Blayney, this means that 21.7% of the value of our infrastructure assets has been consumed, at an annual rate of 1.6%, or \$5.5m.

Most of Council's assets (96.8%) are rated as Condition 3 or better (see Figure 3, below). Assets in Condition 4 or 5 are considered to have reached their intervention level and need to be renewed or replaced, depending on the nature of the defects. The current Condition data for the shire indicates that 3.2%, or \$11.1m (see Figure 3 below) of assets have reached their intervention level and require major renewal works or replacement.

Figure 3 - Condition of Assets by Asset Sub Class (30 June 2021)



Some assets are considered to have an infinite useful life, as they deteriorate over an extremely long period, such as earthworks. These assets are therefore considered to be in Condition 1 and are not assigned any depreciation.

As assets are consumed, they require increasing levels of maintenance, before eventually reaching a point where they need to be fully renewed, replaced, or disposed. This is reflected in the lifecycle cost of an asset.



Condition 1 Footpath



Condition 5 Footpath



### Levels of Service and the Cost to Satisfactory

Council measures asset performance against both community and technical levels of service. The community level of service measures provide information on our service delivery performance. They can indicate areas of possible over and under servicing and potential for reallocation of resources to maximise community value.

Supporting the community levels of service are technical measures of performance. These measures relate to the allocation of resources to ensure the continued operation, maintenance, and renewal of assets to maintain the expected community service levels. Both levels of service are defined for each asset class in the relevant AMPs.

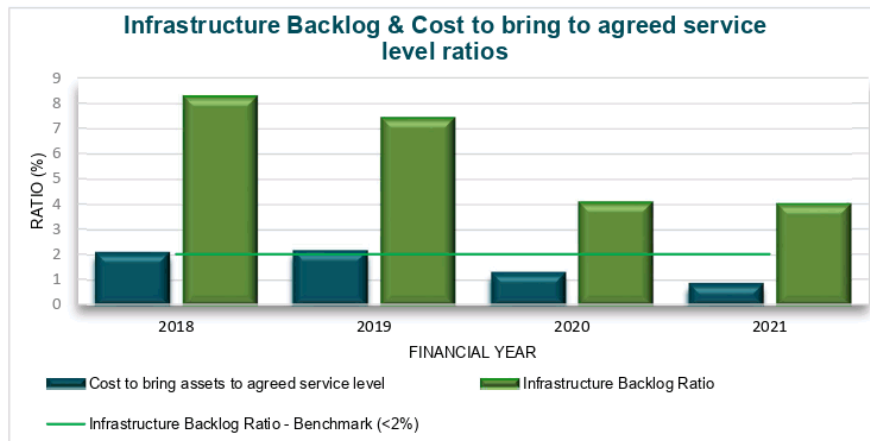
As part of Councils financial reporting, Council must report on several indicators relating to its infrastructure assets in Special Schedule 7 (SS7) of Councils annual financial statements. These indicators can be used by Council and the community to get an understanding of the Condition of Councils infrastructure assets, as shown in Figure 4 above.

Two of these indicators relate directly to the Condition of Councils infrastructure, namely the cost to bring assets to a satisfactory Condition (*Infrastructure backlog ratio*) and the *Cost to bring assets to an agreed service level*.

The cost to satisfactory is the cost to bring assets to a satisfactory Condition (Condition 3). It calculates the full replacement cost of assets for assets in Condition 4 or 5 against the written down (depreciated) value of assets. This is a theoretical number as renewal costs can be less than the 'new' construction cost (e.g., Heavy patching of road pavement) (Figure 4 below).

The cost to an agreed service level is the (more likely) reinstatement cost of the assets below Council's target service level of Condition 4 (Figure 4 below). This is a more realistic indicator of the challenges Council faces in meeting its community expectations.

Figure 4 – BSC Infrastructure Backlog Ratio (30 June 2021)



Other asset performance measures in SS7 include the *Buildings and Infrastructure Renewals Ratio* comparing renewal expenditure against the written down value of assets, which for Blayney was 113.4% in 2021, well over the 100% target; and the *Asset Maintenance Ratio* comparing actual versus required maintenance expenditure. A ratio above 100% indicates council is investing sufficient funds to stop the infrastructure backlog from growing. For Blayney this ratio was 113.8% in 2021.

These results are in part due to Council being highly successful in receiving Grant funding for renewal and upgrade works over recent years, which is discussed further in following section on funding renewals over the life cycle of assets.



*Fun Fact: The Central West Equestrian and Livestock Centre facilitates horse and livestock events and was also used as a Covid 19 pop-up testing clinic.*

### **How do we manage an asset through its life cycle?**

It is essential that Council applies asset management principles to manage and operate assets to provide continuity of service from the assets, while minimising life cycle costs and managing risks.

Life cycle costs can be compared to life cycle expenditure to give an indicator of the sustainability of providing the service. Life cycle expenditure includes operational, maintenance and capital renewal expenditure and it will vary depending on the timing of asset renewals.

The life cycle costs, and life cycle expenditure comparison highlights any difference between present outlays and the average cost of providing the service over the long

term (10 years). This is referred to as the life-cycle gap and if the life cycle expenditure is less than the life cycle cost, it is most likely that outlays will need to be increased or cuts in the levels of service will need to be made.

As shown in Table 6 below, overall council infrastructure assets are funded at 110% of the life cycle cost which would indicate that council funding levels are sustainable over a ten-year period. For individual assets classes the level of funding varies from 108% for Sewer to 111% for Transportation and Urban Stormwater.

Table 6: Life Cycle Gap and Lifecycle Indicator for Council Services (\$'000)

Service Area	2020/21 Expenditure (\$'000)			Life Cycle Cost (\$/yr)	Cap Renewal Exp (\$/yr)	Life Cycle Exp (\$/yr)	Life Cycle Gap <sup>1</sup> (\$/yr)	Life Cycle Indicator (%)
	Ops	Mtce	Depreciation					
Transportation & Stormwater	253	1,592	3,665	3,853	2,436	4,287	434	111%
Sewer	646	546	518	1,367	143	1,475	108	108%
Buildings	339	0	847	673	395	734	61	109%
Parks & Recreation <sup>2</sup>	992	0	471	1,030	166	1,126	96	109%
<b>TOTAL</b>	<b>2,230</b>	<b>2,138</b>	<b>5,501</b>	<b>6,923</b>	<b>3,140</b>	<b>7,622</b>	<b>699</b>	<b>110%</b>

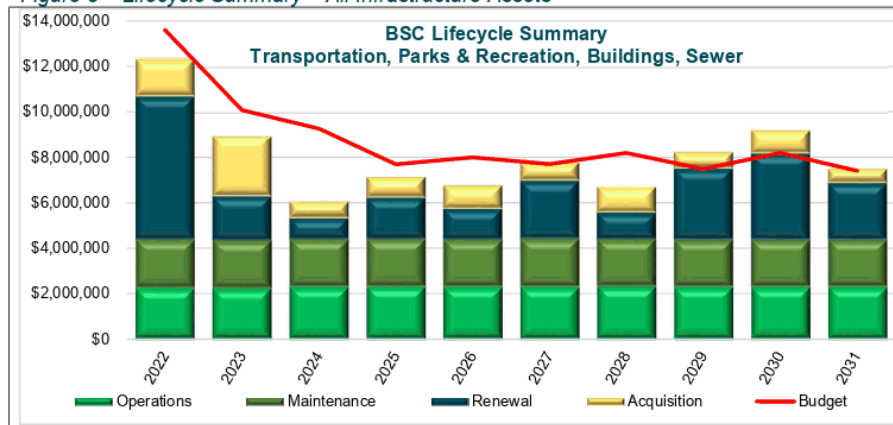
<sup>1</sup> A life cycle gap is reported as a negative value.

<sup>2</sup> Operations & maintenance costs are not currently split in Councils General Ledger.

The individual AMPs for each asset class include renewal plans, based on asset Condition, or predicted from the assets age. New asset plans are developed from individual strategies (e.g., Active Movement Strategy) and other plans (e.g., individual Village plans). These are incorporated into the CSP and funded in the LTFP. Some new assets and renewal projects are included in the LTFP, with the proviso that they will only proceed if Council is able to obtain external Grant funding.

Knowing the extent and timing of any required increase in outlays and the service consequences if funding is not available assists Council to provide services in a financially sustainable manner. This is the purpose of the AMPs and the LTFP.

Figure 5 – Lifecycle Summary – All Infrastructure Assets



**What do we need to spend on our assets?**

The financial projections for Councils four main asset classes are detailed in their individual AMPs. The following Asset Summary Profiles provide a snapshot of the detail within each asset class which is used to support and inform the LTFP.

Based on the current available data it is projected that Council is funding the Operations, Maintenance, Depreciation and Renewal works for its assets over the next 10 years. This indicates that Council does not have an asset funding gap, which represents the difference between what Council has budgeted to spend on renewing its assets versus what it needs to spend to maintain the current average Condition and required levels of service for its asset portfolio.

The projected renewal funding gap is calculated based on available data for each asset sub class and combined to provide an overall figure for the individual asset class. The calculation is based on the assets expected service life, the current Condition rating of individual assets, or components and the nominated intervention level being below Condition 3.

It should be noted that particularly in the early years of the plan, Council appears to be allocating more funding than required to maintain its assets. There are some important reasons why this is the case, including:

- Some assets are renewed before they reach Condition 4, such as replacing Heritage Park Toilets as they are deemed to not meet their required function,
  - Future iterations of AMPs will include consideration of Function and Capacity, in addition to Condition to determine expected Useful Lives.
- Asset renewals will generally involve an upgrade component, which is not captured in the acquisition data, for example a road is rarely rehabilitated at its existing width, and
- The historically high levels of Grant funding currently available is allowing Council to bring forward renewal and upgrade works.



*Fun Fact: Council won the prestigious Bluett Award 2021 for Excellence in Local Government*



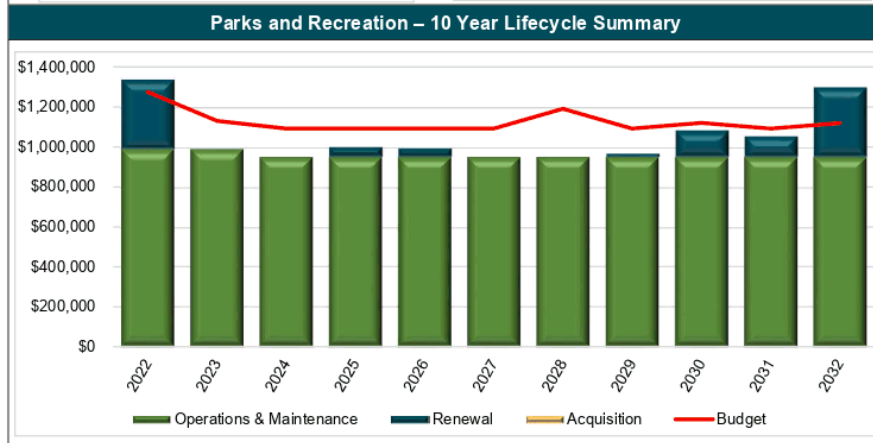
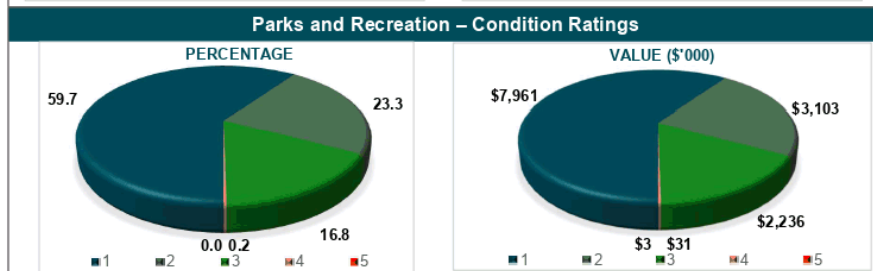
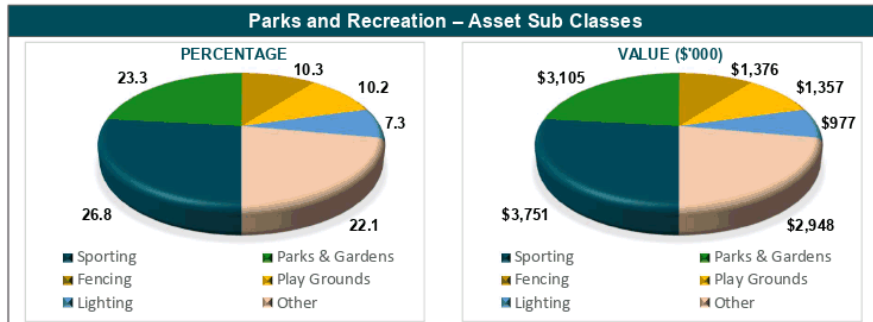


**Parks and Recreation**



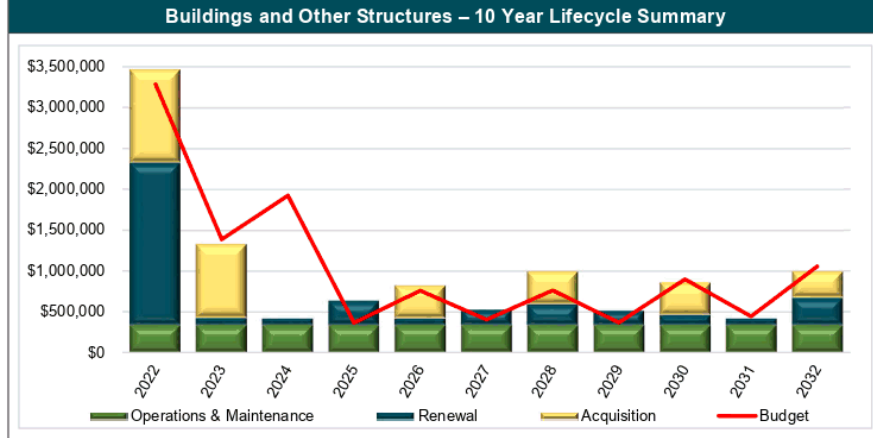
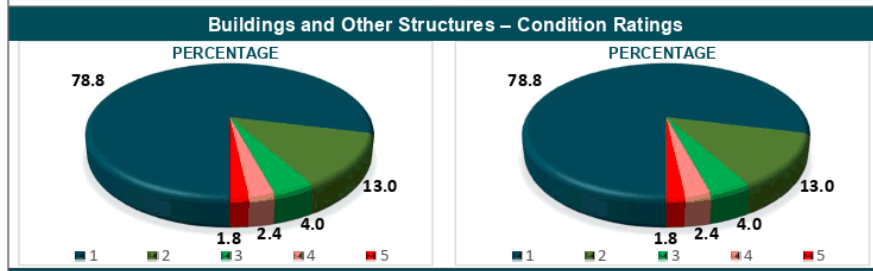
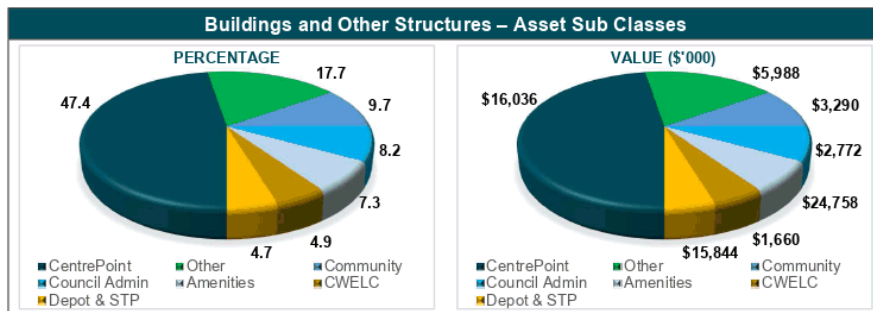
\* Expenditure in 2022 dollars

\*\* A Funding Gap is a Negative number





**Buildings**





## HOW FUTURE DEMAND MAY IMPACT ON OUR ASSETS AND SERVICES?

Over time, the community's demand for Council services changes. The reasons for changes can be varied, but often include demographic and workforce trends, changes in community preferences, technological changes, economic factors, and changes in regulations (including COVID-19).



### Demographic and workforce Trends

Blayney Shire's population was estimated to be 7,382 in 2020<sup>1</sup>. The population is forecast to grow by up to 641 to around 8,000, by 2036. This will be largely concentrated in the towns of Blayney and Millthorpe<sup>2</sup>, which in 2016, had estimated resident populations of 2,963, and 738 people, respectively. Overall, the villages (urban areas) account for approximately 70% of the Shire population.

The rate of population growth may be influenced by recent broader trends, accelerated by the COVID-19 pandemic. These include tree changers, the affordability of Sydney housing, and workplace changes enabling work from home.

A key shift in Blayney's population profile is the aging of the population, with 40% of the population aged 50 years or over, compared to 34% for NSW. Further, the percentage of the population aged over 65 years, is forecast to grow from 19% (2016) to 24% by 2036.

Blayney Shire is predominately rural in nature, supporting primary industries such as dairying, beef, lamb, wool, viticulture, orchards, potatoes, canola, and other grains. Mining is also a key industry and the area supports other industrial activities such as manufacturing, transportation, and food processing.

The key employment sectors within the Shire and their trends between 2011 and 2016 are summarised in Table 7 below:

Table 7 - Employment by Industry sector (Percent of Total Employed – 2011 to 2016)

Industry Sector	2011 (%)	2016 (%)	Change 2011 – 2016 (%)	No. Employed
Agriculture, Forestry, and Fishing	14.4	12.3	-2.1	367
Mining	19.3	22.6	3.3	661
Manufacturing	11.9	11.9	0.0	356
Construction	9.1	7.3	-1.8	218
Education and Training	6.3	6.1	-0.2	182
Health care and Social assistance	5.3	6.0	0.7	180
Other	33.7	33.8	0.1	1,027
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>2,991</b>

<sup>1</sup> Australian Bureau of Statistics, *Regional population by age and sex, 2020*, Aug 2021.

<sup>2</sup> Elton Consulting, *Blayney Shire Settlement Strategy*, February 2021.

The most significant change in the Blayney employment profile has been a shift from the agricultural and construction sectors toward the mining sector. The impact of this is expected to be a continuation of the drift in population focus from rural areas toward the urban and semi-urban areas.

There are several major employment generating projects within the shire, including:

- Cadia Valley Gold Mine (Newcrest),
- Proposed McPhillamys Gold Mine, and
- The Flyers Creek wind farm (short term employment opportunities).

Other demand drivers considered in the development of Councils demand management plan, include changes in community preferences, technology, regulatory environment, and economic factors. The key demand drivers considered in this plan are summarised in Table 8 below and included in the individual AMPs.

*Table 8 –Demand Management Plan Summary*

Demand Description	Projected Change	Impact on Services	Demand Management Plan
Population growth	Increased urban development. Increased rural / residential development.	Increased need for urban services. Increased desire for sealed roads.	Development and implementation of infrastructure strategies for key asset groups (e.g., Sewerage Business Plan, AMS, Master Plans). Blayney Shire Settlement Strategy, 2020.
Population change	Aging population and smaller household size.	Change in use of urban services	Development and implementation of infrastructure strategies for key asset groups (e.g., AMS, Master Plans).
Technological changes	Significant demand for larger and heavier vehicles.	Damage to road pavements. Risk to Bridge structures.	Development and implementation of Blayney Shire Transport Strategy.
Industrial developments	Growth in Logging operations in and around the Shire. Growth in the mining industry.	Damage to road pavements. Wider and sealed roads.	Development and implementation of Blayney Shire Transport Strategy.
Regulations	Accessibility standards	Requirement for upgrading facilities	Upgrades to contemporary standards during project scoping
Climate change	Increased number and severity of storms.	Overloading of urban stormwater systems. Increased inundation of bridge and culvert structures.	Inclusion of Climate change projections in future flood and drainage studies and bridge designs. Regular inspections of Bridge and Culvert structures.
Covid-19	Continuance of 'social distancing' rules.	Reduction in capacity of public halls etc	Monitor impacts on major facilities, including Blayney Shire Community Centre and CentrePoint Sport and Leisure Centre.

To understand and mitigate the risk of Council not being able to maintain current levels of service and provide new assets as demanded, Council considers these risks through its Enterprise Risk Management Policy and Plan (ERMP). Significant risks are elevated to the Corporate Risk Register, which is reviewed on a regular basis and oversighted by Councils Audit, Risk and Improvement Committee (ARIC).

*Fun Fact: Freight volumes across NSW are projected to double by 2030 and triple by 2050.*

## WHERE TO FROM HERE?

### Asset Management Maturity

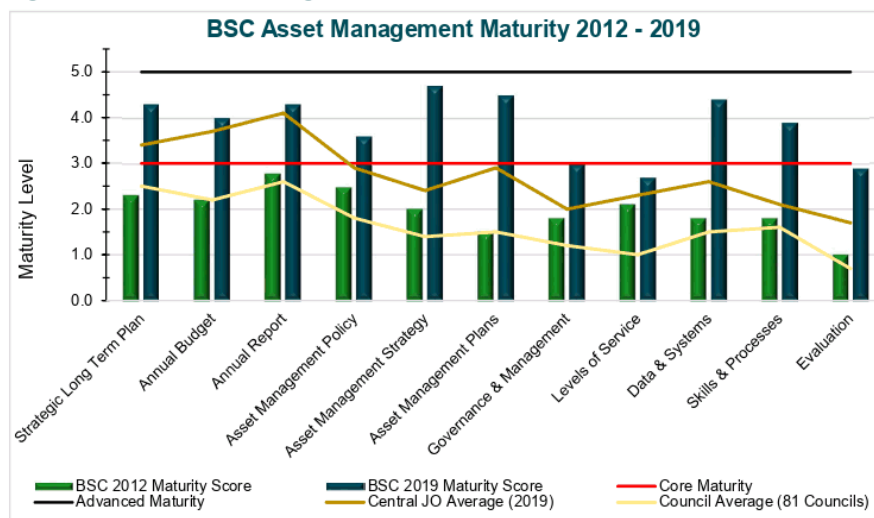
Council has undertaken assessments of its asset management maturity levels in 2012 and again in 2019. This involves the assessment of 11 key elements, to indicate the maturity of asset management data, systems, processes, and linkages to strategic planning, budgets, and governance. The assessments use the *National Asset Management Assessment Framework (NAMAF)*. The results of the assessments and the changes between 2012 and 2019 are shown in Figure 5, below.

Council has made considerable advances from 2012, achieving 'core' maturity in all but 2 of the elements. This round of IP&R is expected to see council achieve 'core' maturity across all 11 elements and move toward 'advanced maturity' in several elements.

