



**G W Y D I R**  
SHIRE COUNCIL

**MINUTES ORDINARY MEETING**

**GWYDIR SHIRE COUNCIL**

**THURSDAY 12 DECEMBER 2019**

**COMMENCING AT 2.00PM**

**BINGARA OFFICE COUNCIL CHAMBERS**

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**Present:**

**Councillors:** Cr. John Coulton (Mayor), Cr. Stuart Dick,  
Cr Marilyn Dixon OAM, Cr. Jim Moore, Cr.  
Geoff Smith, Cr. David Coulton, Cr Tiffany  
Galvin and Cr Frances Young

**Staff:** Max Eastcott (General Manager), Leeah Daley (Deputy  
General Manager), Helen Thomas (Manager, Finance),  
Alex Eddy (Manager Engineering Services), Colin  
Cuell (Building Services Manager) and Carmen  
Southwell (Public Officer)

**Public:** Nil

**Visitor:** Nil

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December 2019

Chairman .....

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**OFFICIAL OPENING AND WELCOME – MAYOR**

**APOLOGIES Cr. Catherine Egan (Deputy Mayor)  
COUNCIL RESOLUTION:  
MINUTE 410/19**

**THAT the apology of Cr. Catherine Egan (Deputy Mayor) is accepted.**

**(Moved Cr Young, seconded Cr Smith)**

**CONFIRMATION OF THE MINUTES  
COUNCIL RESOLUTION:  
MINUTE 411/19**

**THAT the Minutes of the previous Council Meeting held on Thursday 28 November 2019 as circulated be taken as read and CONFIRMED.**

**(Moved Cr D Coulton, seconded Cr Dick)**

**PRESENTATION Nil**

**CALL FOR THE DECLARATIONS OF INTERESTS AND CONFLICTS OF INTEREST Nil**

**ADDITIONAL/LATE ITEMS  
COUNCIL RESOLUTION:  
MINUTE 412/19**

**THAT the following items, namely:**

- 1. Crown Land Management Act, 2016 NSW**
- 2. Naroo Kitchen Tender (Confidential)**

**are accepted as late items onto this Agenda for discussion.**

**(Moved Cr Dixon OAM, seconded Cr Galvin)**

**COMMITTEE OF THE WHOLE \_ CONFIDENTIAL ITEM  
COUNCIL RESOLUTION:  
MINUTE 413/19**

**THAT the Council resolve into Confidential Session, Committee of the Whole and that in the public interest and in accordance with Section 10A(2)(c) of the Local Government Act, 1993, the public and press be excluded from the meeting to consider the items listed on the agenda.**

**(Moved Cr Young, seconded Cr Galvin)**

**ADOPTION OF THE RECOMMENDATIONS OF THE CONFIDENTIAL  
SESSION**

**COUNCIL RESOLUTION:  
MINUTE 414/19**

**Tenders for Naroo Kitchen Development**

**THAT the report be received**

**FURTHER that Council authorises Council staff to negotiate with the lowest and other tenderers to align the cost of the development with the remaining grant funding.**

**FURTHER that the staff are authorised to accept a negotiated proposal that is within the available budget.**

**(Moved Cr Galvin, seconded Cr Young)**

**Item 1 Councillor Activity Report for November 2019**

**DELIVERY PROGRAM**

**GOAL: 5. Organisational Management**

**OUTCOME: 5.1 CORPORATE MANAGEMENT**

**STRATEGY: 5.1.3 Administrative functions - GM - internal**

The Councillor Activity report for November 2019 is enclosed:

<b>November 2019</b>		
<b>Councillor</b>	<b>Event</b>	<b>Date</b>
Cr J Coulton (Mayor)	Country Mayors Meeting - Sydney	1 <sup>st</sup> Nov.
	MDA Region 11 meeting – Gunnedah	7 <sup>th</sup> Nov.
	Namoi Unlimited Board Meeting – Gunnedah	7 <sup>th</sup> Nov.
	BROC Meeting – Moree Plains Shire Council	8 <sup>th</sup> Nov.
	Remembrance Day - Warialda	11 <sup>th</sup> Nov.
	Regional Water Strategy – Bingara	11 <sup>th</sup> Nov.
	All Staff Day – Nicholson Oval	13 <sup>th</sup> Nov.
	BCS Primary & Secondary School Presentation - The Roxy Theatre	13 <sup>th</sup> Nov.
	Committee Meeting – Bingara	14 <sup>th</sup> Nov.
	Meeting of Mayors with Mark Coulton MP - Gunnedah	15 <sup>th</sup> Nov.
	Gwydir Social Club Xmas Party – Bingara Sporting Club	15 <sup>th</sup> Nov.
	National Local Roads & Transport Congress – Hahndorf S.A.	17 <sup>th</sup> Nov – 23 <sup>rd</sup> Nov.
	Ordinary Council Meeting - Warialda	28 <sup>th</sup> Nov.
Cr Catherine Egan (Deputy Mayor)	Regional Library meeting - Tamworth	13 <sup>th</sup> Nov.
	Bingara Central School Primary & Secondary School Presentation – The Roxy Theatre	13 <sup>th</sup> Nov.
	Committee Meeting – Bingara	14 <sup>th</sup> Nov.
	Gwydir Social Club Xmas Party – Bingara Sporting Club	15 <sup>th</sup> Nov.
	CHSP Meeting – Bingara CHSP Office	19 <sup>th</sup> Nov.
	Business Awards – Warialda Town Hall	21 <sup>st</sup> Nov.
	Ordinary Council Meeting - Bingara	28 <sup>th</sup> Nov.
	Bingara Christmas Carnival – Bingara Oval	30 <sup>th</sup> Nov.
Cr David Coulton	Remembrance Day - Warialda	11 <sup>th</sup> Nov.