The purpose of conducting these assessments is to understand how effectively Council manages its infrastructure assets, which underpins the dependability of information relating to its delivery of services to the community in a sustainable manner over the medium to long term. It is also a requirement of the IP&R process.

Another purpose for undertaking these assessments is to understand where Council needs to focus resources to further enhance its management of infrastructure assets. This informs a key aspect of this SAMP, which is the development of an asset management improvement plan.

Figure 6 - National Asset Management Assessment Framework



**Fun Fact:** Council's asset management system contains information on over 14,000 assets / components.



### Asset management Improvement Plan

Asset management is a journey, requiring continual improvement to enable Council to manage its assets and provide services to the community in the most financially sustainable and cost-effective way.

Key to Council progressing to full 'core', then 'advanced' asset management maturity, is an asset management improvement plan. The development and implementation of this plan assists council to achieve its asset management vision, which underpins the delivery of the community's vision within the CSP.

The improvement plan is compiled from key improvements identified within the individual AMPs, and to ensure a clear focus has been structured in two parts. These parts are the 'general' improvement plan, focussed on planning, systems, processes, levels of service and governance; and the second part relates to improving the collation, validation, and confidence levels in asset data to support sound decision making by Council.

Table 7 below summarises the improvement strategies relevant for the life of this plan. There are other improvement strategies that will be incorporated into the SAMP, as the current objectives are met. These could include triple bottom line reporting, developing regular reporting of Key Performance Indicators (KPIs) for service levels, and strategies to address climate change impacts.

Table 9 – BSC Asset Management Improvement Plan

Ref	Task	Resp. Officer	Target Date	Status
1	Undertake a NAMAFA assessment to determine asset management progress and identify focus areas.	MA	Dec 2024	Yet to commence
2	Review and update AM Policy and SAMP.	MA	Mar 2022	Drafts prepared
3	Undertake Community Satisfaction Survey for 2022 Integrated Planning and Reporting cycle.	GM	Dec 2021	Complete
4	Align strategic objectives from CSP with actions in individual AMPs	MA	Mar 2022	Draft prepared
5	Update AMS	MA	4 Yearly	Draft prepared
6	Develop Road Safety Strategic Plan	MA	Mar 2022	Commenced
7	Review and incorporate objectives from relevant Council Strategic Plans.	MA	Mar 2022	Draft prepared
8	Develop <i>Data Improvement Plan</i> (see Table 8 below).	MA	Mar 2022	Complete
9	Develop Priority Ranking Criteria for New and Renewal Projects.	MX MA	Jun 2024	To be developed
10	Continue development of operational, maintenance, and renewal standards policies for Transportation assets.	MA	Ongoing	Complete for roads & pathways
11	Review service levels for Parks and Gardens assets	MUS MA	Mar 2023	In progress
12	Review General Ledger structure to split operational and maintenance costs for Parks and Gardens.	CFO MUS	Jun 2023	Yet to commence
13	Review and update Strategic Business Plan and Integrated Water Cycle Management Plans for Sewer	MUS		



Ref	Task	Resp. Officer	Target Date	Status
14	Develop and incorporate Building renewal plans as part of 2022/23 Building's asset revaluation	MUS MA	Oct 2023	Yet to commence

**Responsible Officers:**

GM – General Manager      DIS – Director Infrastructure Services      CFO – Chief Financial Officer  
 MX – Manex                      MUS – Manager Urban Services                      ASO – Asset Systems Officer  
 MA – Manager Assets              DPES – Director Planning & Environmental Services

**Data Improvement Plan**

A key step in ensuring asset management practices provide meaningful information to Council and the executive leadership team to enable informed decisions about managing assets is the quality of data. This ensures the data that is used to measure Council's financial sustainability is sound and provides a solid basis for decision making about the long-term financial sustainability of Council.

Individual AMPs include a rating of the data confidence levels for each aspect of the asset register. Table 8 below, summarises the steps required to improve the data confidence from each AMP. These steps are prioritised, based on the risk they potentially represent to Council's Works Programming and financial position. This represents a long-term / ongoing project that extends beyond the life of this SAMP.

In summary, the key data enhancements considered necessary for Council to improve the reliability of the data underpinning its asset systems are:

- Assigning age information to historic assets, where the age is unknown,
- Calculating the confidence levels of all data, including unit rate calculations, age, and inclusiveness of data (e.g., completeness of the urban stormwater network, and road base and subbase depths for existing roads), and
- Assessing and 'scoring' the Functionality and Capacity of assets to meet the required community and technical levels of service.

*Table 10 – BSC Data Improvement Plan*

Ref	Task	Resp. Officer	Target Date	Status
1	Calculation and disclosure of data input confidence levels for all assets classes (per AMPs).	MA ASO	Mar 2022	In progress
2	Develop Data improvement plans for all asset classes within individual AMPs.	MA	Mar 2022	In progress
3	Assess and include Functionality and Capacity scores (1 to 5) for all relevant assets, as per asset class revaluations.	MA ASO	Per asset Reval.	Yet to commence
4	Develop age data for assets, where construction date unknown, as per asset class revaluations.	ASO MA	Per asset Reval.	Yet to commence
4a	Transportation asset class age data (sealed road surfaces, road pavements, bridges, (some) pathways, and urban stormwater).	MA	Dec 2024	Yet to commence
4b	Building's asset class age data.	MA	Dec 2022	In progress

Ref	Task	Resp. Officer	Target Date	Status
4c	• Parks and Gardens asset class age data.	MA SPAG	Dec 2025	80% complete
5	Incorporate Geotechnical investigations from works program to improve confidence in road pavement depths	MO MA	Ongoing	Yet to commence

**Responsible Officers:**

MA – Manager Assets  
SPAG – Supervisor Parks & Gardens

ASO – Asset Systems Officer  
MO – Manager Operations

**Completing the circle – Evaluation**

For Council to continuously improve its asset management systems and processes to ensure that services are being provided in the most cost effective and financial sustainable manner, it is critical that this SAMP is evaluated and reviewed regularly.

Regular evaluation ensures that resources are focussed in the most effective manner and delivers a framework that provides the lowest financial and reputational risk to Council. The cyclical nature of the asset management processes is illustrated in Figure 6 below, which when viewed with the interactions highlighted in Figure 1 (at the beginning of this document) clearly demonstrates the iterative nature and need for continuous improvement of Council’s asset management.

*Figure 7 – BSC Asset Management Cycle*



### **NSW Government IP&R framework**

Recent updates to the NSW Government IP&R guidelines require that Council's ARIC advise the General Manager and governing body:

- of the adequacy and effectiveness of Council's IP&R processes,
- if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives, and
- whether the council is successfully implementing and achieving its IP&R objectives and strategies.

This represents a positive step forward in terms of ensuring the continual evaluation and continuous improvement of the asset management framework

## **GLOSSARY**

AMP – Asset Management Plan

- BOSAMP – Buildings and Other Structures AMP
- PRAMP – Parks and Recreation AMP
- SSAMP – Sewer Services AMP
- TAMP – Transportation AMP

AMS – Active Movement Strategy (Pathway program)

ARIC – Audit, Risk and Improvement Committee

BSC – Blayney Shire Council

CSP – Community Strategic Plan

ERMP – Enterprise Risk Management Policy and Plan

IP&R – Integrated Planning and Reporting (NSW Government framework)

LTFP – Long Term Financial Plan

NAMAF – National Asset Management Assessment Framework

SAMP – Strategic Asset Management Plan

## **REFERENCES**

Blayney Shire Council, *Asset Management Plans* (various)

Blayney Shire Council, *Asset Management Policy*

Blayney Shire Council, *Community Strategic Plan, 2022*

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Blayney Shire Council, *Blayney Shire Settlement Strategy*, Elton consulting, February 2021.

Australian Bureau of Statistics, *Various publications*.

NSW TfNSW, Central West and Orana Regional Plan 2036

# Local Government Remuneration Tribunal

Annual Report and  
Determination

*Annual report and determination under sections  
239 and 241 of the Local Government Act 1993*

20 April  
2022

[NSW Remuneration Tribunals website](#)

**Local Government Remuneration Tribunal**

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## **Local Government Remuneration Tribunal**

### **Executive Summary**

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The *Local Government Act 1993* (LG Act) requires the Local Government Remuneration Tribunal (“the Tribunal”) to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

#### **Categories**

The Tribunal found the allocation of councils into the current categories appropriate. Criteria for each category is published in Appendix 1. These categories have not changed further to the extensive review undertaken as part of the 2020 review.

#### **Fees**

The Tribunal determined a 2 per cent per annum increase in the minimum and maximum fees applicable to each category.



## Local Government Remuneration Tribunal

### Section 1 Introduction

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1. Section 239 of the LG Act provides that the Tribunal determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A(1) of the LG Act, requires the Tribunal to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission.
4. The Tribunal can also determine that a council can be placed in another existing or new category with a higher range of fees without breaching the Government's Wages Policy as per section 242A (3) of the LG Act.
5. The Tribunal's determinations take effect from 1 July each year.

### Section 2 2021 Determination

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6. The Tribunal received 18 submissions which included 9 requests for re-categorisation. At the time of making its determination, the Tribunal had available to it the Australian Bureau of Statistics 25 March 2020 population data for FY2018-19. The Tribunal noted the requirement of section 239 of the LG Act that it must determine categories for councils and mayoral offices at least once every 3 years. It noted that the Tribunal had conducted an extensive review in 2020 and decided that the categories would next be considered in 2023.
7. The Tribunal found that the current categories and allocation of councils to these categories remained appropriate. The Tribunal's finding had regard to the 2020 review, the current category model and criteria and the evidence put forward in the received submissions.
8. In regard to fees, the Tribunal determined a 2 per cent per annum increase in the minimum and maximum fees applicable to each category.

### Section 3 2022 Review

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#### Process

9. In 2020, the categories of general purpose councils were determined as follows:

<b>Metropolitan</b>	<b>Non-Metropolitan</b>
<ul style="list-style-type: none"><li>• Principal CBD</li><li>• Major CBD</li><li>• Metropolitan Large</li><li>• Metropolitan Medium</li><li>• Metropolitan Small</li></ul>	<ul style="list-style-type: none"><li>• Major Regional City</li><li>• Major Strategic Area</li><li>• Regional Strategic Area</li><li>• Regional Centre</li><li>• Regional Rural</li></ul>

## Local Government Remuneration Tribunal

	<ul style="list-style-type: none"><li>• Rural</li></ul>
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10. The Tribunal wrote to all mayors or general managers and LGNSW on 14 October 2021 to advise of the commencement of the 2021 review and invited submissions regarding recategorisation, fees and other general matters. The Tribunal's correspondence advised that an extensive review of categories was undertaken in 2020 and, as this was only legislatively required every three years, consideration would be next be given in 2023. The correspondence further advised that submissions requesting to be moved into a different category as part of the 2022 review would require a strong case supported by evidence that substantiates that the criteria for the requested category is met.
11. Seven submissions were received from individual councils and one submission was received from LGNSW. The Tribunal noted that several of the submissions had not been endorsed by their respective councils. The Tribunal also met with the President, Chief Executive and Senior Manager of LGNSW.
12. The Tribunal discussed the submissions at length with the Assessors.
13. The Tribunal acknowledged previous and ongoing difficulties imposed by COVID19 and natural disasters on councils.
14. The Tribunal also acknowledged submissions from councils in regional and remote locations that raised unique challenges, such as travel and connectivity, experienced by mayors and councillors in those areas.
15. A summary of the matters raised in the received submissions and the Tribunal's consideration of those matters is outlined below.

### Categorisation

16. Five council submissions requested recategorisation. Three of these requests sought the creation new categories.

### Metropolitan Large Councils

17. Penrith City Council acknowledged that categories were not being reviewed until 2023. However, the Council reiterated their previous year's position and contended that their claim for the creation of a new category of "Metropolitan Large – Growth Centre" continues to be enhanced through their leading role in the Western Sydney City Deal. Council's submission further stated that the participation in the Deal demonstrated the exponential growth that will occur in the Penrith Local Government Area.
18. Blacktown City Council requested the creation of a new category "Metropolitan Large – Growth Area". Council stated that the current criteria for "Metropolitan Large" does not reflect the Council's size, rate of growth and economic influence.

Council based its argument for a new category on the following grounds:

- Significant population growth. Current estimated population of 403,000 with an expected population of 640,000 in 2041.
- Blacktown being critical to the success of the Greater Sydney Region Plan while also being part of the fastest growing district for the next 20 years.
- 4th largest economy in NSW – as of 30 June 2020, Gross Regional Product (GRP) was \$21.98 billion, comparatively City of Parramatta was \$31.36 billion.
- Undertaking of several transformational projects to increase economy and services. Examples include the redesign of Riverstone Town Centre, Australian Catholic University establishment of an interim campus for up to 700 undergrads

### **Local Government Remuneration Tribunal**

with a permanent campus to open by 2024, the \$1 billion Blacktown Brain and Spinal Institute proposal and Blacktown International Sports Park Masterplan to provide a first-class multi-sport venue.

- Expansion in provision of services such as childcare, aquatic and leisure centres.
- Diversity of population.

#### **Non-Metropolitan Major Regional City Councils**

19. Newcastle Council requested clarification regarding City of Newcastle's status as either Metropolitan or Regional, noting that while City of Newcastle is classified as a "Major Regional City", the Newcastle Local Government Area is often exempt from both regional and metropolitan grant funding due to inconsistencies in classification. Council sought review on the following grounds:

- Size of council area 187km<sup>2</sup> (in comparison of Parramatta Council 84km<sup>2</sup>).
- Physical terrain.
- Population and distribution of population.
- Nature and volume of business dealt with by Council.
- Nature and extent of development of City of Newcastle.
- Diversity of communities served.
- Regional, national and international significance of City of Newcastle.
- Transport hubs.
- Regional services including health, education, smart city services and public administration.
- Cultural and sporting facilities.
- Matters that the Tribunal consider relevant

#### **Regional Centre**

20. Tweed Shire Council requested to be reclassified as a "Regional Strategic Area" on the following grounds:

- Proximity to the Gold Coast City and Brisbane.
- Proximity to Sydney via the Gold Coast airport.
- Tweed being the major population and city centre for the Northern Rivers Joint Organisation.
- Tweed being the largest employer and strongest growth area in the Northern Rivers.

#### **Non-Metropolitan Rural Councils**

21. Murrumbidgee Council requested recategorisation to "Regional Rural" as they are a product of the merger of the former Jerilderie Shire Council and the former Murrumbidgee Shire Council. Council also suggested that the criteria for "Regional Rural" is amended to:

- Councils categorised as Regional Rural will typically have a minimum residential population of 20,000 or can demonstrate one of the following features...."
  - the product of the 2016 amalgamation where two or more Rural classified Local Governments Areas merged.

#### **Findings - categorisation**

22. The Tribunal assessed each Council's submission and found that the current categories and allocation of councils to these categories remained appropriate. The Tribunal's findings had regard to the 2020 review, the current category model and

### Local Government Remuneration Tribunal

criteria and the evidence put forward in the received submissions.

23. Having regard to the requirements of sections 239 and 240 of the LG Act, the Tribunal did not find that any council's submission was strong enough for a change in category or for the creation of a new category.
24. The Tribunal did note, however, that some councils may have a better case for recategorisation at the next major review of categories in 2023.
25. The Tribunal was of the view that the 2023 determination and review of categories as required by s239 (1) of the LG Act will see more requests from councils for recategorisation and possible determination of new categories. The Tribunal and Assessors may benefit from visits to meet regional organisations of councils and direct opportunities for input from Mayors and general managers in this regard.

### Fees

26. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required by section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
27. Pursuant to section 146C(1)(a) of the IR Act, the current government policy on wages is expressed in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 (IR Reg.). The IR Reg. provides that public sector wages cannot increase by more than 2.5 per cent per annum. The Tribunal therefore has the discretion to determine an increase of up to 2.5 per cent per annum.
28. Submissions that addressed fees sought an increase of a maximum of 2.5 per cent per annum or greater. These submissions raised issues such as comparative remuneration, cost of living and increasing workloads. One submission also suggested that higher fees are required to attract a higher standard of candidates to council roles.
29. The LGNSW submission contained 3 parts. The first part of the submission supported an increase of 2.5 per cent per annum in remuneration, but further argued that the maximum increase is inadequate and does not address the historical undervaluation of work performed by mayors and councillors, and the substantial expansion of their responsibilities and accountability in recent years. LGNSW used the following economic indexes and wage data in support of their argument:
  - Consumer price index (CPI)
  - National and state wages cases
  - Wage increases under the *Local Government (State) Award 2020*.
30. The second part of LGNSW's submission addressed inequity and impacts of low remuneration. It was supported by the research paper "Councillor perspectives on the (in)adequacy of remuneration in NSW local government: Impacts on well-being, diversity and quality of representation" (the "ANU Paper"), written by Associate Professor Jakimow of the Australian National University. A key finding of the ANU Paper was that "current remuneration levels are perceived as inadequately reflecting the extent and nature of council work." The finding was derived from the undertaking of

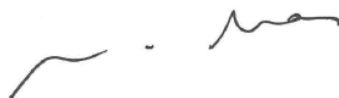
### Local Government Remuneration Tribunal

a survey of councillors and mayors. The paper suggests that there is a disconnect between workload and remuneration and this was identified as the most frequent argument for increasing the current rate.

31. The third and final part of LGNSW's submission compared the minimum and maximum rates of NSW mayor and councillor remuneration to the remuneration of directors and chairpersons of comparable government bodies and not-for-profits, mayors and councillors in Queensland and members of the NSW Parliament. The submission contended that NSW mayor and councillor remuneration is below that of their counterparts.
32. Following the most recent review by the Independent Pricing and Regulatory Tribunal (IPART) the amount that councils will be able to increase the revenue they can collect from rates will depend on their level of population growth. IPART has set a 2022-23 rate peg for each council, ranging from 0.7 to 5.0 per cent. IPART's rate peg takes into account the annual change in the Local Government Cost Index, which measures the average costs faced by NSW councils, in addition to a population factor based on each council's population growth.
33. Employees under the *Local Government (State) Award 2020* will receive a 2 per cent per annum increase in rates of pay from the first full pay period to commence on or after 1 July 2022.
34. The Tribunal has determined a 2 per cent per annum increase in the minimum and maximum fees applicable to each category.

### Conclusion

35. The Tribunal's determinations have been made with the assistance of Assessors Ms Kylie Yates and Ms Melanie Hawyes.
36. It is the expectation of the Tribunal that in the future all submissions have council endorsement.
37. Determination 1 outlines the allocation of councils into each of the categories as per section 239 of the LG Act.
38. Determination 2 outlines the maximum and minimum fees paid to councillors and mayors and members and chairpersons of county councils as per section 241 of the LG Act.



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## Local Government Remuneration Tribunal

### Section 4      2021 Determinations

**Determination No. 1 - Allocation of councils into each of the categories as per section 239 of the LG Act effective from 1 July 2021**

**Table 1: General Purpose Councils - Metropolitan**

Principal CBD (1)	Major CBD (1)
Sydney	Parramatta

Metropolitan Large (12)	Metropolitan Medium (8)
Bayside	Campbelltown
Blacktown	Camden
Canterbury-Bankstown	Georges River
Cumberland	Hornsby
Fairfield	Ku-ring-gai
Inner West	North Sydney
Liverpool	Randwick
Northern Beaches	Willoughby
Penrith	
Ryde	
Sutherland	
The Hills	

Metropolitan Small (8)
Burwood
Canada Bay
Hunters Hill
Lane Cove
Mosman
Strathfield
Waverley
Woollahra



**Local Government Remuneration Tribunal**

**Table 2: General Purpose Councils - Non-Metropolitan**

<b>Major Regional City (2)</b>		<b>Major Strategic Area (1)</b>	<b>Regional Strategic Area (1)</b>	
Newcastle		Central Coast	Lake Macquarie	
Wollongong				

<b>Regional Centre (24)</b>		<b>Regional Rural (13)</b>	
Albury	Mid-Coast	Bega	
Armidale	Orange	Broken Hill	
Ballina	Port Macquarie-Hastings	Byron	
Bathurst	Port Stephens	Eurobodalla	
Blue Mountains	Queanbeyan-Palerang	Goulburn Mulwaree	
Cessnock	Shellharbour	Griffith	
Clarence Valley	Shoalhaven	Kempsey	
Coffs Harbour	Tamworth	Kiama	
Dubbo	Tweed	Lithgow	
Hawkesbury	Wagga Wagga	Mid-Western	
Lismore	Wingecarribee	Richmond Valley Council	
Maitland	Wollondilly	Singleton	
		Snowy Monaro	

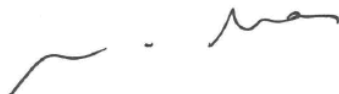
<b>Rural (57)</b>			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen Innes Severn	Murray River	Uralla
Cabonne	Greater Hume	Murrumbidgee	Walcha
Carrathool	Gunnedah	Muswellbrook	Walgett
Central Darling	Gwydir	Nambucca	Warren
Cobar	Hay	Narrabri	Warrumbungle
Coolamon	Hilltops	Narrandera	Weddin
Coonamble	Inverell	Narromine	Wentworth

**Local Government Remuneration Tribunal**

<b>Rural (57)</b>
Yass

**Table 3: County Councils**

<b>Water (4)</b>	<b>Other (6)</b>
Central Tablelands	Castlereagh-Macquarie
Goldenfields Water	Central Murray
Riverina Water	Hawkesbury River
Rous	New England Tablelands
	Upper Hunter
	Upper Macquarie



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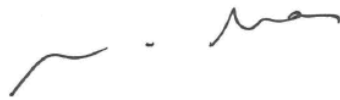
**Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2022**

The annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2022 as per section 241 of the *Local Government Act 1993* are determined as follows:

**Table 4: Fees for General Purpose and County Councils**

Category		Councillor/Member Annual Fee (\$) effective 1 July 2022		Mayor/Chairperson Additional Fee* (\$) effective 1 July 2022	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	28,750	42,170	175,930	231,500
	Major CBD	19,180	35,520	40,740	114,770
	Metropolitan Large	19,180	31,640	40,740	92,180
	Metropolitan Medium	14,380	26,840	30,550	71,300
	Metropolitan Small	9,560	21,100	20,370	46,010
General Purpose Councils - Non-Metropolitan	Major Regional City	19,180	33,330	40,740	103,840
	Major Strategic Area	19,180	33,330	40,740	103,840
	Regional Strategic Area	19,180	31,640	40,740	92,180
	Regional Centre	14,380	25,310	29,920	62,510
	Regional Rural	9,560	21,100	20,370	46,040
	Rural	9,560	12,650	10,180	27,600
County Councils	Water	1,900	10,550	4,080	17,330
	Other	1,900	6,300	4,080	11,510

\*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).



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## Local Government Remuneration Tribunal

### Appendices

#### Appendix 1 Criteria that apply to categories

##### Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

##### Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

## Local Government Remuneration Tribunal

### Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

### Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

## Local Government Remuneration Tribunal

### Metropolitan Small

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

### Major Regional City

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development
- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

### Major Strategic Area

Councils categorised as Major Strategic Area will have a minimum population of 300,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a



## Local Government Remuneration Tribunal

significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

### Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 200,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

### Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

## Local Government Remuneration Tribunal

### Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.

Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

### Rural

Councils categorised as Rural will typically have a residential population less than 20,000.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

### County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

### County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Biosecurity Act 2015*.





## **Payment of Expenses and the provision of Facilities to the Mayor and Councillors Policy**

<b>Policy</b>	1A
<b>Officer Responsible</b>	Director Corporate Services
<b>Last Review Date</b>	xx/xx/2022

**Strategic Policy**

## **1. OBJECTIVE OF POLICY**

Section 252 (1) of the Local Government Act 1993 requires Council to adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor and other councillors (including Administrators) in relation to discharging the functions of civic office.

The purpose of this policy is to ensure that councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties and that there is accountability and transparency in the payment of expenses incurred, or to be incurred by Councillors (including Administrators). The overriding principle to be addressed in the development of this policy is that the provisions of the policy meet the expectations of the local community.

This policy does not deal with matters associated with the setting and payment of annual fees to the Mayor and Councillors, which are determined by the Local Government Remuneration Tribunal.

Any reference hereon in this policy to Councillors will encompass Administrators.

## **2. STATUS OF THE POLICY**

This policy has been prepared in accordance with the "Guidelines for the Payment of Expenses and the Provision of Facilities for Mayors and Councillors in NSW" as issued by the Office of Local Government, Department of Premier and Cabinet dated 7 October 2009 (Circular 09-36).

## **3. PAYMENT OF EXPENSES**

### **3.1. CONFERENCES AND SEMINARS**

Requests for attending conferences shall be in writing outlining the benefits for Council. A written report shall be furnished to Council from the Councillor or staff accompanying the Councillor on the aspects of the conference relevant to council business and / or the community. No written report shall be required for the Local Government NSW Annual Conference.

Council will meet the following expenses for Councillors attending conferences and seminars which have been authorised by Council resolution or by the Mayor under delegated authority.

### **3.1.1. Registration Fees**

- i) Payment of registration fees for attendance at conference / seminar sessions.
- ii) Payment of official conference / seminar lunches and dinners, and associated tours where they are relevant to the business and interests of Council, if not covered by the registration cost.

### **3.1.2. Accommodation**

Payment of accommodation costs on the following basis:

- i) Accommodation selected by the Council or General Manager on the basis of cost and convenience of location to the conference. A Councillor may choose accommodation at a different location but which is the same cost or less.
- ii) The number of accommodation days provided under this policy shall be limited to:
  - a. Registration day;
  - b. Each day on which official sessions of the conference / seminar are held, as well as the night preceding the conference / seminar where travelling schedules reasonably require such accommodation; and
  - c. Each day on which a Councillor is required to be accommodated en route to and from the conference / seminar.
- iii) Any additional accommodation costs incurred as a result of the attendance of partners and/or children shall be borne by the Councillor.

### **3.1.3. Car Parking Fees**

Council shall meet the cost of the following car parking fees.

- i) Hotel / Motel parking – additional car parking fees not included in accommodation costs.
- ii) Airport parking – costs incurred in the parking of a Councillor's private vehicle at an airport for the duration of a conference / seminar, subject to the vehicle being parked in the most economical airport car park.

Reimbursement for parking expenses shall be made upon the production of appropriate receipts and tax invoices, and the completion of the required claim form. Claim for such expenses shall be made within two (2) months of the date of return from the conference / seminar.

The driver is personally liable for all traffic infringements and parking fines incurred while travelling in private or Council vehicles. Claims for reimbursement or payment of expenses shall be refused.



## **TRAINING AND PROFESSIONAL DEVELOPMENT**

Council shall meet the expenses for Councillors attending training and professional development which have been authorised by Council resolution or by the Mayor under delegated authority, where the training or educational course is directly related to Councillors civic functions and responsibilities.

The specific expense items met by Council are the same as those applicable to "Conferences and Seminars", as listed at clause 3.1.

### **3.2. REIMBURSEMENT AND RECONCILIATION OF EXPENSES**

Councillors seeking reimbursement of costs and expenses, incurred in accordance with the requirements of this Policy, shall only be approved upon the production of appropriate receipts and tax invoices, and the completion of the required claim form.

Claims for reimbursement of costs and expenses shall be made within two (2) months of the costs and/or expenses being incurred, unless otherwise specified within this policy.

### **3.3. CLAIM FORM**

Provided as an attachment (Attachment A) to this Policy, is the prescribed Claim Form which shall be completed by any Councillor seeking reimbursement of their costs and expenses.

It is the responsibility of the Councillor to ensure that the Claim Form is submitted accurately and complete, and within the prescribed timeframe as required by this Policy.

Incomplete claim forms may result in costs and expenses not being reimbursed.

### **3.4. PAYMENTS IN ADVANCE**

Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and training away from home. Councillors may also request an advance payment for the cost of any other service or facility covered by this Policy. However, Councillors shall fully reconcile all expenses against the cost of the advance within fourteen (14) days of their return.

Note: No general allowance type payment shall be made under any circumstances.

### **3.5. PAYMENT OF EXPENSES FOR SPOUSES, PARTNERS AND ACCOMPANYING PERSONS**

Where the business of Council includes an invitation to a Councillor's spouse, partner or accompanying person, Council shall meet all reasonable costs associated with the spouse, partner or accompanying person attending that function.

In circumstances where an invitation is not extended to a Councillor's spouse, partner or accompanying person, that spouse, partner or accompanying person may accompany the Councillor on the business of Council, at the expense of the Councillor.

Attendance at the Local Government NSW Annual Conference shall be regarded as business of the Council and, as permitted by the Office of Local Government Guidelines, registration and official conference dinner costs be met by Council.

An accompanying person is a person who has a close personal relationship with the councillor and/or provides carer support to the councillor.

### **3.6. INCIDENTAL EXPENSES**

Claims for reimbursement of reasonable out-of-pocket or incidental expenses incurred by a Councillor whilst attending conferences, seminars or training courses shall only be approved upon presentation of receipts and the completion of the prescribed claim form. Payments of general expense allowances shall not be permitted under this policy.

Incidental expenses will be paid in accordance with the annual Taxation Determination issued by the Australian Taxation Office titled: *Income tax: what are the reasonable travel and overtime meal allowance expense amounts for the xxxx-xx income year?* Amounts claimed shall not exceed amounts specified in the Taxation Determination.

### **3.7. INSURANCE**

Council shall effect an appropriate level of insurance for Councillors in the following areas:

- i) Public Liability – for matters arising out of a Councillor's performance of their civic duties and/or exercise of their Council functions.
- ii) Professional Indemnity – for matters arising out of a Councillor's performance of their civic duties and/or exercise of their Council functions.
- iii) Personal Accident – coverage of Councillor and/or spouse while on Council business.
- iv) Defamation – excluding Councillor to Councillor, Councillor to Staff and Staff to Councillor.
- v) Travel – for approved travel on Council business.

Council shall meet any excess applicable under a policy for:

- Councillor and Officers – in relation to a Councillor performing their civic duties or Council functions;
- Other Insurances – in specific instances when considered necessary by the General Manager (e.g. travel insurance).

### **3.8. LEGAL EXPENSES**

Council may indemnify or reimburse the reasonable legal expenses of:-

- i) A Councillor defending an action arising from the performance in good faith of a function under the Local Government Act 1993 (refer Section 731), provided that the outcome of the legal proceedings is favourable to the Councillor.
- ii) A Councillor defending an action in defamation, provided that the outcome of the legal proceedings is favourable to the Councillor.
- iii) A Councillor involved in the event of:
  - An inquiry, investigation or hearing into a Councillor's conduct by any of the following:
    - o Independent Commission Against Corruption
    - o Office of the NSW Ombudsman
    - o Office of Local Government, Department of Premier and Cabinet
    - o NSW Police Force
    - o Director of Public Prosecutions
    - o Local Government Pecuniary Interest Tribunal
    - o Council's Conduct Review Committee / Reviewer

This is provided that the subject of the inquiry, investigation or hearing arises from the performance in good faith of a councillor's functions under the Local Government Act 1993 and the matter before the investigative or review body has proceeded past any initial assessment phase to a formal investigation or review. In the case of a conduct complaint made against a councillor, legal costs shall only be made available where a matter has been referred by the General Manager to the conduct reviewer/conduct review committee to make formal enquiries into that matter in accordance with the procedures in the Code of Conduct. In the case of a pecuniary interest or misbehaviour matter legal costs shall only be made available where a formal investigation has been commenced by the Office of Local Government.

In addition, legal costs shall only be provided where the investigative or review body makes a finding that is not substantially unfavourable to the councillor. This may include circumstances in which a matter does not proceed to a finding. In relation to a councillor's conduct, a finding by an investigative or review body that an inadvertent minor technical breach had occurred may not necessarily be considered a substantially unfavourable outcome.

Council shall not meet the legal costs of legal proceedings initiated by a Councillor under any circumstance.

Council shall not meet the legal costs of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

Legal costs shall not be met for legal proceedings that do not involve a councillor performing their role as a councillor.

Council may lawfully obtain insurance cover against the risk of having to meet the reasonable legal costs of a councillor, or to reimburse those costs, provided that the costs or reimbursements are ones that it is authorised to meet.

Council may reimburse such Councillor, after the conclusion of the inquiry, investigation, hearing or proceeding, for all legal expenses properly and reasonable incurred, given the nature of the inquiry, investigation, hearing or proceeding, on a solicitor / client basis. Such determination shall be by resolution of Council.

### **3.9. CARER'S PROVISIONS**

#### **3.9.1. Carer's Expenses**

Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member shall be entitled to reimbursement of carer's expenses up to a maximum of \$1,000 per annum for attendance at Council and Committee meetings and other official civic functions noted below, plus reasonable travel from their principal place of residence. Child care expenses may be claimed for children up to and including the age of 16 years. Reimbursement of carer's expenses shall be made after submission of receipts and tax invoices and completion of the prescribed claim form. Claims for such expenses shall be made within one (1) month of the expense being incurred. Official civic functions may include:

- Attendance at Ordinary and Extraordinary meetings of Council.
- Attendance at Council Committee meetings of which the Councillor is a member.
- Attendance at Ordinary, Committee and Sub-Committee meetings of an organisation where the Councillor has, by Council resolution, been duly elected as a Council delegate.
- Attendance at inspections, within or outside the area as authorised by Council resolution or by the Mayor under delegated authority.
- Attendance at official Council functions as authorised as Council business by a resolution of Council.
- Attendance at conferences or seminars approved by Council resolution or by the Mayor under delegated authority.
- Attendance at training or professional development approved by Council resolution or by the Mayor under delegated authority.
- Attendance at functions to which the Mayor has been invited, which are attended at the request of the Mayor.

Councillors shall provide suitable evidence to the General Manager that reimbursement is applicable, such as advice from a medical practitioner in the event of caring for an adult person.

### **3.9.2. Expenses and Facilities for Councillors with Disabilities**

In addition to the provisions of 3.10.1, for any councillor with a disability, Council may resolve to provide reasonable additional facilities and expenses, in order to allow that Councillor to perform their civic duties.

## **4. CONSIDERATION OF SPECIFIC EXPENSES FOR MAYORS AND COUNCILLORS**

### **4.1. GENERAL TRAVEL ARRANGEMENTS**

All travel by Councillors shall be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical considerations.

Note: The driver is personally responsible for all traffic infringements and parking fines incurred while travelling in private or council vehicles on Council business.

### **4.2. LOCAL TRAVEL ARRANGEMENTS AND EXPENSES**

For the purposes of this Policy, Local Travel will include travel conducted within the following Local Government Areas:-

- Blayney
- Cowra
- Bathurst
- Orange
- Cabonne
- Dubbo

For the purposes of this Policy, where Council Delegates attend meetings of the Lachlan Regional Transport Committee Inc, Local Travel will include travel conducted within, and transiting to, the Local Government Areas of the members to this Committee.

Travelling expenses within these Local Government Areas shall be paid to Councillors upon submission of the completed claim form for:

- Attendance at Council or Committee meetings;
- Undertaking approved business of the Council.

Councillors are encouraged to pool vehicles where practicable.

#### **4.3. NON-LOCAL AND OTHER TRAVEL ARRANGEMENTS AND EXPENSES**

Payment of travelling expenses for all other travel outside of the "local area" as defined above shall be submitted to Council for consideration, and shall only be paid if approved.

All non-local and other travel should be advised to the General Manager in advance for coordination of accommodation and travel arrangements (if required). Such advice shall be on a travel authority and submitted in time for approval by Council as attached to this policy. For risk minimisation Councillors are to pool vehicles where practicable. All travel by vehicle shall be by the following priority:

- a. Council vehicle (if available)
- b. Councillor vehicle
- c. Hire vehicle

Claims for expenses incurred shall be submitted on the approved claim form as attached to this Policy, and each claim shall clearly state the purpose of the travel.

#### **4.4. TRAVELLING EXPENSES PER KILOMETRE RATE**

Approved claims for payment of travelling expenses shall be fixed at the rate per kilometre for vehicles per the cents per kilometre method as determined by the Australian Taxation Office.

#### **4.5. OTHER EXPENSES**

Councillor claims for payment of "Other Expenses" not specifically covered by this Policy shall be presented in a report to Council for consideration, and shall only be paid if approved.

### **5. PROVISION OF FACILITIES**

#### **5.1. GENERAL PRINCIPLES**

The provision of facilities, equipment and services to the Mayor and Councillors shall be used by the Mayor and Councillors only for the purposes of fulfilling their civic duties and functions. However, Council acknowledges that infrequent and incidental private use of the facilities and equipment may occur.

Council facilities, equipment and services shall not be used to produce and disseminate election material, personalised pamphlets or newsletters (and the like) or material for any other political purpose.



## 5.2. TECHNOLOGY EQUIPMENT

### 5.2.1. Mobile Devices

At the expense of Council, each Councillor shall be provided with Technology equipment, the provision of a mobile device (i.e tablet or ~~phone~~laptop). Such equipment will be provided with required applications for Councillors to undertake their duties. Any additional applications at Council expense must be made in writing with substantiation of need. ~~Where a phone is provided Council shall not be responsible for phone charges.~~

Councillors shall be provided a ~~\$40050~~ itunes card on commencement of each Council term for purchase, update or replacement of applications. Any amounts beyond this will be subject to claim.

Council will not be responsible for purchase, update or replacement of applications not purchased through Council in the event of equipment failure.

### 5.2.2. Data Allowance

Tablet devices shall include a data plan allowance of 1 gigabyte per month. Councillors shall be eligible to claim a data allowance of up to 50% reimbursement of data charges associated with home internet and telephone up to a maximum value determined by Council annually.

## 5.3. APPAREL

At the expense of Council, each Councillor shall be provided with the following apparel each term:

- Two (2) ties or scarves;
- ~~Two corporate polo shirts or dress shirts or a combination thereof;~~
- Corporate blazer and
- Protective clothing as deemed required by the General Manager.

Any apparel purchased under this section shall carry the Council logo.

## 5.4. OTHER FACILITIES

Councillors are to receive the benefit of:

- Provision and use of business cards and name badges;
- Postage of official correspondence - all mail is to be directed through the Council's own mailing systems;
- Meals/refreshments at Council, Committee, Sub-Committee Meetings and Working Parties, or at any other time deemed appropriate by the Mayor or General Manager whilst on Council business;

#### **5.5. RETURN OF FACILITIES**

Councillors shall return any equipment or other facilities to Council after the completion of their term of office, extended leave of absence or at the cessation of their civic duties.

Where a separate sim card / telephone had been established, this line shall be disconnected at Council's expense. However, should the Councillor wish to retain the use of this line, then at Council's expense, the line shall be transferred into the name of the Councillor.

Councillors will also have the option of purchasing the equipment previously allocated at an agreed fair market price or written down price value.

#### **6. PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR MAYORS**

##### **6.1. SECRETARIAL SUPPORT**

Secretarial support facilities are available to the mayor during normal office hours, through the General Manager.

##### **6.2. CREDIT CARD**

- i) The Mayor will be provided with a Corporate Credit Card to facilitate payment of incidental expenses such as attendance at functions, accommodation, parking and entertainment in conjunction with discharging the functions of the Mayoral Office.
- ii) The credit card will have a limit of \$2,000 personally issued to the Mayor. The application form is to be signed by the Mayor.
- iii) The credit card is to be used for Council-related business expenditure only.
- iv) The credit card must not be used for obtaining cash advances.
- v) Upon completion of the Mayoral term, the credit card is to be returned to the General Manager on or prior to the date the term ceases.
- vi) Ongoing use of the credit card by the Mayor will be in accordance with and subject to any other policy relating to the use of such credit facilities adopted by Council from time to time.



**ATTACHMENT B – TRAVEL AUTHORITY**

**BLAYNEY SHIRE COUNCIL  
COUNCILLOR TRAVEL AUTHORITY  
FOR NON-LOCAL AND OTHER TRAVEL**

Pursuant to the Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy the following application is submitted:			
Name of Councillor: _____			
Purpose of Travel: _____			
Date(s): _____ Time from / to: _____			
Location: _____			
Venue: _____			
<b>Mode of Transport: (please circle)</b>			
Air	Council Vehicle	Councillor Vehicle	Hire Vehicle
<b>Accommodation (if required):</b>			
Single Room: _____ Double Room: _____ Other: _____			
Motel preference: _____			
Please provide other relevant details (e.g. special requirements):			
<b>SIGNATURE:</b> _____		<b>DATE:</b> _____	
(Authority should be lodged with sufficient time for Council report for approval to be submitted.)			
<b>Office Use Only</b>			
Council meeting date: _____		Minute No.: _____	
Transport: _____		Order No.: _____	
Motel: _____		Order No.: _____	

## BLAYNEY SHIRE COUNCIL COUNCILLOR DATA ALLOWANCE CLAIM FORM

Council has adopted a Policy for payment of expenses and provision of facilities to the Mayor, Deputy Mayor and Councillors in relation to reimbursement of internet (data) charges associated with home internet and telephone.

A new data allowance claim is required to be lodged [annually each Council term](#) or where an internet (data) plan or provider is changed.

**Name of Councillor:** \_\_\_\_\_

Date	Data provider	Internet Plan value per month \$	Claim per month \$

Maximum claimable is amount determined and approved by Council annually.

Please attach copy of invoice to substantiate plan value.

Please note: A new claim must be submitted where the plan value changes.

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

Office Use Only

**TOTAL CLAIM**

**TOTAL**

\$ \_\_\_\_\_

=====

	<b>Date</b>	<b>Minute No.</b>
<b>First Adopted:</b>	<b>20/9/1999</b>	<b>592</b>
<b>Last Reviewed:</b>	<b>13/08/2001</b>	<b>388</b>
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	<b>12/05/2008</b>	<b>08/105</b>
	<b>29/09/2008</b>	<b>08/231</b>
	<b>08/02/2010</b>	<b>1002/010</b>
	<b>09/05/2011</b>	<b>1105/007</b>
	<b>12/09/2011</b>	<b>1109/022</b>
	<b>10/12/2012</b>	<b>1212/005</b>
	<b>09/09/2013</b>	<b>1309/009</b>
	<b>16/09/2014</b>	<b>1409/010</b>
	<b>14/09/2015</b>	<b>1509/006</b>
	<b>19/09/2016</b>	<b>1609/009</b>
	<b>16/04/2018</b>	<b>1804/009</b>
	<b>xx/xx/2022</b>	
<b>Next Review:</b>	<b>19/02/2024</b>	







## Code of Meeting Practice

Policy	1C
Officer Responsible	Director Corporate Services
Last Review Date	<del>29/06/2024</del> xx/xx/2022

Strategic Policy

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### 1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under-prescribed section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005-2021* (the Regulation).

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

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

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

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

## **2 MEETING PRINCIPLES**

2.1 Council and committee meetings should be:

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

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

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

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

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

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

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

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

### 3 BEFORE THE MEETING

#### Timing of ordinary council meetings

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

Council shall meet at 6:00pm on the third Monday of each month at the Blayney Shire Community Centre, except for the June meeting which is held on the fourth Monday to adopt the Operational Plan. Where a Council meeting falls on a Monday that is a public holiday, the Council meeting shall be held on the Monday of the following week.

Council shall adopt an annual schedule of dates for Council and Council Committee meetings at the September meeting.

Any change from the date or commencement time of a Council meeting shall be by resolution of the Council or, in emergency circumstances, by the authorisation of the Mayor.

#### Extraordinary meetings

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

**Note: Clause 3.2 reflects section 366 of the Act.**

#### Notice to the public of council meetings

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

**Note: Clause 3.3 reflects section 9(1) of the Act.**

- 3.4 For the purposes of clause 3.3, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.5 For the purposes of clause 3.3, notice of more than one (1) meeting may be given in the same notice.

#### Notice to councillors of ordinary council meetings

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

**Note: Clause 3.6 reflects section 367(1) of the Act.**

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

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

Notice to councillors of extraordinary meetings

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

**Note: Clause 3.8 reflects section 367(2) of the Act.**

Giving notice of business to be considered at council meetings

- 3.9 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted 6 (six) business days before the meeting is to be held.
- 3.10 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.11 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.

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

- 3.132 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:
- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
  - (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer



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

Questions with notice

- | 3.134 A councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the general manager about the performance or operations of the council.
- | 3.145 A councillor is not permitted to ask a question with notice under clause 3.13 14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- | 3.156 The general manager or their nominee may respond to a question with notice submitted under clause 3.13-14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- | 3.167 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- | 3.178 The general manager must ensure that the agenda for an ordinary meeting of the council states:
  - (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
  - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
  - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
  - (d) any business of which due notice has been given under clause 3.9.
- | 3.189 Nothing in clause 3.17-18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- | 3.1920 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- | 3.2021 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting.

- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

**Note: Clause 3.20-21 reflects section 9(2A)(a) of the Act.**

3.21-22 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

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

Availability of the agenda and business papers to the public

3.22-24 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

**Note: Clause 3.22-24 reflects section 9(2) and (4) of the Act.**

3.23-25 Clause 3.22-24 does not apply to the business papers for items of business that the general manager has identified under clause 3.20-22 as being likely to be considered when the meeting is closed to the public.

**Note: Clause 3.23-25 reflects section 9(2A)(b) of the Act.**

3.24-26 For the purposes of clause 3.22-24, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

**Note: Clause 3.24-26 reflects section 9(3) of the Act.**

3.25-27 A copy of an agenda, or of an associated business paper made available under clause 3.22, may in addition be given or made available in electronic form.