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	All staff day – Nicholson Oval	13 <sup>th</sup> Nov.
	Committee Meeting - Bingara	14 <sup>th</sup> Nov.
	Presentation to P & A Warialda High School	15 <sup>th</sup> Nov.
	Gwydir Social Club Xmas Party – Bingara Sporting Club	15 <sup>th</sup> Nov.
	National Local Roads & transport Congress – Hahndorf S.A.	17 <sup>th</sup> – 23 <sup>rd</sup> Nov.
	Warialda Fire Break Committee Meeting – Warialda Council Chambers.	25 <sup>th</sup> Nov.
	Ordinary Council Meeting - Bingara	28 <sup>th</sup> Nov.
Cr Stuart Dick	Committee Meeting - Bingara	14 <sup>th</sup> Nov.
	Tin Festival Tingha	16 <sup>th</sup> Nov.
Cr Dixon OAM	Bingara Anglican Church 130 year Thanksgiving Service followed by lunch	10 <sup>th</sup> Nov.
	Bingara Central School Primary & Secondary School Presentation – The Roxy Theatre	13 <sup>th</sup> Nov.
	Committee Meeting - Bingara	14 <sup>th</sup> Nov.
	Ordinary Council Meeting - Bingara	28 <sup>th</sup> Nov.
Cr T Galvin	Committee Meeting - Bingara	14 <sup>th</sup> Nov.
	CHSP Meeting – Bingara CHSP Office	19 <sup>th</sup> Nov.
	CEF Conference - Sydney	22 <sup>nd</sup> – 24 <sup>th</sup> Nov.
	Ordinary Council Meeting - Bingara	28 <sup>th</sup> Nov.
Cr J Moore	All Staff Day – Nicholson Oval	13 <sup>th</sup> Nov.
	Committee Meeting - Bingara	14 <sup>th</sup> Nov.
	Gravesend School	15 <sup>th</sup> Nov.
	Gwydir Social Club Xmas Party – Bingara Sporting Club	15 <sup>th</sup> Nov.
	NSLA Meeting – Bingara Land Care Office	20 <sup>th</sup> Nov.
	Business Awards – Warialda Town Hall	21 <sup>st</sup> Nov.
	Warialda Fire Break Committee Meeting- Warialda Council Chambers	25 <sup>th</sup> Nov.
	Ordinary Council Meeting – Bingara	28 <sup>th</sup> Nov.
	Warialda Historical Society Meeting followed by Xmas Dinner at the Commercial Hotel - Warialda	28 <sup>th</sup> Nov.
Cr G Smith	Committee Meeting - Bingara	14 <sup>th</sup> Nov.
	Gwydir Social Club Xmas Party – Bingara Sporting Club	15 <sup>th</sup> Nov.
	Warialda Fire Break Committee Meeting – Warialda Council Chambers	25 <sup>th</sup> Nov.

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	Ordinary Council Meeting - Bingara	28 <sup>th</sup> Nov.
Cr F Young	Remembrance Day Ceremony	11 <sup>th</sup> Nov.
	Committee Meeting - Bingara	14 <sup>th</sup> Nov.
	Arts North West Meeting - Narrabri	18 <sup>th</sup> Nov.
	NSLA Meeting Bingara Land Care Office	20 <sup>th</sup> Nov.
	Ordinary Council Meeting – Bingara	28 <sup>th</sup> Nov.
	NSLA AGM Imperial Hotel - Bingara	29 <sup>th</sup> Nov.

OFFICER RECOMMENDATION

THAT the Councillor Activity Report for November 2019 be received

**COUNCIL RESOLUTION:  
MINUTE 415/19**

**THAT the Councillor Activity Report for November 2019 be received.**

**(Moved Cr Galvin, seconded Cr Moore)**

**Item 2 Executive Report for November 2019**

**FILE REFERENCE**

**DELIVERY PROGRAM**

**GOAL:** 5. Organisational Management

**OUTCOME:** 5.1 CORPORATE MANAGEMENT

**STRATEGY:** 5.1.3 Administrative functions - GM - internal

**AUTHOR** General Manager

**DATE** 2 December 2019

**STAFF DISCLOSURE OF INTEREST** Nil

**IN BRIEF/ SUMMARY RECOMMENDATION**

The monthly Executive report details the activities carried out by the Department during the month of November 2019.

**BACKGROUND**

The monthly Executive report forms part of a regular reporting regime. The purpose of the report is to inform Council of the activities carried out within the Department.