**Note: Clause 3.25-27 reflects section 9(5) of the Act.**

Agenda and business papers for extraordinary meetings

- | 3.2628 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- | 3.2729 Despite clause 3.2628, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:
  - (a) a motion is passed to have the business considered at the meeting, and
  - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- | 3.2830 A motion moved under clause 3.2729(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- | 3.2931 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.27(a) can speak to the motion before it is put.
- | 3.3132 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.27(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- | 3.2833 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- | 3.2934 Pre-meeting briefing sessions are to be held in the absence of the public.
- | 3.35 Pre-meeting briefing sessions may be held by audio-visual link.
- | 3.3036 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- | 3.3137 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- | 3.3238 Councillors must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how

the conflict of interest was managed by the councillor who made the declaration.

#### 4 PUBLIC FORUMS

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

4.2 Public forums may be held by audio-visual link.

4.23 Public forums are to be chaired by the mayor or their nominee.

4.34 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum in person must be received by 4.30pm or by audio-visual link by 9.30am on the day of the Council meeting on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.

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4.45 A person may apply to speak on no more than 2 (two) items of business on the agenda of the council meeting.

4.46 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

4.57 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.

4.8 No more than 2 (two) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.

4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.

4.10 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.

4.11 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to

- the council at the public forum, and to identify any equipment needs no later than 12pm on the day of the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.612 The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.713 Each speaker will be allowed 5 (five) minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.814 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.915 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.16 Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to 2 (two) minutes.
- 4.107 Speakers at public forums cannot ask questions of the council, councillors or council staff.
- 4.18 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to <NUMBER TO BE SPECIFIED BY THE COUNCIL> minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.19 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.1420 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies, and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.1221 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.1420, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.

4.1322 Clause 4.12-21 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 44-15 of this code.

4.1423 Where a speaker engages in conduct of the type referred to in clause 4.1420, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.

4.1524 Councillors must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

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

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## 5 COMING TOGETHER

### Attendance by councillors at meetings

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

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

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

- 5.3 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

- 5.4 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

- 5.5 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.

- 5.6 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

**Note: Clause 5.6 reflects section 234(1)(d) of the Act.**

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

### The quorum for a meeting

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

**Note: Clause 5.8 reflects section 368(1) of the Act.**



- 5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

**Note: Clause 5.9 reflects section 368(2) of the Act.**

- 5.10 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
  - (b) within half an hour after the time designated for the holding of the meeting, or
  - (c) at any time during the meeting.
- 5.11 In either case, the meeting must be adjourned to a time, date and place fixed:
- (a) by the chairperson, or
  - (b) in the chairperson's absence, by the majority of the councillors present, or
  - (c) failing that, by the general manager.
- 5.12 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety and-or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster ~~(such as, but not limited to flood or bushfire)~~ or public health emergency, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.14 Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.2.

Meetings held by audio-visual link

- 5.15 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable,

with each councillor.

5.16 Where the mayor determines under clause 5.15 that a meeting is to be held by audio-visual link, the general manager must:

- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
- (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
- (c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.

5.17 This code applies to a meeting held by audio-visual link under clause 5.15 in the same way it would if the meeting was held in person.

**Note: Where a council holds a meeting by audio-visual link under clause 5.15, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.**

Attendance by councillors at meetings by audio-visual link

5.18 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee.

5.19 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.

5.20 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.19.

5.21 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.

5.22 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.

5.23 A decision whether to approve a request by a councillor to attend a meeting of

the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state:

- (a) the meetings the resolution applies to, and
- (b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.

5.24 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.

5.25 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.

5.26 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.

5.27 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.

5.28 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.

5.29 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

#### Entitlement of the public to attend council meetings

5.1630 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

**Note: Clause 5.16-30 reflects section 10(1) of the Act.**

~~5.4731~~ Clause ~~5.46-30~~ does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

~~5.4832~~ A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

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

**Note: Clause ~~5.48-32~~ reflects section 10(2) of the Act.**

#### Webcasting of meetings

~~5.4933~~ ~~Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device. All meetings of the council and committees of the council are to be webcast on the council's website. Meetings shall be livestreamed and will comprise of an audio-visual recording of the meeting commencing September 2019.~~

~~5.34~~ ~~At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:~~

- ~~(a) the meeting is being recorded and made publicly available on the council's website, and~~
- ~~(b) persons attending the meeting should refrain from making any defamatory statements.~~

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

- ~~(a) at the same time as the meeting is taking place, or~~
- ~~(b) as soon as practicable after the meeting.~~

~~5.20~~ ~~Clause 5.19 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.~~

~~5.36~~ ~~The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.~~

~~5.37~~ ~~Clauses 5.35 and 5.36 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.~~

**Note: Clauses 5.33 – 5.37 reflect section 236 of the Regulation.**

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

~~5.21 At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.~~

~~5.22 A recording of each meeting of the council and committee of the council is to be retained on the council's website for 12 (twelve) months. Recordings of meetings may be disposed of in accordance with the State Records Act 1998.~~

#### Attendance of the general manager and other staff at meetings

~~5.23-39~~ The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

**Note: Clause 5.23-39 reflects section 376(1) of the Act.**

~~5.24-40~~ The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

**Note: Clause 5.24-40 reflects section 376(2) of the Act.**

~~5.25-41~~ The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

**Note: Clause 5.25-41 reflects section 376(3) of the Act.**

~~5.26-42~~ The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.

~~5.43 The general manager and other council staff may attend meetings of the council and committees of the council by audio-visual-link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.~~

## 6 THE CHAIRPERSON

### The chairperson at meetings

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

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

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

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

### Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

- 6.4 The election of a chairperson must be conducted:

- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

- 6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

### Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and

- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

#### **7 MODES OF ADDRESS**

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [position title].

#### **8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS**

- 8.1 Deleted
- 8.2 The general order of business for an ordinary meeting of the council shall be:
- (1) Acknowledgment of Country
  - (2) Recording of Meeting Statement
  - (3) Apologies for non-attendance, [applications for leave of absence or by attendance by audio-visual link by councillors](#)
  - (4) Confirmation of Minutes of previous meeting(s)
  - (5) Matters arising from Minutes
  - (6) Disclosure(s) of Interests
  - (7) Public Forum
  - (8) Mayoral Minute
  - (9) Notice(s) of Motion
  - (10) Reports of Staff
    - I. Executive Services
    - II. Corporate Services
    - III. Infrastructure Services
    - IV. Planning and Environmental Services
  - (11) Committee Meeting Minutes
  - (12) Delegate Reports
  - (13) Questions from Councillors
  - (14) Closed Meeting
- 8.3 The order of business as fixed under clause 8.2 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.
- 8.4 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.



## **9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS**

### Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
  - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
  - (b) is the election of a chairperson to preside at the meeting, or
  - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
  - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
  - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

### Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.
- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it

is adopted by the council, a resolution of the council.

- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

#### Staff reports

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

#### Reports of committees of council

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

#### Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to [documents information](#). Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.

9.18 Councillors must put questions directly, succinctly, respectfully and without argument.

9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

## **10 RULES OF DEBATE**

### Motions to be seconded

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

### Notices of motion

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

10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.

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

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

### Chairperson's duties with respect to motions

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

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

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

10.8 Any motion, amendment, or other matter that the chairperson has ruled out of order is taken to have been lost.

### Motions requiring the expenditure of funds

10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the

source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

#### Amendments to motions

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

#### Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.

- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
  - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.

- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

## 11 VOTING

### Voting entitlements of councillors

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

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

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

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

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

### Voting at council meetings

11.4 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

11.5 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.

11.6 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.

11.7 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.

11.8 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.4 of this code.

11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

### Voting on planning decisions

11.10 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.



- 11.11 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.12 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.13 Clauses 11.10–11.12 apply also to meetings that are closed to the public.

**Note: Clauses 11.10–11.13 reflect section 375A of the Act.**

## **12 COMMITTEE OF THE WHOLE**

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

**Note: Clause 12.1 reflects section 373 of the Act.**

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

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

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

## **13 DEALING WITH ITEMS BY EXCEPTION**

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.

13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.

13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.

13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.

13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

### **13 14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC**

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#### Grounds on which meetings can be closed to the public

13.4.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

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

**Note: Clause 13.4.1 reflects section 10A(1) and (2) of the Act.**

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

**Note: Clause 13.4.2 reflects section 10A(3) of the Act.**

Matters to be considered when closing meetings to the public

143.3 A meeting is not to remain closed during the discussion of anything referred to in clause 4314.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

**Note: Clause 4314.3 reflects section 10B(1) of the Act.**

4314.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 4314.1(g) unless the advice concerns legal matters that:

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

**Note: Clause 4314.4 reflects section 10B(2) of the Act.**

4314.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 4314.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 4314.1.

**Note: Clause 4314.5 reflects section 10B(3) of the Act.**

**4314.6** For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

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

**Note: Clause 4314.6 reflects section 10B(4) of the Act.**

**4314.7** In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

**Note: Clause 4314.7 reflects section 10B(5) of the Act.**

Notice of likelihood of closure not required in urgent cases

**4314.8** Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:

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

**Note: Clause 4314.8 reflects section 10C of the Act.**

Representations by members of the public

**4314.9** The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

**Note: Clause 4314.9 reflects section 10A(4) of the Act.**

**4314.10** A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

**4314.11** Where the matter has been identified in the agenda of the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 4314.9, members of the public must first make an application to the council in the approved form. Applications for in-person representations must be received by 4.30pm or by audio-visual-link by 9.30am on day of the meeting at which the matter is to be considered.

4314.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.

4314.13 If more than the permitted number of speakers apply to make representations under clause 4314.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 4314.9, the general manager or their delegate is to determine who will make representations to the council.

4314.14 The general manager (or their delegate) is to determine the order of speakers.

4314.15 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 4314.9 after the motion to close the part of the meeting is moved and seconded.

4314.16 Each speaker will be allowed 5 (five) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

#### Expulsion of non-councillors from meetings closed to the public

4314.17 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

4314.18 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

#### Obligations of councillors attending meetings by audio-visual link

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

Information to be disclosed in resolutions closing meetings to the public

**4314.4920** The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

- (a) the relevant provision of section 10A(2) of the Act,
- (b) the matter that is to be discussed during the closed part of the meeting,
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**Note: Clause 1314.19-20 reflects section 10D of the Act.**

Resolutions passed at closed meetings to be made public

**4314.2021** If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

**4314.2422** Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause **4314.20-21** during a part of the meeting that is webcast.

**14 15KEEPING ORDER AT MEETINGS**

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Points of order

**4415.1** A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.

**4415.2** A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.

**4415.3** A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

4415.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.

4415.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.

4415.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.

4415.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

#### Motions of dissent

4415.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.

4415.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.

4415.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

#### Acts of disorder

4415.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:

- (a) contravenes the Act, ~~or anythe regulation-Regulation in force under the Act~~ or this code, or
- (b) assaults or threatens to assault another councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) insults or makes personal reflections on or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

**Note: Clause 15.11 reflects section 182 of the Regulation.**

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**4415.12** The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses **4415.11**(a) or (b), or
- (b) to withdraw a motion or an amendment referred to in clause **4415.11**(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for an act of disorder referred to in clauses **4415.11**(d) and (e).

**Note: Clause 15.12 reflects section 233 of the Regulation.**

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#### How disorder at a meeting may be dealt with

**4415.13** If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

#### Expulsion from meetings

**4415.14** All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

**4415.15** ~~Clause 14~~**Clause 15.14** does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

**4415.16** A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause **4415.11**. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

**Note: Clause 15.16 reflects section 233(2) of the Regulation**

**4415.17** A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

**4415.18** Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

**4415.19** If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled,

a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

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

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

15.21 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

15.2422 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.

15.2223 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.

15.2324 Without limiting clause 15.17, a contravention of clause 15.23 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.17. Any person who contravenes or attempts to contravene clause 15.2223, may be expelled from the meeting as provided for under section 10(2) of the Act.

15.2425 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

**15 16 CONFLICTS OF INTEREST**

4516.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the

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meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

## 16 17DECISIONS OF THE COUNCIL

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### Council decisions

4617.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

**Note: Clause 17.1 reflects section 371 of the Act**

4617.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

### Rescinding or altering council decisions

4617.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.9.

**Note: Clause 4617.3 reflects section 372(1) of the Act.**

4617.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

**Note: Clause 4617.4 reflects section 372(2) of the Act.**

4617.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.9.

**Note: Clause 4617.5 reflects section 372(3) of the Act.**

4617.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

**Note: Clause 4617.6 reflects section 372(4) of the Act.**

4617.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

**Note: Clause 4617.7 reflects section 372(5) of the Act.**

4617.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

**Note: Clause 4617.8 reflects section 372(7) of the Act.**

4617.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.10 with the consent of all signatories to the notice of motion.

4617.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than 5pm on the day after the meeting at which the resolution was adopted.

4617.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

**Note: Clause 4617.11 reflects section 372(6) of the Act.**

4617.12 Subject to clause 4617.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

4617.13 A motion moved under clause 4617.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 4617.12(b) can speak to the motion before it is put.

4617.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 4617.12(c).

Recommitting resolutions to correct an error

4617.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
- (b) to confirm the voting on the resolution.

4617.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.

~~4617.17~~ The chairperson must not grant leave to recommit a resolution for the purposes of clause ~~4617.15(a)~~, unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

~~4617.18~~ A motion moved under clause ~~4617.15~~ can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause ~~4617.15~~ can speak to the motion before it is put.

~~4617.19~~ A motion of dissent cannot be moved against a ruling by the chairperson under clause ~~4617.15~~.

~~4617.20~~ A motion moved under clause ~~4617.15~~ with the leave of the chairperson cannot be voted on unless or until it has been seconded.

### **18 TIME LIMITS ON COUNCIL MEETINGS**

~~18.1~~ Meetings of the council and committees of the council are to conclude no later than **10pm**.

~~18.2~~ If the business of the meeting is unfinished at **10pm**, the council or the committee may, by resolution, extend the time of the meeting.

~~18.3~~ If the business of the meeting is unfinished at **10pm**, and the council does not resolve to extend the meeting, the chairperson must either:

- ~~(a)~~ defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
- ~~(b)~~ adjourn the meeting to a time, date and place fixed by the chairperson.

~~18.4~~ Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.

~~18.5~~ Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:

- ~~(a)~~ individually notify each councillor of the time, date and place at which the meeting will reconvene, and
- ~~(b)~~ publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

### **17 19 AFTER THE MEETING**

#### Minutes of meetings

~~4719.1~~ The council is to keep full and accurate minutes of the proceedings of meetings of the council.

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**Note: Clause 4719.1 reflects section 375(1) of the Act.**

4719.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

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

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4719.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

**Note: Clause 4719.3 reflects section 375(2) of the Act.**

4719.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

4719.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

**Note: Clause 4719.5 reflects section 375(2) of the Act.**

4719.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

4719.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

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

4719.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

**Note: Clause 4719.8 reflects section 11(1) of the Act.**

4719.9 Clause 4719.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

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

4719.10 Clause 4719.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are

to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

**Note: Clause 4719.10 reflects section 11(3) of the Act.**

4719.11 Correspondence or reports to which clauses 4719.9 and 4719.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

#### Implementation of decisions of the council

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

**Note: Clause 4719.12 reflects section 335(b) of the Act.**

### **18 20 COUNCIL COMMITTEES**

#### Application of this Part

4820.1 This Part only applies to committees of the council whose members are all councillors.

#### Council committees whose members are all councillors

4820.2 The council may, by resolution, establish such committees as it considers necessary.

4820.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.

4820.4 The quorum for a meeting of a committee of the council is to be:

- (a) such number of members as the council decides, or
- (b) if the council has not decided a number – a majority of the members of the committee.

#### Functions of committees

4820.5 The council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

#### Notice of committee meetings

4820.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

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

4820.7 Notice of less than three (3) days may be given of a committee meeting called

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in an emergency.

Attendance at committee meetings

| **4820.8** A committee member (other than the mayor) ceases to be a member of a committee if the committee member:

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

| **4820.9** Clause **4820.8** does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

| **4820.10** A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

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

Chairperson and deputy chairperson of council committees

| **4820.11** The chairperson of each committee of the council must be:

- (a) the mayor, or
- (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
- (c) if the council does not elect such a member, a member of the committee elected by the committee.

| **4820.12** The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

| **4820.13** If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

| **4820.14** The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

~~4820~~.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.

~~4820~~.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause ~~4820~~.15.

~~4820~~.17 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

~~4820~~.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.

~~4820~~.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

~~4820.4920~~ Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 18.18 during a part of the meeting that is webcast.

Disorder in committee meetings

~~4820.2021~~ The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

~~4820.2123~~ Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:

- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link.

- (ab) details of each motion moved at a meeting and of any amendments moved to it,
- (bc) the names of the mover and seconder of the motion or amendment,
- (cd) whether the motion or amendment was passed or lost, and
- (de) such other matters specifically required under this code.

**4820.2224** All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

**4820.2325** The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.

**4820.2426** Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

**4820.2527** When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

**4820.2628** The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

**4820.2729** The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

**19 21 IRREGULARITIES**

**4921.1** Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

**Note: Clause 4921.1 reflects section 374 of the Act.**

**20 22 DEFINITIONS**

the Act	means the <i>Local Government Act 1993</i>
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act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act

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performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2005-2021</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

## 21 APPENDIX

### Code of Meeting Practice – Remote Attendance Guidelines

~~1- Approval for Councillors to attend meetings by audio-visual link~~

2-1 Attendance by Councillors at meetings by audio visual link

3-2 Conflicts of Interest

4-3 Confidentiality

5-4 Maintenance of order

6-5 Compliance with the Health Privacy Principles



**Code of Meeting Practice - Remote Attendance  
Guideline**

**Expiry date: 31 December 2021**

**What is an “audio visual link”**

For the purposes of this procedure, an audio-visual link is a facility that enables audio and visual communication between persons at different places.

**Background**

1. The *Local Government Act* (section 360(5)) requires a council to conduct its meetings in accordance with its code of meeting practice.
2. A model code of meeting practice is prescribed under the *Local Government Regulations* (regulation 232).
3. The model code (clause 5.2) provides that a councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting.
4. Blayney Shire Council has adopted the model code.
5. The *Local Government Regulations* (regulation 237) provide an exemption from the need to comply with clause 5.2 of the model code up until 31 December 2021.
6. As a result, up to 31 December 2021, councillors are not required to attend meetings in person.
7. There is no regulation prescribing the rules around remote attendance in the period up to 31 December 2021.
8. The Office of Local Government (OLG) is consulting with councils as to what arrangements if any should be implemented after 31 December 2021.
9. In the meantime, OLG has suggested that in the period up to 31 December 2021, councils “should adopt procedures governing attendance by councillors at meetings by audio-visual link to supplement their codes of meeting practice” and has issued recommended guidelines.

In this context, Blayney Shire Council adopts the following procedures governing remote attendance by councillors at meetings of the council up to 31 December 2021. These guidelines do not apply to meetings of council committees.

1. A councillor who wishes to attend a meeting of council remotely must, as soon as they become aware of the need to do so, send a request to do so in writing to the general manager.
2. The request must:
  - a. set out the reason why the councillor cannot attend the meeting in person;
  - b. be received in sufficient time (in the reasonable opinion of the general manager) to enable an audio visual link to be set up at the location for the meeting, typically at least 6 hours prior to the meeting.
3. The councillor may attend the meeting remotely if the councillors present in person at the meeting resolve, at the commencement of the meeting and prior to the recording of apologies, to permit the councillor to so attend.



4. A decision on a request to attend remotely is at the discretion of councillors present in person, who must act reasonably in considering the request
5. A decision permitting a councillor to attend remotely must set out in general terms the grounds on which the remote attendance has been approved, consistent with all applicable laws and regulations, including the *Health Privacy Principles*.
6. The provisions of council's code of meeting practice and code of conduct, including in relation to disclosure and management of conflicts of interest, apply to the councillor attending remotely in the same way as they apply to a councillor attending in person.

End

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	15/04/2004	104
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	10/10/2005	05/280
	14/05/2007	07/094
	08/12/2008	08/333
	14/12/2009	0912/006
	14/03/2011	1103/006
	12/11/2012	1211/014
	13/07/2015	1507/010
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## Code of Conduct for Councillors

<b>Policy</b>	1B
<b>Officer Responsible</b>	Director Corporate Services
<b>Last Review Date</b>	XX/XX/2022

**Strategic Policy**

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## **PART 1 INTRODUCTION**

This code of conduct applies to councillors. It is based on the *Model Code of Conduct for Local Councils in NSW* ("the Model Code of Conduct") which is made under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2005* ("the Regulation").

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

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

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

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

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

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

**Note:** References in this code of conduct to councils are also to be taken as references to county councils and joint organisations.

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

**Note:** In adopting this code of conduct, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

## **PART 2 DEFINITIONS**

In this code the following terms have the following meanings:

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



joint organisation	a joint organisation established under section 400O of the LGA
LGA	the <i>Local Government Act 1993</i>
local planning panel	a local planning panel constituted under the <i>Environmental Planning and Assessment Act 1979</i>
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisations
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	the <i>Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> prescribed under the Regulation
the Regulation	the <i>Local Government (General) Regulation 2005</i>
voting representative	a voting representative of the board of a joint organisation
wholly advisory committee	a council committee that the council has not delegated any functions to

### **PART 3 GENERAL CONDUCT OBLIGATIONS**

#### General conduct

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

#### Fairness and equity

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

#### Harassment and discrimination

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

### Bullying

- 3.8 You must not engage in bullying behaviour towards others.
- 3.9 For the purposes of this code, “bullying behaviour” is any behaviour in which:
- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
  - b) the behaviour creates a risk to health and safety.
- 3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:
- a) aggressive, threatening or intimidating conduct
  - b) belittling or humiliating comments
  - c) spreading malicious rumours
  - d) teasing, practical jokes or ‘initiation ceremonies’
  - e) exclusion from work-related events
  - f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
  - g) displaying offensive material
  - h) pressure to behave in an inappropriate manner.
- 3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:
- a) performance management processes
  - b) disciplinary action for misconduct
  - c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
  - d) directing a worker to perform duties in keeping with their job
  - e) maintaining reasonable workplace goals and standards
  - f) legitimately exercising a regulatory function
  - g) legitimately implementing a council policy or administrative processes.

### Work health and safety

- 3.12 All council officials, including councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WHS Act). You must comply with your duties under the WHS Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:
- a) take reasonable care for your own health and safety
  - b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
  - c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WHS Act and any policies or procedures adopted by the council to ensure workplace health and safety
  - d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
  - e) report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations

- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WHS Act in relation to the same matter.

Land use planning, development assessment and other regulatory functions

- 3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.
- 3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Binding caucus votes

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

Obligations in relation to meetings

- 3.19 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.20 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.21 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.

- 3.22 You must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the council, or of a committee of the council. Without limiting this clause, you must not:
- a) leave a meeting of the council or a committee for the purposes of depriving the meeting of a quorum, or
  - b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another councillor from submitting a rescission motion with respect to the same decision, or
  - c) deliberately seek to impede the consideration of business at a meeting.

#### **PART 4 PECUNIARY INTERESTS**

##### What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- (a) your interest, or
  - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
  - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- (a) Your "relative" is any of the following:
    - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
  - (b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
  - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
  - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

##### What interests do not have to be disclosed?

- 4.6 You do not have to disclose the following interests for the purposes of this Part:
- (a) your interest as an elector
  - (b) your interest as a ratepayer or person liable to pay a charge
  - (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is

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



- 4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

What disclosures must be made by a councillor?

- 4.8 A councillor:
- (a) must prepare and submit written returns of interests in accordance with clause 4.9, and
  - (b) must disclose pecuniary interests in accordance with clause 4.16 and comply with clause 4.17 where it is applicable.

Disclosure of interests in written returns

- 4.9 A councillor must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's interests as specified in schedule 1 to this code within 3 months after:
- (a) becoming a councillor, and
  - (b) 30 June of each year, and
  - (c) the councillor becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).
- 4.10 A councillor need not make and lodge a return under clause 4.9 paragraphs (a) and (b) if:
- (a) they made and lodged a return under that clause in the preceding 3 months, or
  - (b) they have ceased to be a councillor in the preceding 3 months.
- 4.11 A councillor must not make and lodge a return that the councillor knows or ought reasonably to know is false or misleading in a material particular.
- 4.12 The general manager must keep a register of returns required to be made and lodged with the general manager.
- 4.13 Returns required to be lodged with the general manager under clause 4.9(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.
- 4.14 Returns required to be lodged with the general manager under clause 4.9(c) must be tabled at the next council meeting after the return is lodged.
- 4.15 Information contained in returns made and lodged under clause 4.9 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

Disclosure of pecuniary interests at meetings

- 4.16 A councillor who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which

the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.

- 4.17 The councillor must not be present at, or in sight of, the meeting of the council or committee:
- (a) at any time during which the matter is being considered or discussed by the council or committee, or
  - (b) at any time during which the council or committee is voting on any question in relation to the matter.
- 4.18 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.16 and 4.17 where they participate in the meeting by telephone or other electronic means.
- 4.19 A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.
- 4.20 A general notice may be given to the general manager in writing by a councillor to the effect that the councillor or the councillor's spouse, de facto partner or relative, is:
- (a) a member of, or in the employment of, a specified company or other body, or
  - (b) a partner of, or in the employment of, a specified person.
- Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the councillor's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.
- 4.21 A councillor is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor has an interest in the matter of a kind referred to in clause 4.6.
- 4.22 A councillor does not breach clauses 4.16 or 4.17 if the councillor did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.23 Despite clause 4.17, a councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 4.24 Clause 4.17 does not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting if:
- (a) the matter is a proposal relating to:
    - (i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
    - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or

repeal applies to the whole or a significant portion of the council's area, and

- (b) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
- (c) the councillor made a special disclosure under clause 4.25 in relation to the interest before the commencement of the meeting.

4.25 A special disclosure of a pecuniary interest made for the purposes of clause 4.24(c) must:

- (a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
- (b) be laid on the table at a meeting of the council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.

4.26 The Minister for Local Government may, conditionally or unconditionally, allow a councillor who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

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

4.27 A councillor with a pecuniary interest in a matter who is permitted to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.26, must still disclose the interest they have in the matter in accordance with clause 4.16.

## **PART 5 NON-PECUNIARY CONFLICTS OF INTEREST**

### What is a non-pecuniary conflict of interest?

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

### Managing non-pecuniary conflicts of interest

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

- official's extended family that the council official has a close personal relationship with, or another person living in the same household
- b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship
  - c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation
  - d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
  - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
  - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:

- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
- b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.16 and 4.17.

5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.

5.12 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.

Political donations

- 5.13 Councillors should be aware that matters before council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 5.14 Where you are a councillor and have received or knowingly benefitted from a reportable political donation:
- a) made by a major political donor in the previous four years, and
  - b) the major political donor has a matter before council,
- you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.16 and 4.17. A disclosure made under this clause must be recorded in the minutes of the meeting.
- 5.15 For the purposes of this Part:
- a) a "reportable political donation" has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
  - b) "major political donor" has the same meaning as it has in the *Electoral Funding Act 2018*.
- 5.16 Councillors should note that political donations that are not a "reportable political donation", or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.
- 5.17 Despite clause 5.14, a councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

Loss of quorum as a result of compliance with this Part

- 5.18 A councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:
- a) the matter is a proposal relating to:
    - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
    - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
  - b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and
  - c) the councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.

- 5.19 The Minister for Local Government may, conditionally or unconditionally, allow a councillor who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
  - b) that it is in the interests of the electors for the area to do so.
- 5.20 Where the Minister exempts a councillor from complying with a requirement under this Part under clause 5.19, the councillor must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Personal dealings with council

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



## **PART 6 PERSONAL BENEFIT**

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

### Gifts and benefits

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

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

- 6.5 You must not:
- a) seek or accept a bribe or other improper inducement
  - b) seek gifts or benefits of any kind
  - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
  - d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9

- e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
  - f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer–supplier relationship with the competition organiser
  - g) personally benefit from reward points programs when purchasing on behalf of the council.
- 6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to the general manager in writing. The recipient or general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:
- a) the nature of the gift or benefit
  - b) the estimated monetary value of the gift or benefit
  - c) the name of the person who provided the gift or benefit, and
  - d) the date on which the gift or benefit was received.
- 6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

- 6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$50. They include, but are not limited to:
- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$50
  - b) gifts of alcohol that do not exceed a value of \$50
  - c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
  - d) prizes or awards that do not exceed \$50 in value.

Gifts and benefits of more than token value

- 6.9 Gifts or benefits that exceed \$50 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.
- 6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$50, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.
- 6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person

associated with that person or organisation, during the same 12-month period would exceed \$50 in value.

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

“Cash-like gifts”

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

Improper and undue influence

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

## **PART 7      RELATIONSHIPS BETWEEN COUNCIL OFFICIALS**

### Obligations of councillors and administrators

- 7.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy, and to keep the performance of the council under review.
- 7.2 Councillors or administrators must not:
- a) direct council staff other than by giving appropriate direction to the general manager by way of council or committee resolution, or by the mayor or administrator exercising their functions under section 226 of the LGA
  - 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 staff member or delegate
  - 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 the council's contractors, including the council's legal advisers, unless by the mayor or administrator exercising their functions under section 226 of the LGA.
- 7.3 Despite clause 7.2, councillors may contact the council's external auditor or the chair of the council's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

### Obligations of staff

- 7.4 Under section 335 of the LGA, the role of the general manager includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.
- 7.5 Members of staff of council must:
- a) give their attention to the business of the council while on duty
  - b) ensure that their work is carried out ethically, efficiently, economically and effectively
  - c) carry out reasonable and 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 interfere with the performance of their official duties.

Inappropriate interactions

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

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



## **PART 8 ACCESS TO INFORMATION AND COUNCIL RESOURCES**

### Councillor and administrator access to information

- 8.1 The general manager is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The general manager and public officer are also responsible for ensuring that members of the public can access publicly available council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 8.2 The general manager must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.
- 8.4 Members of staff of council who provide any information to a particular councillor in the performance of their official functions must also make it available to any other councillor who requests it and in accordance with council procedures.
- 8.5 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.
- 8.6 Despite clause 8.4, councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise available to members of the public, or the council has determined to make the information available under the GIPA Act.

### Councillors and administrators to properly examine and consider information

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

### Refusal of access to information

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

Use of certain council information

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

Use and security of confidential information

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

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

- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
- b) protect confidential information
- c) only release confidential information if you have authority to do so
- d) only use confidential information for the purpose for which it is intended to be used
- e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body
- g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

- 8.12 When dealing with personal information you must comply with:
- a) the *Privacy and Personal Information Protection Act 1998*
  - b) the *Health Records and Information Privacy Act 2002*
  - c) the Information Protection Principles and Health Privacy Principles
  - d) the council's privacy management plan
  - e) the Privacy Code of Practice for Local Government

Use of council resources

- 8.13 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes unless this use is lawfully authorised and proper payment is made where appropriate.



- 8.14 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- 8.15 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.
- 8.16 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 8.17 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:
  - a) for the purpose of assisting your election campaign or the election campaign of others, or
  - b) for other non-official purposes.
- 8.18 You must not convert any property of the council to your own use unless properly authorised.

Internet access

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

Council record keeping

- 8.20 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.
- 8.21 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.
- 8.22 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of whether the original intention was to create the information for personal purposes.
- 8.23 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or

records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

Councillor access to council buildings

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

## **PART 9 MAINTAINING THE INTEGRITY OF THIS CODE**

### Complaints made for an improper purpose

- 9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- a) to bully, 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 the Procedures
  - g) to take reprisal action against a person for making a complaint alleging a breach of this code
  - h) to take reprisal action against a person for exercising a function prescribed under the Procedures
  - i) to prevent or disrupt the effective administration of this code under the Procedures.

### Detrimental action

- 9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:
- 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 the Procedures

- 9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral

submission invited under the Procedures will not constitute a breach of this clause.

9.8 You must comply with a practice ruling made by the Office under the Procedures.

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

9.9 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.

9.10 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.

9.11 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.

9.12 You must not disclose information about a complaint you have made alleging a breach of this code or a matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.

9.13 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

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

**SCHEDULE 1: DISCLOSURES OF INTERESTS AND OTHER MATTERS IN WRITTEN RETURNS SUBMITTED UNDER CLAUSE 4.9**

Part 1: Preliminary

Definitions

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

*address* means:

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

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

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

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

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

*interest* means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or

- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

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

*occupation* includes trade, profession and vocation.

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

*property* includes money.

*return date* means:

- a) in the case of a return made under clause 4.9(a), the date on which a person became a councillor
- b) in the case of a return made under clause 4.9(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.9(c), the date on which the councillor became aware of the interest to be disclosed.

*relative* includes any of the following:

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

*travel* includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

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

related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.



Part 2: Pecuniary interests to be disclosed in returns

Real property

5. A person making a return under clause 4.9 of this code must disclose:
  - a) the street address of each parcel of real property in which they had an interest on the return date, and
  - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
  - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a councillor.
8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

Gifts

9. A person making a return under clause 4.9 of this code must disclose:
  - a) a description of each gift received in the period since 30 June of the previous financial year, and
  - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
  - c) the donor was a relative of the donee, or
  - d) subject to paragraph (a), it was received prior to the person becoming a councillor.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

12. A person making a return under clause 4.9 of this code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
  - b) the dates on which the travel was undertaken, and
  - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.

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

Interests and positions in corporations

15. A person making a return under clause 4.9 of this code must disclose:
- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.

18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a councillor.

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

19. A person making a return under clause 4.9 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.

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

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

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

Positions in trade unions and professional or business associations

21. A person making a return under clause 4.9 of the code must disclose:
- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
  - b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.

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

Dispositions of real property

23. A person making a return under clause 4.9 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.

24. A person making a return under clause 4.9 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.

25. A disposition of real property need not be disclosed if it was made prior to a person becoming a councillor.

Sources of income

26. A person making a return under clause 4.9 of this code must disclose:

- a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
  - b) each source of income received by the person in the period since 30 June of the previous financial year.
27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
- a) in relation to income from an occupation of the person:
    - (i) a description of the occupation, and
    - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
    - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
  - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
29. The source of any income received by the person that they ceased to receive prior to becoming a councillor need not be disclosed.
30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

#### Debts

31. A person making a return under clause 4.9 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
- a) on the return date, and
  - b) at any time in the period since 30 June of the previous financial year.
32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.9 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
33. A liability to pay a debt need not be disclosed by a person in a return if:
- a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
    - (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the

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

Discretionary disclosures

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



## **SCHEDULE 2: FORM OF WRITTEN RETURN OF INTERESTS SUBMITTED UNDER CLAUSE 4.9**

### 'Disclosures by councillors and designated persons' return

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.
6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

### Important information

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

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

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

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

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

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

as at [return date]

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

[councillor's or designated person's signature]  
[date]

**A. Real Property**

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

**B. Sources of income**

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

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
---------------------------	--	--

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

Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee
-----------------------------	-----------------------------



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

Sources of other income I received at any time since 30 June  
*[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]*

C. Gifts

Description of each gift I received at any time since 30 June	Name and address of donor
---	---------------------------

D. Contributions to travel

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

E. Interests and positions in corporations

Name and address of each corporation in which I had an interest (if interest or held a position at the return date/at any time since 30 June)	Nature of interest (if any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
---	-----------------------------	----------------------------------	---

F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

G. Positions in trade unions and professional or business associations

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

H. Debts

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

I. Dispositions of property

---

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

---

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

---

J. Discretionary disclosures

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**SCHEDULE 3: FORM OF SPECIAL DISCLOSURE OF PECUNIARY INTEREST SUBMITTED UNDER CLAUSE 4.25**

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

Important information

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

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

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

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

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

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

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

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

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

to be held on the                      day of                      20                      .

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest <sup>1</sup>	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) <sup>2</sup> <i>[Tick or cross one box]</i>	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	

<sup>1</sup> Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

<sup>2</sup> A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor or associated person <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	

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

Councillor's signature

Date

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

End

<b>Adopted:</b>	<b>20/05/2019</b>	<b>1905/011</b>
<b>Last Reviewed:</b>	<b>21/09/2020</b>	<b>2009/008</b>
	<b>XX/XX/2022</b>	
<b>Next Reviewed:</b>	<b>19/02/2024</b>	



## Code of Conduct for Council Staff

<b>Policy</b>	1D
<b>Officer Responsible</b>	Director Corporate Services
<b>Last Review Date</b>	XX/XX/2022

**Strategic Policy**

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## **PART 1 INTRODUCTION**

This code of conduct applies to members of council staff, including general managers. It is based on the *Model Code of Conduct for Local Councils in NSW* ("the Model Code of Conduct") which is made under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2005* ("the Regulation").

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

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

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

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

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

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

**Note:** References in this code of conduct to councils are also to be taken as references to county councils and joint organisations.

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

**Note:** In adopting this code of conduct, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

## **PART 2 DEFINITIONS**

In this code the following terms have the following meanings:

administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
committee	see the definition of "council committee"
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures.
conduct	includes acts and omissions
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council's audit, risk and improvement committee
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council's audit, risk and improvement committee
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and, for the purposes of clause 4.16 of the Model Code of Conduct, council advisers
councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
designated person	a person referred to in clause 4.8
election campaign	includes council, state and federal election campaigns
general manager	includes the executive officer of a joint organisation
joint organisation	a joint organisation established under section 400O of the LGA

LGA	the <i>Local Government Act 1993</i>
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisations
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	the <i>Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> prescribed under the Regulation
the Regulation	the <i>Local Government (General) Regulation 2005</i>
wholly advisory committee	a council committee that the council has not delegated any functions to

### **PART 3 GENERAL CONDUCT OBLIGATIONS**

#### General conduct

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

#### Fairness and equity

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

#### Harassment and discrimination

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

### Bullying

3.8 You must not engage in bullying behaviour towards others.

3.9 For the purposes of this code, "bullying behaviour" is any behaviour in which:

- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons and
- b) the behaviour creates a risk to health and safety.

3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:

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

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

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

### Work health and safety

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

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

- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WHS Act in relation to the same matter.

Land use planning, development assessment and other regulatory functions

- 3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.
- 3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Obligations in relation to meetings

- 3.15 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.16 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.17 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.



#### **PART 4 PECUNIARY INTERESTS**

##### What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- (a) your interest, or
  - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
  - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- (a) Your "relative" is any of the following:
    - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
  - (b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
  - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
  - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

##### What interests do not have to be disclosed?

- 4.6 You do not have to disclose the following interests for the purposes of this Part:
- (a) your interest as an elector
  - (b) your interest as a ratepayer or person liable to pay a charge
  - (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is



- offered to the public generally, or to a section of the public that includes persons who are not subject to this code
- (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code
  - (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
  - (f) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
  - (g) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
  - (h) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
    - i) the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
    - ii) security for damage to footpaths or roads
    - iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
  - (i) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
  - (j) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a council committee member

4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

What disclosures must be made by a designated person?

4.8 Designated persons include:

- (a) the general manager
- (b) other senior staff of the council for the purposes of section 332 of the LGA
- (c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a

designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest

(d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

4.9 A designated person:

- (a) must prepare and submit written returns of interests in accordance with clause 4.18, and
- (b) must disclose pecuniary interests in accordance with clause 4.10.

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

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

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

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

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

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

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

What disclosures must be made by a council committee member?

4.16 A council committee member must disclose pecuniary interests in accordance with clause 4.25 and comply with clause 4.26.

4.17 For the purposes of clause 4.16, a “council committee member” includes a member of staff of council who is a member of the committee.

Disclosure of interests in written returns

4.18 A designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the designated person’s interests as specified in schedule 1 to this code within 3 months after:

- (a) becoming a designated person, and
- (b) 30 June of each year, and
- (c) the designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

4.19 A person need not make and lodge a return under clause 4.18, paragraphs (a) and (b) if:

- (a) they made and lodged a return under that clause in the preceding 3 months, or
- (b) they have ceased to be a designated person in the preceding 3 months.

4.20 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.

4.21 The general manager must keep a register of returns required to be made and lodged with the general manager.

4.22 Returns required to be lodged with the general manager under clause 4.18(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.

4.23 Returns required to be lodged with the general manager under clause 4.18(c) must be tabled at the next council meeting after the return is lodged.

4.24 Information contained in returns made and lodged under clause 4.18 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

**Note: For the purpose of clauses 4.25 to 4.32, a “council committee member” includes a member of staff of council who is a member of a council committee.**

Disclosure of pecuniary interests at meetings

4.25 A council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the committee

at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.

- 4.26 The council committee member must not be present at, or in sight of, the meeting of the committee:
- (a) at any time during which the matter is being considered or discussed by the committee, or
  - (b) at any time during which the committee is voting on any question in relation to the matter.
- 4.27 A disclosure made at a meeting of a council committee must be recorded in the minutes of the meeting.
- 4.28 A general notice may be given to the general manager in writing by a council committee member to the effect that the council committee member, or the council committee member's spouse, de facto partner or relative, is:
- (a) a member of, or in the employment of, a specified company or other body, or
  - (b) a partner of, or in the employment of, a specified person.
- Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council committee after the date of the notice.
- 4.29 A council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the council committee member has an interest in the matter of a kind referred to in clause 4.6.
- 4.30 A person does not breach clauses 4.25 or 4.26 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.31 The Minister for Local Government may, conditionally or unconditionally, allow a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion that it is in the interests of the electors for the area to do so.
- 4.32 A council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.31, must still disclose the interest they have in the matter in accordance with clause 4.25.

## **PART 5 NON-PECUNIARY CONFLICTS OF INTEREST**

### What is a non-pecuniary conflict of interest?

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

### Managing non-pecuniary conflicts of interest

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



- close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
- b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
  - c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
  - d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
  - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
  - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
  - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.25 and 4.26.
- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken

to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.

**Note: For the purpose of clauses 5.13 and 5.14, a “council committee member” includes a member of staff of council who is a member of a council committee.**

Loss of quorum as a result of compliance with this Part

5.13 The Minister for Local Government may, conditionally or unconditionally, allow a council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion that it is in the interests of the electors for the area to do so.

5.14 Where the Minister exempts a committee member from complying with a requirement under this Part under clause 5.13, the committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Other business or employment

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

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

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

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

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

- a) conflict with their official duties
- b) involve using confidential information or council resources obtained through their work with the council including where private use is permitted
- c) require them to work while on council duty
- d) discredit or disadvantage the council
- e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.



Personal dealings with council

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

## **PART 6 PERSONAL BENEFIT**

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

### Gifts and benefits

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

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

- 6.5 You must not:
- a) seek or accept a bribe or other improper inducement
  - b) seek gifts or benefits of any kind
  - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
  - d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9

- e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
- f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer–supplier relationship with the competition organiser
- g) personally benefit from reward points programs when purchasing on behalf of the council.

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

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

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

#### Gifts and benefits of token value

6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$50. They include, but are not limited to:

- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$50
- b) gifts of alcohol that do not exceed a value of \$50
- c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
- d) prizes or awards that do not exceed \$50 in value.

#### Gifts and benefits of more than token value

6.9 Gifts or benefits that exceed \$50 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.

6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$50, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.

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

associated with that person or organisation, during the same 12-month period would exceed \$50 in value.

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

“Cash-like gifts”

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

Improper and undue influence

- 6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else.
- 6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.

## **PART 7      RELATIONSHIPS BETWEEN COUNCIL OFFICIALS**

### Obligations of councillors and administrators

- 7.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy, and to keep the performance of the council under review.
- 7.2 Councillors or administrators must not:
- a) direct council staff other than by giving appropriate direction to the general manager by way of council or committee resolution, or by the mayor or administrator exercising their functions under section 226 of the LGA
  - 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 in the exercise of the functions of the staff member
  - 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.

### Obligations of staff

- 7.3 Under section 335 of the LGA, the role of the general manager includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.
- 7.4 Members of staff of council must:
- a) give their attention to the business of the council while on duty
  - b) ensure that their work is carried out ethically, efficiently, economically and effectively
  - c) carry out reasonable and 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 interfere with the performance of their official duties.

### Inappropriate interactions

- 7.5 You must not engage in any of the following inappropriate interactions:
- a) councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters

- b) council staff approaching councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- c) subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
- d) councillors and administrators who have lodged an application with the council, discussing the matter with council staff in staff-only areas of the council
- e) councillors and administrators being overbearing or threatening to council staff
- f) council staff being overbearing or threatening to councillors or administrators
- g) councillors and administrators making personal attacks on council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
- h) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make
- i) 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
- j) council staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals



## **PART 8 ACCESS TO INFORMATION AND COUNCIL RESOURCES**

### Councillor and administrator access to information

- 8.1 The general manager is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The general manager and public officer are also responsible for ensuring that members of the public can access publicly available council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 8.2 The general manager must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.
- 8.4 Members of staff of council who provide any information to a particular councillor in the performance of their official functions must also make it available to any other councillor who requests it and in accordance with council procedures.
- 8.5 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.
- 8.6 Despite clause 8.4, councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise available to members of the public, or the council has determined to make the information available under the GIPA Act.