**COMMENT**

The following Development (D/A)/Complying Development (CDC) and Development Modification (s96) applications have been approved for the month of November 2019.

No.	Property Description	Development/ Work	\$	D/A	S96	CDC
35/2019	Country Fresh Properties Pt Ltd Lot 2 DP 880866 & Lot 9 DP 1150231 41-45 Maitland Street Bingara	Extended roof at front and rear of hardware section of existing retail premise	\$50,000	✓	-	-

The following Development (D/A)/Complying Development (CDC) and Development Modification (s96) applications remain outstanding at the end of November 2019.

No	Property Description and Description of Work	Reason	D/A	S 96	CDC
35/2015	Copeton Dam State Park 3533 Copeton Dam Road Copeton - Continued use of existing caravan & camping facilities	Development being assessed as an existing use	✓	-	-
49/2016	Ceres Ag 'Gunyaerwarildi'	Approved in principal awaiting compliance certification or	✓	-	-

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	1470 North Star Road Warialda - Continued occupation/use of rural worker accommodation being the installation of a number of pre-manufactured cabins	engineering certification for the cabins			
2/2018	G & L Hosegood 'Barrak' 163 Upper Whitlow Road Whitlow - 20,000m3 quarry for Council use	Awaiting Environmental Impact Statement as the quarry is considered designated development	✓	-	-
30/2018	M A Spencer 'Log Cabin' 2213 Gulf Creek Road Gulf Creek - 15,000m3 quarry for Council use	Request for additional information regarding compliance with Biodiversity Conservation Act 2017 for the removal of vegetation	✓	-	-
35/2018	B Hutchins 63 Bingara Street Warialda - Mixed residential and commercial development including the opening of 'Gully Pub' with a small bar licence and retail antiques business	Request for additional information regarding whether the existing building meets or can meet current fire safety requirements under the National Construction Code for mixed commercial and residential use	✓	-	-
12/2019	Gwydir Shire Council 396 Taroona Road Warialda - Quarry	Request for addition information by the assessing Planning Consultant independent of Council	✓	-	-
29/2019	Groundworks Plus and AT Pearlman 1375 Croppa Creek Road North Star - 490,000 tonne Quarry	Assessment Report for Regional Planning Panel being prepared	✓	-	-
36/2019	Loch Lomond Pty Ltd and Stahmann Properties Pty Ltd 1723 River Road Gravesend and 1661 River Road Pallamallawa - 2 Lot Rural Subdivision	Being Assessed	✓	-	-
37/2019	J J Forest and L Abra 16 Bassett Street Bingara - Garage	At exhibition and notification stage	✓	-	-
38/2019	R M Lyons 5 Brigalow Street Bingara - Dwelling	At exhibition and notification stage	✓	-	-

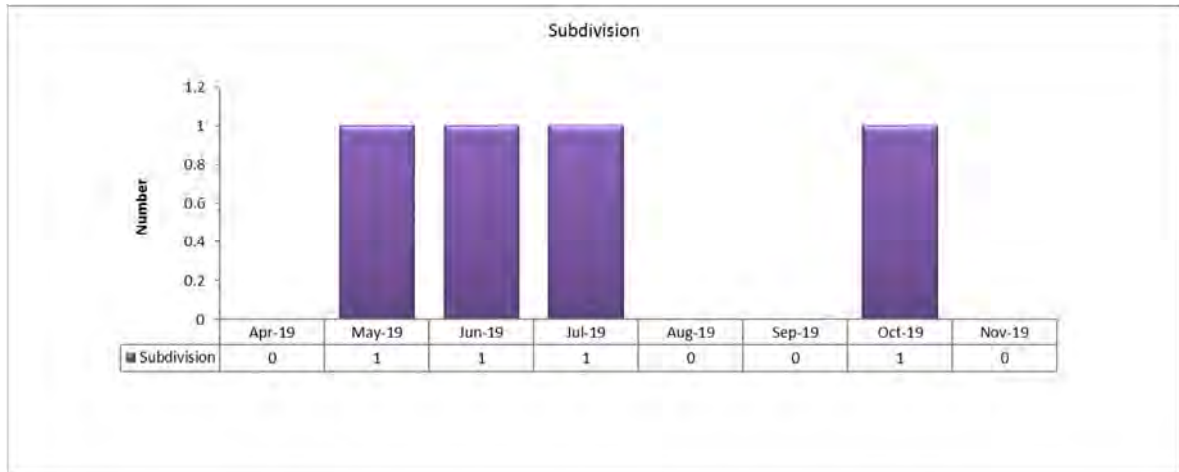
There were no Development (D/A)/Complying Development (CDC) or Development Modification (s96) applications approved and not previously reported to Council for the month of November.

There were no Development (D/A)/Complying Development (CDC) and Development Modification (s96) applications refused(R)/ withdrawn (W)/ Cancelled (C) for the month of November 2019.