### Refusal of access to information

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

### Use of certain council information

- 8.8 In regard to information obtained in your capacity as a council official, you must:
  - a) subject to clause 8.13, only access council information needed for council business
  - b) not use that council information for private purposes
  - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from



- any information to which you have access by virtue of your position with council
- d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

- 8.9 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.
- 8.10 In addition to your general obligations relating to the use of council information, you must:
- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
  - b) protect confidential information
  - c) only release confidential information if you have authority to do so
  - d) only use confidential information for the purpose for which it is intended to be used
  - e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
  - f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body
  - g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

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

Use of council resources

- 8.12 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.
- 8.13 Union delegates and consultative committee members may have reasonable access to council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:
- a) the representation of members with respect to disciplinary matters
  - b) the representation of employees with respect to grievances and disputes
  - c) functions associated with the role of the local consultative committee.

- 8.14 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- 8.15 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.
- 8.16 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 8.17 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:
  - a) for the purpose of assisting your election campaign or the election campaign of others, or
  - b) for other non-official purposes.
- 8.18 You must not convert any property of the council to your own use unless properly authorised.

Internet access

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

Council record keeping

- 8.20 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.
- 8.21 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.
- 8.22 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of whether the original intention was to create the information for personal purposes.
- 8.23 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or

records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

Councillor access to council buildings

- 8.24 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or their delegate) or as provided for in the procedures governing the interaction of councillors and council staff.
- 8.25 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence council staff decisions.

## **PART 9 MAINTAINING THE INTEGRITY OF THIS CODE**

### Complaints made for an improper purpose

- 9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- a) to bully, 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 the Procedures
  - g) to take reprisal action against a person for making a complaint alleging a breach of this code
  - h) to take reprisal action against a person for exercising a function prescribed under the Procedures
  - i) to prevent or disrupt the effective administration of this code under the Procedures.

### Detrimental action

- 9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:
- 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 the Procedures

- 9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral

submission invited under the Procedures will not constitute a breach of this clause.

9.8 You must comply with a practice ruling made by the Office under the Procedures.

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

9.9 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.

9.10 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.

9.11 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.

9.12 You must not disclose information about a complaint you have made alleging a breach of this code or a matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.

9.13 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

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

9.15 Complaints alleging a breach of this Part by other council officials are to be managed by the general manager in accordance with the Procedures.

**SCHEDULE 1: DISCLOSURES OF INTERESTS AND OTHER MATTERS IN WRITTEN RETURNS SUBMITTED UNDER CLAUSE 4.18**

Part 1: Preliminary

Definitions

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

*address* means:

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

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

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

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

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

*interest* means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or



- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

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

*occupation* includes trade, profession and vocation.

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

*property* includes money.

*return date* means:

- a) in the case of a return made under clause 4.18(a), the date on which a person became a designated person
- b) in the case of a return made under clause 4.18(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.18(c), the date on which the designated person became aware of the interest to be disclosed.

*relative* includes any of the following:

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

*travel* includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

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



that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

Part 2: Pecuniary interests to be disclosed in returns

Real property

5. A person making a return under clause 4.18 of this code must disclose:
  - a) the street address of each parcel of real property in which they had an interest on the return date, and
  - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
  - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a designated person.
8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

Gifts

9. A person making a return under clause 4.18 of this code must disclose:
  - a) a description of each gift received in the period since 30 June of the previous financial year, and
  - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
  - c) the donor was a relative of the donee, or
  - d) subject to paragraph (a), it was received prior to the person becoming a designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

12. A person making a return under clause 4.18 of this code must disclose:

- a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
- b) the dates on which the travel was undertaken, and
- c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.

13. A financial or other contribution to any travel need not be disclosed under this clause if it:

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

14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

#### Interests and positions in corporations

15. A person making a return under clause 4.18 of this code must disclose:

- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
- b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
- c) the nature of the interest, or the position held, in each of the corporations, and
- d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.

16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:

- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
- b) required to apply its profits or other income in promoting its objects, and
- c) prohibited from paying any dividend to its members.

17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a designated person.

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

19. A person making a return under clause 4.18 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.

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

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

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

Positions in trade unions and professional or business associations

21. A person making a return under clause 4.18 of the code must disclose:
  - a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
  - b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a designated person.

Dispositions of real property

23. A person making a return under clause 4.18 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
24. A person making a return under clause 4.18 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.

25. A disposition of real property need not be disclosed if it was made prior to a person becoming a designated person.

Sources of income

26. A person making a return under clause 4.18 of this code must disclose:

- a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
- b) each source of income received by the person in the period since 30 June of the previous financial year.

27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:

- a) in relation to income from an occupation of the person:
  - (i) a description of the occupation, and
  - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
  - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
- b) in relation to income from a trust, the name and address of the settlor and the trustee, or
- c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.

28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.

29. The source of any income received by the person that they ceased to receive prior to becoming a designated person need not be disclosed.

Debts

30. A person making a return under clause 4.18 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:

- a) on the return date, and
- b) at any time in the period since 30 June of the previous financial year.

31. A liability to pay a debt must be disclosed by a person in a return made under clause 4.18 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.

32. A liability to pay a debt need not be disclosed by a person in a return if:

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

Discretionary disclosures

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



## **SCHEDULE 2: FORM OF WRITTEN RETURN OF INTERESTS SUBMITTED UNDER CLAUSE 4.18**

### 'Disclosures by councillors and designated persons' return

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.
6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

### Important information

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

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

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

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

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

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

as at [return date]

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

[councillor's or designated person's signature]  
[date]

**A. Real Property**

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

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

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

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

Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee
-----------------------------	-----------------------------



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

Sources of other income I received at any time since 30 June  
*[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]*

C. Gifts

Description of each gift I received at any time since 30 June	Name and address of donor
---	---------------------------

D. Contributions to travel

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

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

G. Positions in trade unions and professional or business associations

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

H. Debts

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

I. Dispositions of property

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

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

J. Discretionary disclosures

End

<b>Adopted:</b>	<b>20/05/2019</b>	<b>1905/011</b>
<b>Last Reviewed:</b>	<b>21/09/2020</b>	<b>2009/008</b>
	<b>XX/XX/2022</b>	
<b>Next Reviewed:</b>	<b>19/02/2024</b>	





## **Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers**

<b>Policy</b>	1E
<b>Officer Responsible</b>	Director Corporate Services
<b>Last Review Date</b>	xx/xx/2022

**Strategic Policy**

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## **PART 1 INTRODUCTION**

This code of conduct applies to council committee members and delegates of council who are not councillors or staff of the council. It also applies to advisers of council for the purposes of clause 4.12. It is based on the *Model Code of Conduct for Local Councils in NSW* ("the Model Code of Conduct") which is made under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2005* ("the Regulation").

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

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

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

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

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

Failure by a council committee member or delegate of the council to comply with a council's code of conduct may give rise to disciplinary action.

**Note:** References in this code of conduct to councils are also to be taken as references to county councils and joint organisations.

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

**Note:** In adopting this code of conduct, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

## **PART 2 DEFINITIONS**

In this code the following terms have the following meanings:

committee	see the definition of “council committee”
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures.
conduct	includes acts and omissions
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council’s audit, risk and improvement committee
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council’s audit, risk and improvement committee
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and, for the purposes of clause 4.12, council advisers
councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
designated person	a person referred to in clause 4.8
election campaign	includes council, state and federal election campaigns
general manager	includes the executive officer of a joint organisation
joint organisation	a joint organisation established under section 400O of the LGA



LGA	the <i>Local Government Act 1993</i>
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisations
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	the <i>Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> prescribed under the Regulation
the Regulation	the <i>Local Government (General) Regulation 2005</i>
wholly advisory committee	a council committee that the council has not delegated any functions to

### **PART 3 GENERAL CONDUCT OBLIGATIONS**

#### General conduct

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

#### Fairness and equity

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

#### Harassment and discrimination

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

### Bullying

- 3.8 You must not engage in bullying behaviour towards others.
- 3.9 For the purposes of this code, "bullying behaviour" is any behaviour in which:
- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
  - b) the behaviour creates a risk to health and safety.
- 3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:
- a) aggressive, threatening or intimidating conduct
  - b) belittling or humiliating comments
  - c) spreading malicious rumours
  - d) teasing, practical jokes or 'initiation ceremonies'
  - e) exclusion from work-related events
  - f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
  - g) displaying offensive material
  - h) pressure to behave in an inappropriate manner.
- 3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:
- a) performance management processes
  - b) disciplinary action for misconduct
  - c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
  - d) directing a worker to perform duties in keeping with their job
  - e) maintaining reasonable workplace goals and standards
  - f) legitimately exercising a regulatory function
  - g) legitimately implementing a council policy or administrative processes.

### Work health and safety

- 3.12 All council officials, including councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WHS Act). You must comply with your duties under the WHS Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:
- a) take reasonable care for your own health and safety
  - b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
  - c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WHS Act and any policies or procedures adopted by the council to ensure workplace health and safety
  - d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
  - e) report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations

- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WHS Act in relation to the same matter.

Land use planning, development assessment and other regulatory functions

- 3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.
- 3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Obligations in relation to meetings

- 3.15 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.16 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.17 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.

#### **PART 4 PECUNIARY INTERESTS**

##### What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- (a) your interest, or
  - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
  - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- (a) Your "relative" is any of the following:
    - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
  - (b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
  - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
  - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

##### What interests do not have to be disclosed?

- 4.6 You do not have to disclose the following interests for the purposes of this Part:
- (a) your interest as an elector
  - (b) your interest as a ratepayer or person liable to pay a charge
  - (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is

- offered to the public generally, or to a section of the public that includes persons who are not subject to this code
- (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code
  - (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
  - (f) if you are a council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the council committee
  - (g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
  - (h) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
  - (i) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
    - i) the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
    - ii) security for damage to footpaths or roads
    - iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
  - (j) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
  - (k) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a council committee member
- 4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.



What disclosures must be made by a designated person?

4.8 Designated persons include:

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

4.9 A designated person:

- (a) must prepare and submit written returns of interests in accordance with clause 4.15, and
- (b) must disclose pecuniary interests in accordance with clause 4.10.

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

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

What disclosures must be made by council advisers?

4.12 A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.

4.13 A person does not breach clause 4.12 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

What disclosures must be made by a council committee member?

4.14 A council committee member must disclose pecuniary interests in accordance with clause 4.22 and comply with clause 4.23.

**Note: A council committee member identified by council as a "designated person" for the purposes of clause 4.8(b) must also prepare and submit written returns of interests in accordance with clause 4.15.**



Disclosure of interests in written returns

- 4.15 A designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the designated person's interests as specified in schedule 1 to this code within 3 months after:
- (a) becoming a designated person, and
  - (b) 30 June of each year, and
  - (c) the designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).
- 4.16 A person need not make and lodge a return under clause 4.15, paragraphs (a) and (b) if:
- (a) they made and lodged a return under that clause in the preceding 3 months, or
  - (b) they have ceased to be a designated person in the preceding 3 months.
- 4.17 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- 4.18 The general manager must keep a register of returns required to be made and lodged with the general manager.
- 4.19 Returns required to be lodged with the general manager under clause 4.15(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.
- 4.20 Returns required to be lodged with the general manager under clause 4.15(c) must be tabled at the next council meeting after the return is lodged.
- 4.21 Information contained in returns made and lodged under clause 4.15 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

Disclosure of pecuniary interests at meetings

- 4.22 A council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.23 The council committee member must not be present at, or in sight of, the meeting of the committee:
- (a) at any time during which the matter is being considered or discussed by the committee, or
  - (b) at any time during which the committee is voting on any question in relation to the matter.

- 4.24 A disclosure made at a meeting of a council committee must be recorded in the minutes of the meeting.
- 4.25 A general notice may be given to the general manager in writing by a council committee member to the effect that the council committee member, or the council committee member's spouse, de facto partner or relative, is:
- (a) a member of, or in the employment of, a specified company or other body, or
  - (b) a partner of, or in the employment of, a specified person.
- Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council committee after the date of the notice.
- 4.26 A council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the council committee member has an interest in the matter of a kind referred to in clause 4.6.
- 4.27 A person does not breach clauses 4.22 or 4.23 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.28 The Minister for Local Government may, conditionally or unconditionally, allow a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion that it is in the interests of the electors for the area to do so.
- 4.29 A council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.28, must still disclose the interest they have in the matter in accordance with clause 4.22.

## **PART 5 NON-PECUNIARY CONFLICTS OF INTEREST**

### What is a non-pecuniary conflict of interest?

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

### Managing non-pecuniary conflicts of interest

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

- official's extended family that the council official has a close personal relationship with, or another person living in the same household
- b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
  - c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
  - d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
  - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
  - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:

- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
- b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.22 and 4.23.

5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.

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

Loss of quorum as a result of compliance with this Part

5.13 The Minister for Local Government may, conditionally or unconditionally, allow a council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion that it is in the interests of the electors for the area to do so.

5.14 Where the Minister exempts a committee member from complying with a requirement under this Part under clause 5.13, the committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Personal dealings with council

5.15 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.

5.16 You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

## **PART 6 PERSONAL BENEFIT**

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

### Gifts and benefits

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

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

- 6.5 You must not:
- a) seek or accept a bribe or other improper inducement
  - b) seek gifts or benefits of any kind
  - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
  - d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9



- e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
  - f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer–supplier relationship with the competition organiser
  - g) personally benefit from reward points programs when purchasing on behalf of the council.
- 6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to the general manager in writing. The general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:
- a) the nature of the gift or benefit
  - b) the estimated monetary value of the gift or benefit
  - c) the name of the person who provided the gift or benefit, and
  - d) the date on which the gift or benefit was received.
- 6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

- 6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$50. They include, but are not limited to:
- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$50
  - b) gifts of alcohol that do not exceed a value of \$50
  - c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
  - d) prizes or awards that do not exceed \$50 in value.

Gifts and benefits of more than token value

- 6.9 Gifts or benefits that exceed \$50 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.
- 6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$50, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.
- 6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person



associated with that person or organisation, during the same 12-month period would exceed \$50 in value.

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

“Cash-like gifts”

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

Improper and undue influence

- 6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else.
- 6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.

## **PART 7 ACCESS TO INFORMATION AND COUNCIL RESOURCES**

### Use of certain council information

- 7.1 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 access by virtue of your 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

- 7.2 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.
- 7.3 In addition to your general obligations relating to the use of council information, you must:
- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
  - b) protect confidential information
  - c) only release confidential information if you have authority to do so
  - d) only use confidential information for the purpose for which it is intended to be used
  - e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
  - f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body
  - g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

### Personal information

- 7.4 When dealing with personal information you must comply with:
- a) the *Privacy and Personal Information Protection Act 1998*
  - b) the *Health Records and Information Privacy Act 2002*
  - c) the Information Protection Principles and Health Privacy Principles
  - d) the council's privacy management plan
  - e) the Privacy Code of Practice for Local Government

### Use of council resources

- 7.5 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes unless this use is lawfully authorised and proper payment is made where appropriate.

- 7.6 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- 7.7 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.
- 7.8 You must not use council resources (including council staff), property or facilities for the purpose of assisting the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 7.9 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:
  - a) for the purpose of assisting your election campaign or the election campaign of others, or
  - b) for other non-official purposes.
- 7.10 You must not convert any property of the council to your own use unless properly authorised.

Internet access

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

Council record keeping

- 7.12 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.
- 7.13 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.
- 7.14 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of whether the original intention was to create the information for personal purposes.
- 7.15 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

## **PART 8 MAINTAINING THE INTEGRITY OF THIS CODE**

### Complaints made for an improper purpose

- 8.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 8.2 For the purposes of clause 8.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- a) to bully, 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 the Procedures
  - g) to take reprisal action against a person for making a complaint alleging a breach of this code
  - h) to take reprisal action against a person for exercising a function prescribed under the Procedures
  - i) to prevent or disrupt the effective administration of this code under the Procedures.

### Detrimental action

- 8.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 8.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 8.5 For the purposes of clauses 8.3 and 8.4, a 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 the Procedures

- 8.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 8.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral

submission invited under the Procedures will not constitute a breach of this clause.

8.8 You must comply with a practice ruling made by the Office under the Procedures.

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

8.9 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.

8.10 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.

8.11 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.

8.12 You must not disclose information about a complaint you have made alleging a breach of this code or a matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.

8.13 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

8.14 Complaints alleging a breach of this Part by a council committee member or delegate of council are to be managed by the general manager in accordance with the Procedures.

**SCHEDULE 1: DISCLOSURES OF INTERESTS AND OTHER MATTERS IN WRITTEN RETURNS SUBMITTED UNDER CLAUSE 4.15**

Part 1: Preliminary

Definitions

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

*address* means:

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

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

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

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

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

*interest* means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or



- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

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

*occupation* includes trade, profession and vocation.

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

*property* includes money.

*return date* means:

- a) in the case of a return made under clause 4.15(a), the date on which a person became a designated person
- b) in the case of a return made under clause 4.15(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.15(c), the date on which the designated person became aware of the interest to be disclosed.

*relative* includes any of the following:

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

*travel* includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

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



that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

#### Part 2: Pecuniary interests to be disclosed in returns

##### Real property

5. A person making a return under clause 4.15 of this code must disclose:
  - a) the street address of each parcel of real property in which they had an interest on the return date, and
  - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
  - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a designated person.
8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

##### Gifts

9. A person making a return under clause 4.15 of this code must disclose:
  - a) a description of each gift received in the period since 30 June of the previous financial year, and
  - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
  - c) the donor was a relative of the donee, or
  - d) subject to paragraph (a), it was received prior to the person becoming a designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

##### Contributions to travel

12. A person making a return under clause 4.15 of this code must disclose:

- a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
- b) the dates on which the travel was undertaken, and
- c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.

13. A financial or other contribution to any travel need not be disclosed under this clause if it:

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

14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

#### Interests and positions in corporations

15. A person making a return under clause 4.15 of this code must disclose:

- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
- b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
- c) the nature of the interest, or the position held, in each of the corporations, and
- d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.

16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:

- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
- b) required to apply its profits or other income in promoting its objects, and
- c) prohibited from paying any dividend to its members.

17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a designated person.

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

19. A person making a return under clause 4.15 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.

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

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

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

Positions in trade unions and professional or business associations

21. A person making a return under clause 4.15 of the code must disclose:
- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
  - b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a designated person.

Dispositions of real property

23. A person making a return under clause 4.15 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
24. A person making a return under clause 4.15 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.

25. A disposition of real property need not be disclosed if it was made prior to a person becoming a designated person.

Sources of income

26. A person making a return under clause 4.15 of this code must disclose:

- a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
- b) each source of income received by the person in the period since 30 June of the previous financial year.

27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:

- a) in relation to income from an occupation of the person:
  - (i) a description of the occupation, and
  - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
  - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
- b) in relation to income from a trust, the name and address of the settlor and the trustee, or
- c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.

28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.

29. The source of any income received by the person that they ceased to receive prior to becoming a designated person need not be disclosed.

30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

Debts

31. A person making a return under clause 4.15 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:

- a) on the return date, and
- b) at any time in the period since 30 June of the previous financial year.

32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.15 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.

33. A liability to pay a debt need not be disclosed by a person in a return if:

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

Discretionary disclosures

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



## **SCHEDULE 2: FORM OF WRITTEN RETURN OF INTERESTS SUBMITTED UNDER CLAUSE 4.15**

### 'Disclosures by councillors or designated persons' return

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.
6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

### Important information

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

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

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

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

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

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

as at [return date]

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

[councillor's or designated person's signature]  
[date]

**A. Real Property**

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

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

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

Sources of income I received from a trust since 30 June

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

Sources of other income I received at any time since 30 June  
*[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]*

C. Gifts

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

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

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

G. Positions in trade unions and professional or business associations

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

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

I. Dispositions of property

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

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

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J. Discretionary disclosures

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End

<b>Adopted:</b>	<b>20/05/2019</b>	<b>1905/011</b>
<b>Last Reviewed:</b>	<b>21/09/2020</b>	<b>2009/008</b>
	<b>xx/xxx2022</b>	
<b>Next Reviewed:</b>	<b>19/02/2024</b>	



## **Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW**

<b>Policy</b>	1F
<b>Officer Responsible</b>	Director Corporate Services
<b>Last Review Date</b>	xx/xx/2022

**Strategic Policy**

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## **PART 1 INTRODUCTION**

These procedures (“the Model Code Procedures”) are prescribed for the administration of the *Model Code of Conduct for Local Councils in NSW* (“the Model Code of Conduct”).

The Model Code of Conduct is made under section 440 of the *Local Government Act 1993* (“the LGA”) and the *Local Government (General) Regulation 2005* (“the Regulation”). Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct.

The Model Code Procedures are made under section 440AA of the LGA and the Regulation. Section 440AA of the LGA requires every council (including county councils) and joint organisation to adopt procedures for the administration of their code of conduct that incorporate the provisions of the Model Code Procedures.

In adopting procedures for the administration of their adopted codes of conduct, councils and joint organisations may supplement the Model Code Procedures. However, provisions that are not consistent with those prescribed under the Model Code Procedures will have no effect.

**Note:** References in these procedures to councils are also to be taken as references to county councils and joint organisations.

**Note:** In adopting the Model Code Procedures, joint organisations should adapt them to substitute the terms “board” for “council”, “chairperson” for “mayor”, “voting representative” for “councillor” and “executive officer” for “general manager”.

**Note:** In adopting the Model Code Procedures, county councils should adapt them to substitute the term “chairperson” for “mayor” and “member” for “councillor”.

**Note:** Parts 6, 7, 8 and 11 of these procedures apply only to the management of code of conduct complaints about councillors (including the mayor) or the general manager.