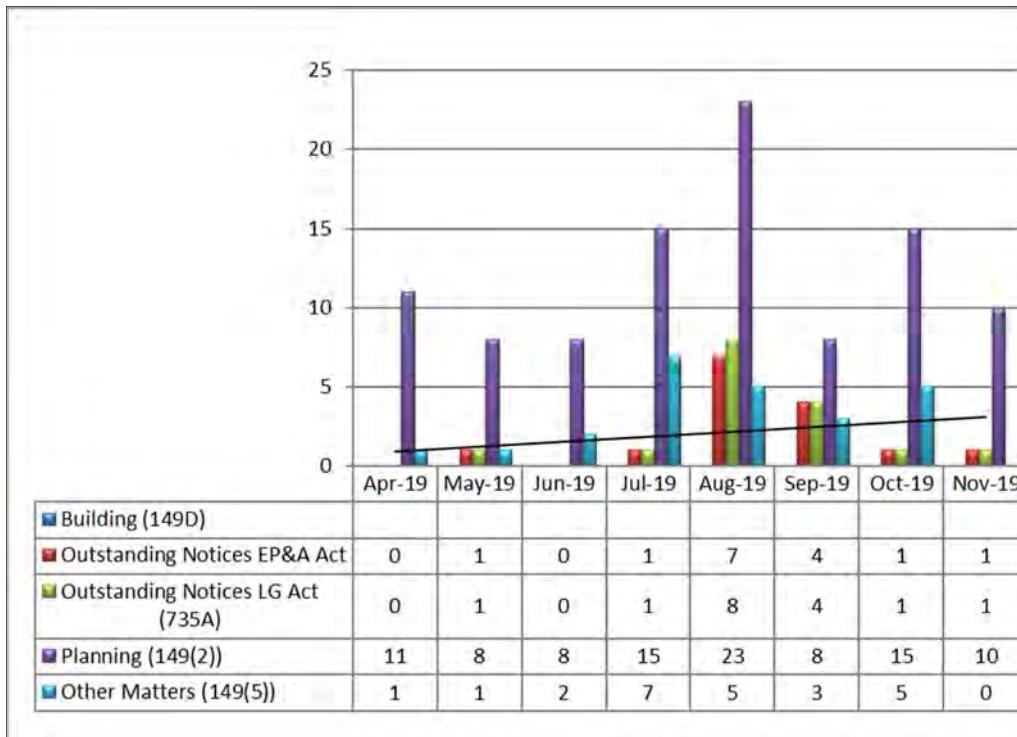
There were no Complying Development (CDC) application/s approved by Private Certifiers and lodged with Council for the month of November 2019.

There were no Development (D/A) and Complying Development (CDC) applications determined where there has been a variation in standards under SEPP 1 or clause 4.6 of the Gwydir Local Environmental Plan 2013 for the month of November 2019.

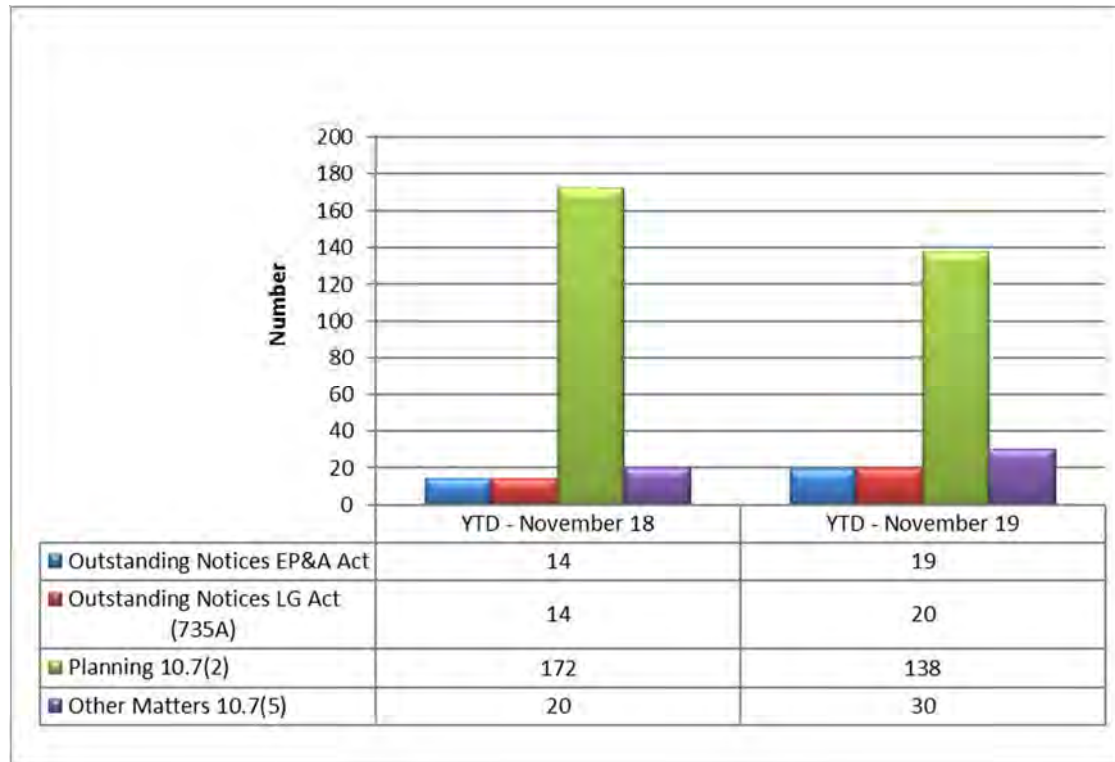
The following Subdivision Certificates were issued for the month of November 2019 and in the previous seven (7) months.



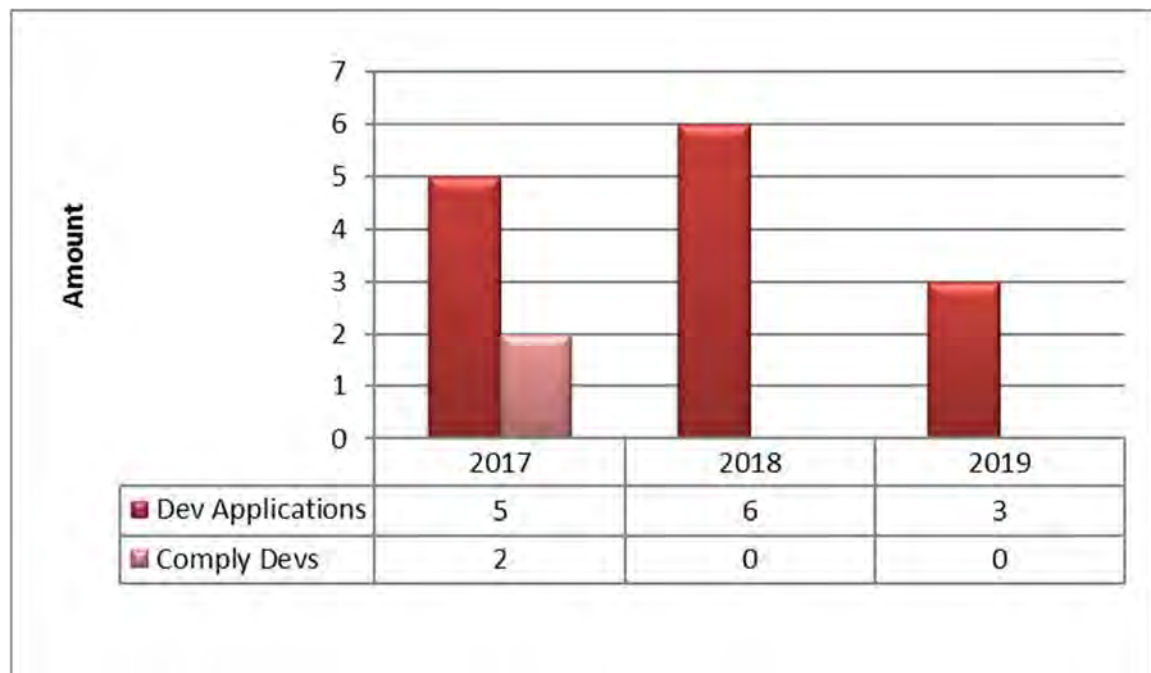
The following graph shows Conveyancing Certificates issued for November compared with the previous seven (7) months.



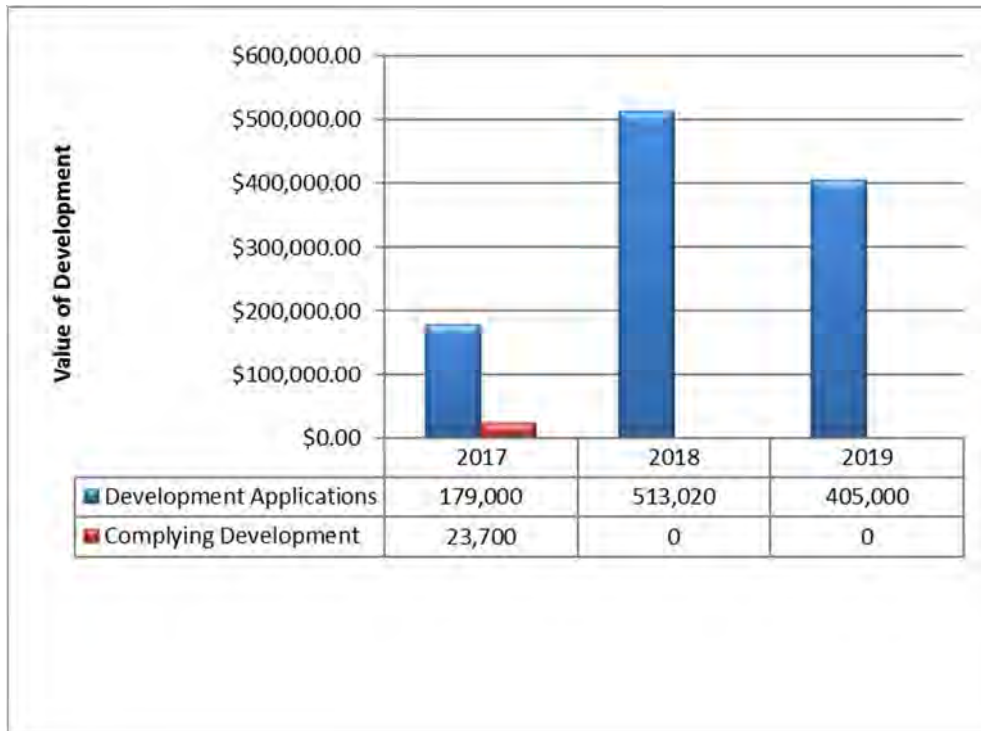
The following graph shows the number of Conveyancing Certificates issued up to and including the month of November 2019 compared with the same period in 2018.