## **PART 2 DEFINITIONS**

In these procedures the following terms have the following meanings:

administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
code of conduct	a code of conduct adopted under section 440 of the LGA

code of conduct complaint	a complaint that is a code of conduct complaint for the purposes of clauses 4.1 and 4.2 of these procedures
complainant	a person who makes a code of conduct complaint
complainant councillor	a councillor who makes a code of conduct complaint
complaints coordinator	a person appointed by the general manager under these procedures as a complaints coordinator
conduct reviewer	a person appointed under these procedures to review allegations of breaches of the code of conduct by councillors or the general manager
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council's audit, risk and improvement committee
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council's audit, risk and improvement committee
councillor	any person elected or appointed to civic office, including the mayor, and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
council official	any councillor, member of staff of council, administrator, council committee member, delegate of council and, for the purposes of clause 4.16 of the Model Code of Conduct, council adviser

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
external agency	a state government agency such as, but not limited to, the Office, the ICAC, the NSW Ombudsman or the police
general manager	includes the executive officer of a joint organisation
ICAC	the Independent Commission Against Corruption
joint organisation	a joint organisation established under section 400O of the LGA
LGA	the <i>Local Government Act 1993</i>
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisations
the Office	the Office of Local Government
investigator	a conduct reviewer
the Regulation	the <i>Local Government (General) Regulation 2005</i>
respondent	a person whose conduct is the subject of investigation by a conduct reviewer under these procedures
wholly advisory committee	a council committee that the council has not delegated any functions to

### **PART 3 ADMINISTRATIVE FRAMEWORK**

#### The establishment of a panel of conduct reviewers

3.1 The council must establish a panel of conduct reviewers.



- 3.2 The council may enter into an arrangement with one or more other councils to share a panel of conduct reviewers including through a joint organisation or another regional body associated with the councils.
- 3.3 The panel of conduct reviewers is to be established following a public expression of interest process.
- 3.4 An expression of interest for members of the council's panel of conduct reviewers must, at a minimum, be advertised locally and in the Sydney metropolitan area.
- 3.5 To be eligible to be a conduct reviewer, a person must, at a minimum, meet the following requirements:
  - a) an understanding of local government, and
  - b) knowledge of investigative processes including but not limited to procedural fairness requirements and the requirements of the *Public Interest Disclosures Act 1994*, and
  - c) knowledge and experience of one or more of the following:
    - i) investigations
    - ii) law
    - iii) public administration
    - iv) public sector ethics
    - v) alternative dispute resolution, and
  - d) meet the eligibility requirements for membership of a panel of conduct reviewers under clause 3.6.
- 3.6 A person is not eligible to be a conduct reviewer if they are:
  - a) a councillor, or
  - b) a nominee for election as a councillor, or
  - c) an administrator, or
  - d) an employee of a council, or
  - e) a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
  - f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
  - g) a person who has a conviction for an indictable offence that is not an expired conviction.
- 3.7 A person is not precluded from being a member of the council's panel of conduct reviewers if they are a member of another council's panel of conduct reviewers.
- 3.8 An incorporated or other entity may be appointed to a council's panel of conduct reviewers where the council is satisfied that all the persons who will be undertaking the functions of a conduct reviewer on behalf of the entity meet the selection and eligibility criteria prescribed under this Part.
- 3.9 A panel of conduct reviewers established under this Part is to have a term of up to four years.

- 3.10 The council may terminate the panel of conduct reviewers at any time. Where a panel of conduct reviewers has been terminated, conduct reviewers who were members of the panel may continue to deal with any matter referred to them under these procedures prior to the termination of the panel until they have finalised their consideration of the matter.
- 3.11 When the term of the panel of conduct reviewers concludes or is terminated, the council must establish a new panel of conduct reviewers in accordance with the requirements of this Part.
- 3.12 A person who was a member of a previous panel of conduct reviewers established by the council may be a member of subsequent panels of conduct reviewers established by the council if they continue to meet the selection and eligibility criteria for membership of the panel.

The appointment of an internal ombudsman to a panel of conduct reviewers

- 3.13 Despite clause 3.6(d), an employee of a council who is the nominated internal ombudsman of one or more councils may be appointed to a council's panel of conduct reviewers with the Office's consent.
- 3.14 To be appointed to a council's panel of conduct reviewers, an internal ombudsman must meet the qualification requirements for conduct reviewers prescribed under clause 3.5 as modified by the operation of clause 3.13.
- 3.15 An internal ombudsman appointed to a council's panel of conduct reviewers may also exercise the functions of the council's complaints coordinator. For the purposes of clause 6.1, an internal ombudsman who is a council's complaints coordinator and has been appointed to the council's panel of conduct reviewers, may either undertake a preliminary assessment and investigation of a matter referred to them under clauses 5.26 or 5.33 or refer the matter to another conduct reviewer in accordance with clause 6.2.
- 3.16 Clause 6.4(c) does not apply to an internal ombudsman appointed to a council's panel of conduct reviewers.

The appointment of complaints coordinators

- 3.17 The general manager must appoint a member of staff of the council or another person (such as, but not limited to, a member of staff of another council or a member of staff of a joint organisation or other regional body associated with the council), to act as a complaints coordinator. Where the complaints coordinator is a member of staff of the council, the complaints coordinator should be a senior and suitably qualified member of staff.
- 3.18 The general manager may appoint other members of staff of the council or other persons (such as, but not limited to, members of staff of another

council or members of staff of a joint organisation or other regional body associated with the council), to act as alternates to the complaints coordinator.

- 3.19 The general manager must not undertake the role of complaints coordinator.
- 3.20 The person appointed as complaints coordinator or alternate complaints coordinator must also be a nominated disclosures coordinator appointed for the purpose of receiving and managing reports of wrongdoing under the *Public Interest Disclosures Act 1994*.
- 3.21 The role of the complaints coordinator is to:
- a) coordinate the management of complaints made under the council's code of conduct
  - b) liaise with and provide administrative support to a conduct reviewer
  - c) liaise with the Office, and
  - d) arrange the annual reporting of code of conduct complaints statistics.

#### **PART 4 HOW MAY CODE OF CONDUCT COMPLAINTS BE MADE?**

##### What is a code of conduct complaint?

- 4.1 For the purpose of these procedures, a code of conduct complaint is a complaint that shows or tends to show conduct on the part of a council official in connection with their role as a council official or the exercise of their functions as a council official that would constitute a breach of the standards of conduct prescribed under the council's code of conduct if proven.
- 4.2 The following are not "code of conduct complaints" for the purposes of these procedures:
- a) complaints about the standard or level of service provided by the council or a council official
  - b) complaints that relate solely to the merits of a decision made by the council or a council official or the exercise of a discretion by the council or a council official
  - c) complaints about the policies or procedures of the council
  - d) complaints about the conduct of a council official arising from the exercise of their functions in good faith, whether or not involving error, that would not otherwise constitute a breach of the standards of conduct prescribed under the council's code of conduct.
- 4.3 Only code of conduct complaints are to be dealt with under these procedures. Complaints that do not satisfy the definition of a code of

conduct complaint are to be dealt with under the council's routine complaints management processes.

When must a code of conduct complaint be made?

- 4.4 A code of conduct complaint must be made within 3 months of the alleged conduct occurring or within three months of the complainant becoming aware of the alleged conduct.
- 4.5 A complaint made after 3 months may only be accepted if the general manager or their delegate, or, in the case of a complaint about the general manager, the mayor or their delegate, is satisfied that the allegations are serious and compelling grounds exist for the matter to be dealt with under the code of conduct.

How may a code of conduct complaint about a council official other than the general manager be made?

- 4.6 All code of conduct complaints other than those relating to the general manager are to be made to the general manager in writing. This clause does not operate to prevent a person from making a complaint to an external agency.
- 4.7 Where a code of conduct complaint about a council official other than the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.8 In making a code of conduct complaint about a council official other than the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.9 The general manager or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.10 Notwithstanding clauses 4.6 and 4.7, where the general manager becomes aware of a possible breach of the council's code of conduct, they may initiate the process for the consideration of the matter under these procedures without a written complaint.

How may a code of conduct complaint about the general manager be made?

- 4.11 Code of conduct complaints about the general manager are to be made to the mayor in writing. This clause does not operate to prevent a person from making a complaint about the general manager to an external agency.

- 4.12 Where a code of conduct complaint about the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.13 In making a code of conduct complaint about the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.14 The mayor or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.15 Notwithstanding clauses 4.11 and 4.12, where the mayor becomes aware of a possible breach of the council's code of conduct by the general manager, they may initiate the process for the consideration of the matter under these procedures without a written complaint.

## **PART 5 HOW ARE CODE OF CONDUCT COMPLAINTS TO BE MANAGED?**

### Delegation by general managers and mayors of their functions under this Part

- 5.1 A general manager or mayor may delegate their functions under this Part to a member of staff of the council or to a person or persons external to the council other than an external agency. References in this Part to the general manager or mayor are also to be taken to be references to their delegates.

### Consideration of complaints by general managers and mayors

- 5.2 In exercising their functions under this Part, general managers and mayors may consider the complaint assessment criteria prescribed under clause 6.31.

### What complaints may be declined at the outset?

- 5.3 Without limiting any other provision in these procedures, the general manager or, in the case of a complaint about the general manager, the mayor, may decline to deal with a complaint under these procedures where they are satisfied that the complaint:
- a) is not a code of conduct complaint, or
  - b) subject to clause 4.5, is not made within 3 months of the alleged conduct occurring or the complainant becoming aware of the alleged conduct, or
  - c) is trivial, frivolous, vexatious or not made in good faith, or
  - d) relates to a matter the substance of which has previously been considered and addressed by the council and does not warrant further action, or

- e) is not made in a way that would allow the alleged conduct and any alleged breaches of the council's code of conduct to be readily identified.

How are code of conduct complaints about staff (other than the general manager) to be dealt with?

- 5.4 The general manager is responsible for the management of code of conduct complaints about members of staff of council (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.
- 5.5 The general manager must refer code of conduct complaints about members of staff of council alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.
- 5.6 The general manager may decide to take no action in relation to a code of conduct complaint about a member of staff of council other than one requiring referral to the Office under clause 5.5 where they consider that no action is warranted in relation to the complaint.
- 5.7 Where the general manager decides to take no action in relation to a code of conduct complaint about a member of staff of council, the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.8 Code of conduct complaints about members of staff of council must be managed in accordance with the relevant industrial instrument or employment contract and make provision for procedural fairness including the right of an employee to be represented by their union.
- 5.9 Sanctions for breaches of the code of conduct by staff depend on the severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

How are code of conduct complaints about delegates of council, council advisers and council committee members to be dealt with?

- 5.10 The general manager is responsible for the management of code of conduct complaints about delegates of council and council committee members (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.
- 5.11 The general manager must refer code of conduct complaints about council advisers, delegates of council and council committee members alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.

- 5.12 The general manager may decide to take no action in relation to a code of conduct complaint about a delegate of council or a council committee member other than one requiring referral to the Office under clause 5.11 where they consider that no action is warranted in relation to the complaint.
- 5.13 Where the general manager decides to take no action in relation to a code of conduct complaint about a delegate of council or a council committee member, the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.14 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about delegates of council or council committee members, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.15 Where the general manager resolves a code of conduct complaint under clause 5.14 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.16 Sanctions for breaches of the code of conduct by delegates of council and/or council committee members depend on the severity, scale and importance of the breach and may include one or more of the following:
- a) censure
  - b) requiring the person to apologise to any person or organisation adversely affected by the breach in such a time and form specified by the general manager
  - c) prosecution for any breach of the law
  - d) removing or restricting the person's delegation
  - e) removing the person from membership of the relevant council committee.
- 5.17 Prior to imposing a sanction against a delegate of council or a council committee member under clause 5.16, the general manager or any person making enquiries on behalf of the general manager must comply with the requirements of procedural fairness. In particular:
- a) the substance of the allegation (including the relevant provision/s of the council's code of conduct that the alleged conduct is in breach of) must be put to the person who is the subject of the allegation, and



- b) the person must be given an opportunity to respond to the allegation, and
- c) the general manager must consider the person's response in deciding whether to impose a sanction under clause 5.16.

How are code of conduct complaints about administrators to be dealt with?

5.18 The general manager must refer all code of conduct complaints about administrators to the Office for its consideration.

5.19 The general manager must notify the complainant of the referral of their complaint in writing.

How are code of conduct complaints about councillors to be dealt with?

5.20 The general manager must refer the following code of conduct complaints about councillors to the Office:

- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
- b) complaints alleging a failure to comply with a requirement under the code of conduct to disclose and appropriately manage conflicts of interest arising from political donations (see section 328B of the LGA)
- c) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
- d) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.

5.21 Where the general manager refers a complaint to the Office under clause 5.20, the general manager must notify the complainant of the referral in writing.

5.22 The general manager may decide to take no action in relation to a code of conduct complaint about a councillor, other than one requiring referral to the Office under clause 5.20, where they consider that no action is warranted in relation to the complaint.

5.23 Where the general manager decides to take no action in relation to a code of conduct complaint about a councillor, the general manager must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.

5.24 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about councillors, other than those requiring referral to the Office under clause 5.20, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the

offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.

- 5.25 Where the general manager resolves a code of conduct complaint under clause 5.24 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.26 The general manager must refer all code of conduct complaints about councillors, other than those referred to the Office under clause 5.20 or finalised under clause 5.23 or resolved under clause 5.24, to the complaints coordinator.

How are code of conduct complaints about the general manager to be dealt with?

- 5.27 The mayor must refer the following code of conduct complaints about the general manager to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
  - b) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
  - c) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 5.28 Where the mayor refers a complaint to the Office under clause 5.27, the mayor must notify the complainant of the referral in writing.
- 5.29 The mayor may decide to take no action in relation to a code of conduct complaint about the general manager, other than one requiring referral to the Office under clause 5.27, where they consider that no action is warranted in relation to the complaint.
- 5.30 Where the mayor decides to take no action in relation to a code of conduct complaint about the general manager, the mayor must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.31 Where the mayor considers it to be practicable and appropriate to do so, the mayor may seek to resolve code of conduct complaints about the general manager, other than those requiring referral to the Office under clause 5.27, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to

be taken as a determination that there has been a breach of the council's code of conduct.

5.32 Where the mayor resolves a code of conduct complaint under clause 5.31 to the mayor's satisfaction, the mayor must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.

5.33 The mayor must refer all code of conduct complaints about the general manager, other than those referred to the Office under clause 5.27 or finalised under clause 5.30 or resolved under clause 5.31, to the complaints coordinator.

How are complaints about both the general manager and the mayor to be dealt with?

5.34 Where the general manager or mayor receives a code of conduct complaint that alleges a breach of the code of conduct by both the general manager and the mayor, the general manager or mayor must either:

- a) delegate their functions under this part with respect to the complaint to a member of staff of the council other than the general manager where the allegation is not serious, or to a person external to the council, or
- b) refer the matter to the complaints coordinator under clause 5.26 and clause 5.33.

Referral of code of conduct complaints to external agencies

5.35 The general manager, mayor or a conduct reviewer may, at any time, refer a code of conduct complaint to an external agency for its consideration, where they consider such a referral is warranted.

5.36 The general manager, mayor or a conduct reviewer must report to the ICAC any matter that they suspect on reasonable grounds concerns or may concern corrupt conduct.

5.37 Where the general manager, mayor or conduct reviewer refers a complaint to an external agency under clause 5.35, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.

5.38 Referral of a matter to an external agency shall finalise consideration of the matter under these procedures unless the council is subsequently advised otherwise by the referral agency.

Disclosure of the identity of complainants

5.39 In dealing with matters under these procedures, information that identifies or tends to identify complainants is not to be disclosed unless:

- a) the complainant consents in writing to the disclosure, or
- b) it is generally known that the complainant has made the complaint as a result of the complainant having voluntarily identified themselves as the person who made the complaint, or
- c) it is essential, having regard to procedural fairness requirements, that the identifying information be disclosed, or
- d) a conduct reviewer is of the opinion that disclosure of the information is necessary to investigate the matter effectively, or
- e) it is otherwise in the public interest to do so.

5.40 Clause 5.39 does not apply to code of conduct complaints made by councillors about other councillors or the general manager.

5.41 Where a councillor makes a code of conduct complaint about another councillor or the general manager, and the complainant councillor considers that compelling grounds exist that would warrant information that identifies or tends to identify them as the complainant not to be disclosed, they may request in writing that such information not be disclosed.

5.42 A request made by a complainant councillor under clause 5.41 must be made at the time they make a code of conduct complaint and must state the grounds upon which the request is made.

5.43 The general manager or mayor, and where the matter is referred to a conduct reviewer, the conduct reviewer, must consider a request made under clause 5.41 before disclosing information that identifies or tends to identify the complainant councillor, but they are not obliged to comply with the request.

5.44 Where a complainant councillor makes a request under clause 5.41, the general manager or mayor or, where the matter is referred to a conduct reviewer, the conduct reviewer, shall notify the councillor in writing of their intention to disclose information that identifies or tends to identify them prior to disclosing the information.

Code of conduct complaints made as public interest disclosures

5.45 These procedures do not override the provisions of the *Public Interest Disclosures Act 1994*. Code of conduct complaints that are made as public interest disclosures under that Act are to be managed in accordance with the requirements of that Act, the council's internal reporting policy, and any guidelines issued by the NSW Ombudsman that relate to the management of public interest disclosures.

- 5.46 Where a councillor makes a code of conduct complaint about another councillor or the general manager as a public interest disclosure, before the matter may be dealt with under these procedures, the complainant councillor must consent in writing to the disclosure of their identity as the complainant.
- 5.47 Where a complainant councillor declines to consent to the disclosure of their identity as the complainant under clause 5.46, the general manager or the mayor must refer the complaint to the Office for consideration. Such a referral must be made under section 26 of the *Public Interest Disclosures Act 1994*.

#### Special complaints management arrangements

- 5.48 The general manager may request in writing that the Office enter into a special complaints management arrangement with the council in relation to code of conduct complaints made by or about a person or persons.
- 5.49 Where the Office receives a request under clause 5.48, it may agree to enter into a special complaints management arrangement if it is satisfied that the number or nature of code of conduct complaints made by or about a person or persons has:
- a) imposed an undue and disproportionate cost burden on the council's administration of its code of conduct, or
  - b) impeded or disrupted the effective administration by the council of its code of conduct, or
  - c) impeded or disrupted the effective functioning of the council.
- 5.50 A special complaints management arrangement must be in writing and must specify the following:
- a) the code of conduct complaints the arrangement relates to, and
  - b) the period that the arrangement will be in force.
- 5.51 The Office may, by notice in writing, amend or terminate a special complaints management arrangement at any time.
- 5.52 While a special complaints management arrangement is in force, an officer of the Office (the assessing OLG officer) must undertake the preliminary assessment of the code of conduct complaints specified in the arrangement in accordance with the requirements of Part 6 of these procedures.
- 5.53 Where, following a preliminary assessment, the assessing OLG officer determines that a code of conduct complaint warrants investigation by a conduct reviewer, the assessing OLG officer shall notify the complaints coordinator in writing of their determination and the reasons for their determination. The complaints coordinator must comply with the recommendation of the assessing OLG officer.

5.54 Prior to the expiry of a special complaints management arrangement, the Office may, at the request of the general manager, review the arrangement to determine whether it should be renewed or amended.

5.55 A special complaints management arrangement shall expire on the date specified in the arrangement unless renewed under clause 5.54.

**PART 6 PRELIMINARY ASSESSMENT OF CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS OR THE GENERAL MANAGER BY CONDUCT REVIEWERS**

Referral of code of conduct complaints about councillors or the general manager to conduct reviewers

6.1 The complaints coordinator must refer all code of conduct complaints about councillors or the general manager that have not been referred to an external agency or declined or resolved by the general manager, mayor or their delegate and that have been referred to them under clauses 5.26 or 5.33, to a conduct reviewer within 21 days of receipt of the complaint by the general manager or the mayor.

6.2 For the purposes of clause 6.1, the complaints coordinator will refer a complaint to a conduct reviewer selected from:

- a) a panel of conduct reviewers established by the council, or
- b) a panel of conduct reviewers established by an organisation approved by the Office.

6.3 In selecting a suitable conduct reviewer, the complaints coordinator may have regard to the qualifications and experience of members of the panel of conduct reviewers. Where the conduct reviewer is an incorporated or other entity, the complaints coordinator must also ensure that the person assigned to receive the referral on behalf of the entity meets the selection and eligibility criteria for conduct reviewers prescribed under Part 3 of these procedures.

6.4 A conduct reviewer must not accept the referral of a code of conduct complaint where:

- a) they have a conflict of interest in relation to the matter referred to them, or
- b) a reasonable apprehension of bias arises in relation to their consideration of the matter, or
- c) they or their employer has entered into one or more contracts with the council (other than contracts relating to the exercise of their functions as a conduct reviewer) in the 2 years preceding the referral, and they or their employer have received or expect to receive payments under the contract or contracts of a value that, when aggregated, exceeds \$100,000, or

- d) at the time of the referral, they or their employer are the council's legal service provider or are a member of a panel of legal service providers appointed by the council.
- 6.5 For the purposes of clause 6.4(a), a conduct reviewer will have a conflict of interest in a matter where a reasonable and informed person would perceive that they could be influenced by a private interest when carrying out their public duty (see clause 5.2 of the Model Code of Conduct).
- 6.6 For the purposes of clause 6.4(b), a reasonable apprehension of bias arises where a fair-minded observer might reasonably apprehend that the conduct reviewer might not bring an impartial and unprejudiced mind to the matter referred to the conduct reviewer.
- 6.7 Where the complaints coordinator refers a matter to a conduct reviewer, they will provide the conduct reviewer with a copy of the code of conduct complaint and any other information relevant to the matter held by the council, including any information about previous proven breaches and any information that would indicate that the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.8 The complaints coordinator must notify the complainant in writing that the matter has been referred to a conduct reviewer, and advise which conduct reviewer the matter has been referred to.
- 6.9 Conduct reviewers must comply with these procedures in their consideration of matters that have been referred to them and exercise their functions in a diligent and timely manner.
- 6.10 The complaints coordinator may at any time terminate the referral of a matter to a conduct reviewer and refer the matter to another conduct reviewer where the complaints coordinator is satisfied that the conduct reviewer has failed to:
  - a) comply with these procedures in their consideration of the matter, or
  - b) comply with a lawful and reasonable request by the complaints coordinator, or
  - c) exercise their functions in a timely or satisfactory manner.
- 6.11 Where the complaints coordinator terminates a referral to a conduct reviewer under clause 6.10, they must notify the complainant and any other affected person in writing of their decision and the reasons for it and advise them which conduct reviewer the matter has been referred to instead.



Preliminary assessment of code of conduct complaints about councillors or the general manager by a conduct reviewer

- 6.12 The conduct reviewer is to undertake a preliminary assessment of a complaint referred to them by the complaints coordinator for the purposes of determining how the complaint is to be managed.
- 6.13 The conduct reviewer may determine to do one or more of the following in relation to a complaint referred to them by the complaints coordinator:
- a) to take no action
  - b) to resolve the complaint by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
  - c) to refer the matter back to the general manager or, in the case of a complaint about the general manager, the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
  - d) to refer the matter to an external agency
  - e) to investigate the matter.
- 6.14 In determining how to deal with a matter under clause 6.13, the conduct reviewer must have regard to the complaint assessment criteria prescribed under clause 6.31.
- 6.15 The conduct reviewer may make such enquiries the conduct reviewer considers to be reasonably necessary to determine what options to exercise under clause 6.13.
- 6.16 The conduct reviewer may request the complaints coordinator to provide such additional information the conduct reviewer considers to be reasonably necessary to determine what options to exercise in relation to the matter under clause 6.13. The complaints coordinator will, as far as is reasonably practicable, supply any information requested by the conduct reviewer.
- 6.17 The conduct reviewer must refer to the Office any complaints referred to them that should have been referred to the Office under clauses 5.20 and 5.27.
- 6.18 The conduct reviewer must determine to take no action on a complaint that is not a code of conduct complaint for the purposes of these procedures.
- 6.19 The resolution of a code of conduct complaint under clause 6.13, paragraphs (b) or (c) is not to be taken as a determination that there has been a breach of the council's code of conduct.