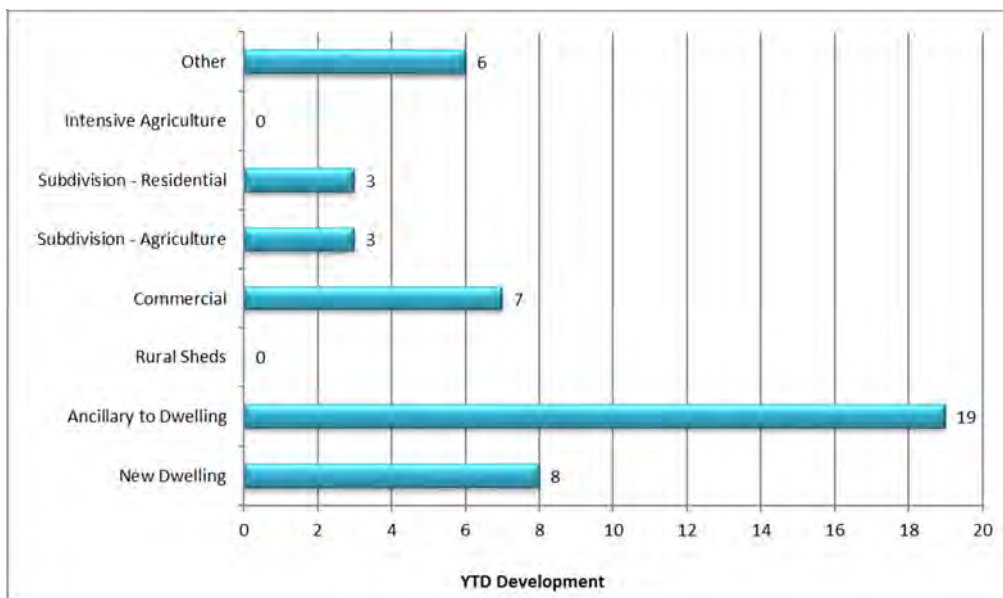
The table below shows a comparison between total applications lodged for the month of November 2019 compared to the previous two years (excluding private certifier lodged applications).



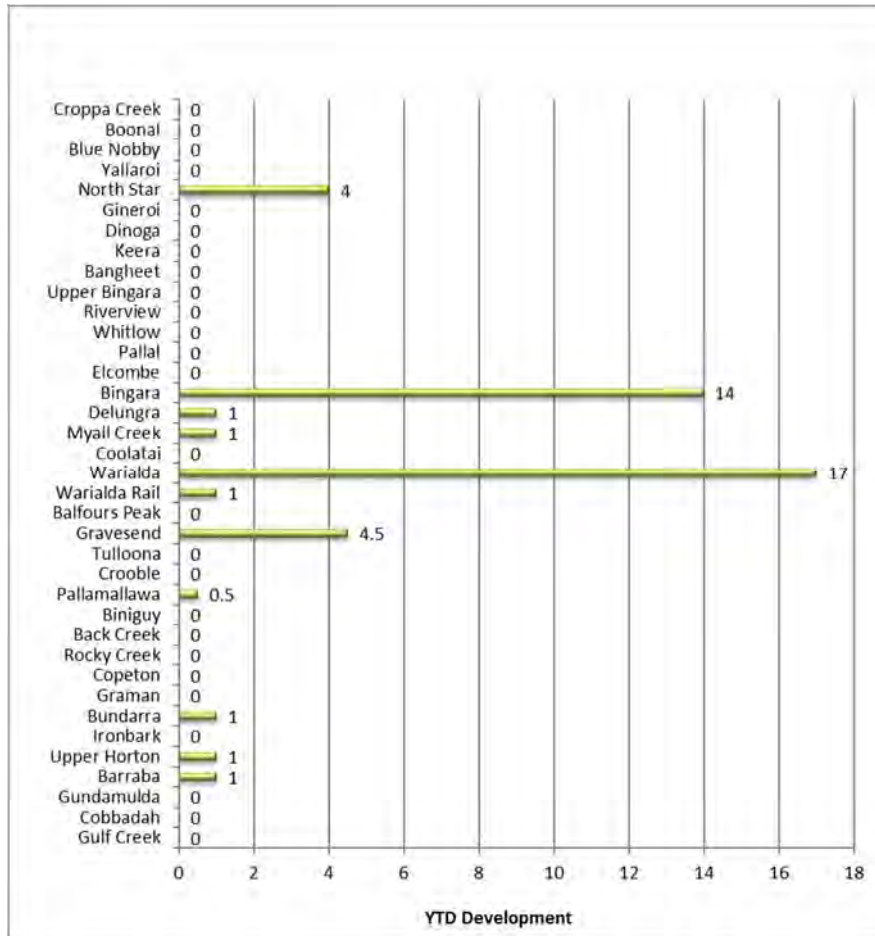
The table below shows a comparison between total applications lodged for the month of November 2019 compared to the previous two years (excluding private certifier lodged applications).



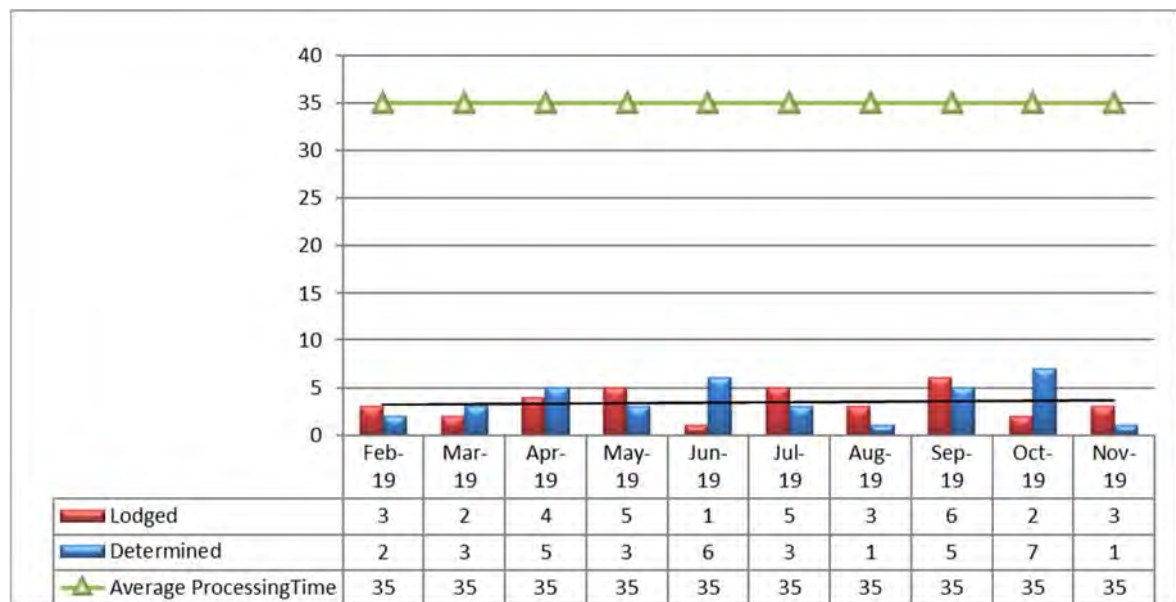
Development Applications received for the year by type – YTD November 2019



Development Applications Received for the year by locality – YTD November 2019 (includes private certifier lodged applications)



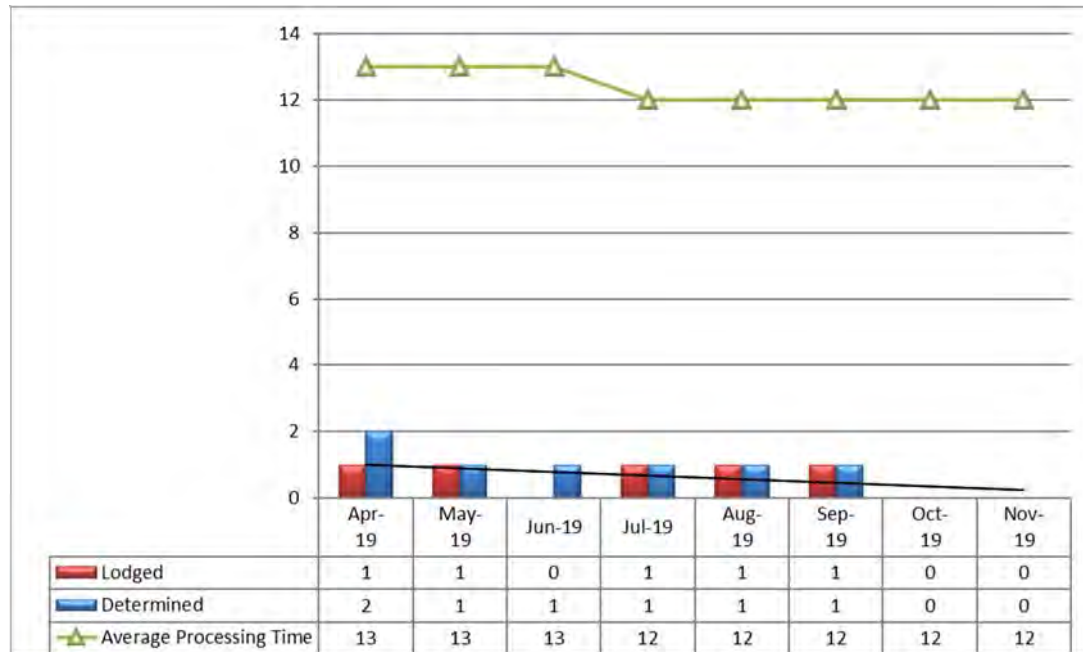
Development Application Analysis – for the nine (9) months up to the end of November 2019 (excludes private certifier lodged and approved applications)