- 6.20 Where the conduct reviewer completes their preliminary assessment of a complaint by determining to exercise an option under clause 6.13, paragraphs (a), (b) or (c), they must provide the complainant with written notice of their determination and provide reasons for it, and this will finalise consideration of the matter under these procedures.
- 6.21 Where the conduct reviewer refers a complaint to an external agency, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.
- 6.22 The conduct reviewer may only determine to investigate a matter where they are satisfied as to the following:
- a) that the complaint is a code of conduct complaint for the purposes of these procedures, and
  - b) that the alleged conduct is sufficiently serious to warrant the formal censure of a councillor under section 440G of the LGA or disciplinary action against the general manager under their contract of employment if it were to be proven, and
  - c) that the matter is one that could not or should not be resolved by alternative means.
- 6.23 In determining whether a matter is sufficiently serious to warrant formal censure of a councillor under section 440G of the LGA or disciplinary action against the general manager under their contract of employment, the conduct reviewer is to consider the following:
- a) the harm or cost that the alleged conduct has caused to any affected individuals and/or the council
  - b) the likely impact of the alleged conduct on the reputation of the council and public confidence in it
  - c) whether the alleged conduct was deliberate or undertaken with reckless intent or negligence
  - d) any previous proven breaches by the person whose alleged conduct is the subject of the complaint and/or whether the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.24 The conduct reviewer must complete their preliminary assessment of the complaint within 28 days of referral of the matter to them by the complaints coordinator and notify the complaints coordinator in writing of the outcome of their assessment.
- 6.25 The conduct reviewer is not obliged to give prior notice to or to consult with any person before making a determination in relation to their preliminary assessment of a complaint, except as may be specifically required under these procedures.

Referral back to the general manager or mayor for resolution

- 6.26 Where the conduct reviewer determines to refer a matter back to the general manager or to the mayor to be resolved by alternative and

appropriate means, they must write to the general manager or, in the case of a complaint about the general manager, to the mayor, recommending the means by which the complaint may be resolved.

- 6.27 The conduct reviewer must consult with the general manager or mayor prior to referring a matter back to them under clause 6.13(c).
- 6.28 The general manager or mayor may decline to accept the conduct reviewer's recommendation. In such cases, the conduct reviewer may determine to deal with the complaint by other means under clause 6.13.
- 6.29 Where the conduct reviewer refers a matter back to the general manager or mayor under clause 6.13(c), the general manager or, in the case of a complaint about the general manager, the mayor, is responsible for implementing or overseeing the implementation of the conduct reviewer's recommendation.
- 6.30 Where the conduct reviewer refers a matter back to the general manager or mayor under clause 6.13(c), the general manager, or, in the case of a complaint about the general manager, the mayor, must advise the complainant in writing of the steps taken to implement the conduct reviewer's recommendation once these steps have been completed.

#### Complaints assessment criteria

- 6.31 In undertaking the preliminary assessment of a complaint, the conduct reviewer must have regard to the following considerations:
- a) whether the complaint is a code of conduct complaint for the purpose of these procedures
  - b) whether the complaint has been made in a timely manner in accordance with clause 4.4, and if not, whether the allegations are sufficiently serious for compelling grounds to exist for the matter to be dealt with under the council's code of conduct
  - c) whether the complaint is trivial, frivolous, vexatious or not made in good faith
  - d) whether the complaint discloses prima facie evidence of conduct that, if proven, would constitute a breach of the code of conduct
  - e) whether the complaint raises issues that would be more appropriately dealt with by an external agency
  - f) whether there is or was an alternative and satisfactory means of redress available in relation to the conduct complained of
  - g) whether the complaint is one that can be resolved by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
  - h) whether the issue/s giving rise to the complaint have previously been addressed or resolved
  - i) any previous proven breaches of the council's code of conduct
  - j) whether the conduct complained of forms part of an ongoing pattern of behaviour

- k) whether there were mitigating circumstances giving rise to the conduct complained of
- l) the seriousness of the alleged conduct (having regard to the criteria specified in clause 6.23)
- m) the significance of the conduct or the impact of the conduct for the council
- n) how much time has passed since the alleged conduct occurred
- o) such other considerations that the conduct reviewer considers may be relevant to the assessment of the complaint.

## **PART 7 INVESTIGATIONS OF CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS OR THE GENERAL MANAGER**

### What matters may a conduct reviewer investigate?

- 7.1 A conduct reviewer (hereafter referred to as an “investigator”) may investigate a code of conduct complaint that has been referred to them by the complaints coordinator and any matters related to or arising from that complaint.
- 7.2 Where an investigator identifies further separate possible breaches of the code of conduct that are not related to or do not arise from the code of conduct complaint that has been referred to them, they are to report the matters separately in writing to the general manager, or, in the case of alleged conduct on the part of the general manager, to the mayor.
- 7.3 The general manager or the mayor or their delegate is to deal with a matter reported to them by an investigator under clause 7.2 as if it were a new code of conduct complaint in accordance with these procedures.

### How are investigations to be commenced?

- 7.4 The investigator must at the outset of their investigation provide a written notice of investigation to the respondent. The notice of investigation must:
  - a) disclose the substance of the allegations against the respondent, and
  - b) advise of the relevant provisions of the code of conduct that apply to the alleged conduct, and
  - c) advise of the process to be followed in investigating the matter, and
  - d) advise the respondent of the requirement to maintain confidentiality, and
  - e) invite the respondent to make a written submission in relation to the matter within a period of not less than 14 days specified by the investigator in the notice, and
  - f) provide the respondent the opportunity to address the investigator on the matter within such reasonable time specified in the notice.

- 7.5 The respondent may, within 7 days of receipt of the notice of investigation, request in writing that the investigator provide them with such further information they consider necessary to assist them to identify the substance of the allegation against them. An investigator will only be obliged to provide such information that the investigator considers reasonably necessary for the respondent to identify the substance of the allegation against them.
- 7.6 An investigator may at any time prior to issuing a draft report, issue an amended notice of investigation to the respondent in relation to the matter referred to them.
- 7.7 Where an investigator issues an amended notice of investigation, they must provide the respondent with a further opportunity to make a written submission in response to the amended notice of investigation within a period of not less than 14 days specified by the investigator in the amended notice.
- 7.8 The investigator must also, at the outset of their investigation, provide written notice of the investigation to the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the complainant, the complaints coordinator and the mayor. The notice must:
- a) advise them of the matter the investigator is investigating, and
  - b) in the case of the notice to the complainant, advise them of the requirement to maintain confidentiality, and
  - c) invite the complainant to make a written submission in relation to the matter within a period of not less than 14 days specified by the investigator in the notice.

Written and oral submissions

- 7.9 Where the respondent or the complainant fails to make a written submission in relation to the matter within the period specified by the investigator in their notice of investigation or amended notice of investigation, the investigator may proceed to prepare their draft report without receiving such submissions.
- 7.10 The investigator may accept written submissions received outside the period specified in the notice of investigation or amended notice of investigation.
- 7.11 Prior to preparing a draft report, the investigator must give the respondent an opportunity to address the investigator on the matter being investigated. The respondent may do so in person or by telephone or other electronic means.
- 7.12 Where the respondent fails to accept the opportunity to address the investigator within the period specified by the investigator in the notice of

investigation, the investigator may proceed to prepare a draft report without hearing from the respondent.

7.13 Where the respondent accepts the opportunity to address the investigator in person, they may have a support person or legal adviser in attendance. The support person or legal adviser will act in an advisory or support role to the respondent only. They must not speak on behalf of the respondent or otherwise interfere with or disrupt proceedings.

7.14 The investigator must consider all written and oral submissions made to them in relation to the matter.

How are investigations to be conducted?

7.15 Investigations are to be undertaken without undue delay.

7.16 Investigations are to be undertaken in the absence of the public and in confidence.

7.17 Investigators must make any such enquiries that may be reasonably necessary to establish the facts of the matter.

7.18 Investigators may seek such advice or expert guidance that may be reasonably necessary to assist them with their investigation or the conduct of their investigation.

7.19 An investigator may request that the complaints coordinator provide such further information that the investigator considers may be reasonably necessary for them to establish the facts of the matter. The complaints coordinator will, as far as is reasonably practicable, provide the information requested by the investigator.

Referral or resolution of a matter after the commencement of an investigation

7.20 At any time after an investigator has issued a notice of investigation and before they have issued their final report, an investigator may determine to:

- a) resolve the matter by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
- b) refer the matter to the general manager, or, in the case of a complaint about the general manager, to the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
- c) refer the matter to an external agency.

- 7.21 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they must do so in accordance with the requirements of Part 6 of these procedures relating to the exercise of these options at the preliminary assessment stage.
- 7.22 The resolution of a code of conduct complaint under clause 7.20, paragraphs (a) or (b) is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 7.23 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they may by written notice to the respondent, the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the respondent, the complainant, the complaints coordinator and the mayor, discontinue their investigation of the matter.
- 7.24 Where the investigator discontinues their investigation of a matter under clause 7.23, this shall finalise the consideration of the matter under these procedures.
- 7.25 An investigator is not obliged to give prior notice to or to consult with any person before making a determination to exercise any of the options under clause 7.20 or to discontinue their investigation except as may be specifically required under these procedures.

Draft investigation reports

- 7.26 When an investigator has completed their enquiries and considered any written or oral submissions made to them in relation to a matter, they must prepare a draft of their proposed report.
- 7.27 The investigator must provide their draft report to the respondent and invite them to make a written submission in relation to it within a period of not less than 14 days specified by the investigator.
- 7.28 Where the investigator proposes to make adverse comment about any other person (an affected person) in their report, they must also provide the affected person with relevant extracts of their draft report containing such comment and invite the affected person to make a written submission in relation to it within a period of not less than 14 days specified by the investigator.
- 7.29 The investigator must consider written submissions received in relation to the draft report prior to finalising their report in relation to the matter.
- 7.30 The investigator may, after consideration of all written submissions received in relation to their draft report, make further enquiries into the matter. If, as a result of making further enquiries, the investigator makes any material change to their proposed report that makes new adverse comment about the respondent or an affected person, they must provide



the respondent or affected person as the case may be with a further opportunity to make a written submission in relation to the new adverse comment.

- 7.31 Where the respondent or an affected person fails to make a written submission in relation to the draft report within the period specified by the investigator, the investigator may proceed to prepare and issue their final report without receiving such submissions.
- 7.32 The investigator may accept written submissions in relation to the draft report received outside the period specified by the investigator at any time prior to issuing their final report.

#### Final investigation reports

- 7.33 Where an investigator issues a notice of investigation, they must prepare a final report in relation to the matter unless the investigation is discontinued under clause 7.23.
- 7.34 An investigator must not prepare a final report in relation to the matter at any time before they have finalised their consideration of the matter in accordance with the requirements of these procedures.
- 7.35 The investigator's final report must:
- a) make findings of fact in relation to the matter investigated, and,
  - b) make a determination that the conduct investigated either,
    - i. constitutes a breach of the code of conduct, or
    - ii. does not constitute a breach of the code of conduct, and
  - c) provide reasons for the determination.
- 7.36 At a minimum, the investigator's final report must contain the following information:
- a) a description of the allegations against the respondent
  - b) the relevant provisions of the code of conduct that apply to the alleged conduct investigated
  - c) a statement of reasons as to why the matter warranted investigation (having regard to the criteria specified in clause 6.23)
  - d) a statement of reasons as to why the matter was one that could not or should not be resolved by alternative means
  - e) a description of any attempts made to resolve the matter by use of alternative means
  - f) the steps taken to investigate the matter
  - g) the facts of the matter
  - h) the investigator's findings in relation to the facts of the matter and the reasons for those findings
  - i) the investigator's determination and the reasons for that determination
  - j) any recommendations.

- 7.37 Where the investigator determines that the conduct investigated constitutes a breach of the code of conduct, the investigator may recommend:
- a) in the case of a breach by the general manager, that disciplinary action be taken under the general manager's contract of employment for the breach, or
  - b) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the LGA, or
  - c) in the case of a breach by a councillor, that the council resolves as follows:
    - i. that the councillor be formally censured for the breach under section 440G of the LGA, and
    - ii. that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.38 Where the investigator proposes to make a recommendation under clause 7.37(c), the investigator must first consult with the Office on their proposed findings, determination and recommendation prior to finalising their report, and must take any comments by the Office into consideration when finalising their report.
- 7.39 Where the investigator has determined that there has been a breach of the code of conduct, the investigator may, in addition to making a recommendation under clause 7.37, recommend that the council revise any of its policies, practices or procedures.
- 7.40 Where the investigator determines that the conduct investigated does not constitute a breach of the code of conduct, the investigator may recommend:
- a) that the council revise any of its policies, practices or procedures
  - b) that a person or persons undertake any training or other education.
- 7.41 The investigator must provide a copy of their report to the complaints coordinator and the respondent.
- 7.42 At the time the investigator provides a copy of their report to the complaints coordinator and the respondent, the investigator must provide the complainant with a written statement containing the following information:
- a) the investigator's findings in relation to the facts of the matter and the reasons for those findings
  - b) the investigator's determination and the reasons for that determination
  - c) any recommendations, and
  - d) such other additional information that the investigator considers may be relevant.

- 7.43 Where the investigator has determined that there has not been a breach of the code of conduct, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the mayor, and this will finalise consideration of the matter under these procedures.
- 7.44 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation under clause 7.37, the complaints coordinator must, where practicable, arrange for the investigator's report to be reported to the next ordinary council meeting for the council's consideration, unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary council meeting following the election.
- 7.45 Where it is apparent to the complaints coordinator that the council will not be able to form a quorum to consider the investigator's report, the complaints coordinator must refer the investigator's report to the Office for its consideration instead of reporting it to the council under clause 7.44.

Consideration of the final investigation report by council

- 7.46 The role of the council in relation to a final investigation report is to impose a sanction if the investigator has determined that there has been a breach of the code of conduct and has made a recommendation in their final report under clause 7.37.
- 7.47 The council is to close its meeting to the public to consider the final investigation report in cases where it is permitted to do so under section 10A of the LGA.
- 7.48 Where the complainant is a councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant councillor may absent themselves without making any disclosure of interest in relation to the matter unless otherwise required to do so under the code of conduct.
- 7.49 Prior to imposing a sanction, the council must provide the respondent with an opportunity to make a submission to the council. A submission may be made orally or in writing. The respondent is to confine their submission to addressing the investigator's recommendation.
- 7.50 Once the respondent has made their submission they must absent themselves from the meeting and, where they are a councillor, take no part in any discussion or voting on the matter.
- 7.51 The council must not invite submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.

- 7.52 Prior to imposing a sanction, the council may by resolution:
- a) request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
  - b) seek an opinion from the Office in relation to the report.
- 7.53 The council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the Office.
- 7.54 The investigator may make additional enquiries for the purpose of preparing a supplementary report.
- 7.55 Where the investigator prepares a supplementary report, they must provide copies to the complaints coordinator who shall provide a copy each to the council and the respondent.
- 7.56 The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the complaints coordinator.
- 7.57 The council is only required to provide the respondent a further opportunity to make an oral or written submission on a supplementary report if the supplementary report contains new information that is adverse to them.
- 7.58 A council may by resolution impose one of the following sanctions on a respondent:
- a) in the case of a breach by the general manager, that disciplinary action be taken under the general manager's contract of employment for the breach, or
  - b) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the LGA, or
  - c) in the case of a breach by a councillor:
    - i. that the councillor be formally censured for the breach under section 440G of the LGA, and
    - ii. that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.59 Where the council censures a councillor under section 440G of the LGA, the council must specify in the censure resolution the grounds on which it is satisfied that the councillor should be censured by disclosing in the resolution, the investigator's findings and determination and/or such other grounds that the council considers may be relevant or appropriate.
- 7.60 The council is not obliged to adopt the investigator's recommendation. Where the council proposes not to adopt the investigator's recommendation, the council must resolve not to adopt the recommendation and state in its resolution the reasons for its decision.

- 7.61 Where the council resolves not to adopt the investigator's recommendation, the complaints coordinator must notify the Office of the council's decision and the reasons for it.

## **PART 8      OVERSIGHT AND RIGHTS OF REVIEW**

### The Office's powers of review

- 8.1 The Office may, at any time, whether or not in response to a request, review the consideration of a matter under a council's code of conduct where it is concerned that a person has failed to comply with a requirement prescribed under these procedures or has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct in their consideration of a matter.
- 8.2 The Office may direct any person, including the council, to defer taking further action in relation to a matter under consideration under the council's code of conduct pending the completion of its review. Any person the subject of a direction must comply with the direction.
- 8.3 Where the Office undertakes a review of a matter under clause 8.1, it will notify the complaints coordinator and any other affected persons, of the outcome of the review.

### Complaints about conduct reviewers

- 8.4 The general manager or their delegate must refer code of conduct complaints about conduct reviewers to the Office for its consideration.
- 8.5 The general manager must notify the complainant of the referral of their complaint about the conduct reviewer in writing.
- 8.6 The general manager must implement any recommendation made by the Office as a result of its consideration of a complaint about a conduct reviewer.

### Practice rulings

- 8.7 Where a respondent and an investigator are in dispute over a requirement under these procedures, either person may make a request in writing to the Office to make a ruling on a question of procedure (a practice ruling).
- 8.8 Where the Office receives a request in writing for a practice ruling, the Office may provide notice in writing of its ruling and the reasons for it to the person who requested it and to the investigator, where that person is different.
- 8.9 Where the Office makes a practice ruling, all parties must comply with it.

8.10 The Office may decline to make a practice ruling. Where the Office declines to make a practice ruling, it will provide notice in writing of its decision and the reasons for it to the person who requested it and to the investigator, where that person is different.

Review of decisions to impose sanctions

8.11 A person who is the subject of a sanction imposed under Part 7 of these procedures other than one imposed under clause 7.58, paragraph (c), may, within 28 days of the sanction being imposed, seek a review of the investigator's determination and recommendation by the Office.

8.12 A review under clause 8.11 may be sought on the following grounds:

- a) that the investigator has failed to comply with a requirement under these procedures, or
- b) that the investigator has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct, or
- c) that in imposing its sanction, the council has failed to comply with a requirement under these procedures.

8.13 A request for a review made under clause 8.11 must be made in writing and must specify the grounds upon which the person believes the investigator or the council has erred.

8.14 The Office may decline to conduct a review, in cases where the grounds upon which the review is sought are not sufficiently specified.

8.15 The Office may undertake a review of a matter without receiving a request under clause 8.11.

8.16 The Office will undertake a review of the matter on the papers. However, the Office may request that the complaints coordinator provide such further information that the Office considers reasonably necessary for it to review the matter. The complaints coordinator must, as far as is reasonably practicable, provide the information requested by the Office.

8.17 Where a person requests a review under clause 8.11, the Office may direct the council to defer any action to implement a sanction. The council must comply with a direction to defer action by the Office.

8.18 The Office must notify the person who requested the review and the complaints coordinator of the outcome of the Office's review in writing and the reasons for its decision. In doing so, the Office may comment on any other matters the Office considers to be relevant.

8.19 Where the Office considers that the investigator or the council has erred, the Office may recommend that a decision to impose a sanction under these procedures be reviewed. Where the Office recommends that the decision to impose a sanction be reviewed:

- a) the complaints coordinator must, where practicable, arrange for the Office's determination to be tabled at the next ordinary council meeting unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case it must be tabled at the first ordinary council meeting following the election, and
- b) the council must:
  - i. review its decision to impose the sanction, and
  - ii. consider the Office's recommendation in doing so, and
  - iii. resolve to either rescind or reaffirm its previous resolution in relation to the matter.

8.20 Where, having reviewed its previous decision in relation to a matter under clause 8.19(b), the council resolves to reaffirm its previous decision, the council must state in its resolution its reasons for doing so.

## **PART 9 PROCEDURAL IRREGULARITIES**

- 9.1 A failure to comply with these procedures does not, on its own, constitute a breach of the code of conduct, except as may be otherwise specifically provided under the code of conduct.
- 9.2 A failure to comply with these procedures will not render a decision made in relation to a matter invalid where:
  - a) the non-compliance is isolated and/or minor in nature, or
  - b) reasonable steps are taken to correct the non-compliance, or
  - c) reasonable steps are taken to address the consequences of the non-compliance.

## **PART 10 PRACTICE DIRECTIONS**

- 10.1 The Office may at any time issue a practice direction in relation to the application of these procedures.
- 10.2 The Office will issue practice directions in writing, by circular to all councils.
- 10.3 All persons performing a function prescribed under these procedures must consider the Office's practice directions when performing the function.



**PART 11 REPORTING STATISTICS ON CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS AND THE GENERAL MANAGER**

- 11.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:
- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)
  - b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period
  - c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints
  - d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period
  - e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period
  - f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and
  - g) the total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.
- 11.2 The council is to provide the Office with a report containing the statistics referred to in clause 11.1 within 3 months of the end of September of each year.

**PART 12 CONFIDENTIALITY**

- 12.1 Information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these procedures.
- 12.2 Where a complainant publicly discloses information on one or more occasions about a code of conduct complaint they have made or purported to make, the general manager or their delegate may, with the consent of the Office, determine that the complainant is to receive no further information about their complaint and any future code of conduct complaint they make or purport to make.
- 12.3 Prior to seeking the Office's consent under clause 12.2, the general manager or their delegate must give the complainant written notice of their intention to seek the Office's consent, invite them to make a written submission within a period of not less than 14 days specified by the

general manager or their delegate, and consider any submission made by them.

- 12.4 In giving its consent under clause 12.2, the Office must consider any submission made by the complainant to the general manager or their delegate.
- 12.5 The general manager or their delegate must give written notice of a determination made under clause 12.2 to:
  - a) the complainant
  - b) the complaints coordinator
  - c) the Office, and
  - d) any other person the general manager or their delegate considers should be notified of the determination.
- 12.6 Any requirement under these procedures that a complainant is to be provided with information about a code of conduct complaint that they have made or purported to make, will not apply to a complainant the subject of a determination made by the general manager or their delegate under clause 12.2.
- 12.7 Clause 12.6 does not override any entitlement a person may have to access to council information under the *Government Information (Public Access) Act 2009* or to receive information under the *Public Interest Disclosures Act 1994* in relation to a complaint they have made.

End

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