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Complying Development Application Analysis – for the nine (9) months up to the end of November 2019 (excludes private certifier lodged and approved applications)



**GWYDIR LEARNING REGION (GLR)**

**GLR Automotive Trade Training Centre, Warialda (ATTC)**

**Heavy Vehicle Training**

Seven Final Competency Assessments were completed during the month of November. These included four Heavy Combination (HC) trucks, one Heavy Rigid (HR) and two (2) Medium Rigid vehicles. In addition, a private client received full training and assessment to gain a Heavy Rigid (HR) Vehicle licence.

**Learner car**

Thirty- five bookings were made for November. 22 of these were completed through ACE Community College at Inverell. Another four private lessons were conducted separately at Inverell, four at Warialda and five at Bingara.

**TAFE - Automotive Vocational Preparation Certificate II**

Automotive classes continue to be well attended.

**Warialda High School** – continues to use the Automotive Trade Training Centre to conduct regular engineering classes.

**GLR Manager’s Report**

**Use of The Living Classroom. (number of attendees in brackets)**

- Gum Flat and Bonshaw Public Schools at TLC review (28)



*Students from Gum Flat and Bonshaw Public Schools at TLC*

- Namoi Unlimited meeting cancelled
- U3A Line dancing session (8)
- Northern Inland Risk Management Group (14)
- U3A Line Dancing session (8)
- Small group of visitors TLC tour (5)
- Landcare meeting cancelled.
- U3A line dancing (10)
- U3A armchair travel – Saudi Arabia. Dr Chris and Bev Matthews (18)
- GSC Garden crew – grounds preparation (3)
- Catholic Diocesan teacher’s meeting (15)

### **CARAVAN PARKS**

All caravan park staff completed a workplace training induction which was provided internally by Human Resources.

A number of trees were storm damaged at the Bingara Caravan Park and had to be trimmed or removed.

The main electrical meter at the Bingara Caravan Park was inspected and minor works undertaken. This now completes the overall safety upgrade of the Park’s electrical infrastructure.

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A permanent residence at the Bingara Caravan Park was sold on 8 October 2019. The new resident has settled in and is a positive presence in the Park.

**SECTION 355 COMMITTEES**

**Bingara Anglers' Club**

Specialist State Government staff teamed up with volunteers from Bingara Anglers' Club to conduct a fish rescue effort in the Horton River and Myall Creek.

The Horton River and Myall Creek were identified as hotspots, where fish kill events are extremely likely in the coming months.

Using vehicles fitted out with temperature and oxygen controlled tanks, fish were moved to the Bingara Hatchery. 123 native fish were saved. Many are now housed in tanks at the hatchery and will be used in future breeding programs, while others were released into the Gwydir River.

Four Council employees, who are all members of the Bingara Anglers' Club, were granted leave with pay so that they could assist with the operation.



*Paul Sheath (Dept. of Industries), Adam Marshal (Member for Northern Tablelands), Stuart Lanagan and Stan Fletcher at the Bingara Hatchery*

**Warialda Rail Community Committee**

Council has been advised by Crown Lands, Department of Planning Industry and Environment, Moree that the Warialda Rail Public Recreation Reserve Land Manager Board wishes to continue until its term expires mid-February 2020. This means Council will not be appointment Land Manager until after the current Board term.

During this period, Council will liaise with the Board members to ensure that the community can use the Reserve.

**Gravesend Public Recreation Reserve**

The management of the Gravesend Public Recreation Reserve was transferred to Council on 19 October 2019.

**Gravesend Community Group**

The Gravesend Community Group and Council submitted an application under the Community War Memorials Fund 2019/2020 Round 1 which seeks

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to lift the profile of the site at ANZAC Park, Gravesend. This application, if successful, will see an upgrade to the Gravesend War Memorial with the erection of a memorial arch and pathway.

**SWIMMING POOLS**

The resuscitation apparatuses at both pools were serviced during November.

Tenders for the design and construction of a new Splash Program Pool and 25 metre pool in Bingara were advertised on 28 November 2019. Tenders will close on 28 January 2020.

The precinct has seen works undertaken which include placement of new rubbish bins, repairs to seating, new table and chairs in eating area, repairs to covered area, repairs to shade over wading pool, glass display cabinet removed from entry, rainwater tank stand removed, trees trimmed, lawns fertilized and weeds sprayed. This has improved the presentation and amenity of the precinct.

The pool cleaner used at the Bingara precinct required urgent repair during November.

**CRANKY ROCK**

The two on-site sewage management (OSSM) systems which were installed at the end of June, 2019 are working effectively and have been serviced.

Due to the ongoing dry and windy weather conditions, the 'enclosure' area of the Cranky Rock Reserve has been closed to the public as a safety measure.



*The footbridge and viewing platform at Cranky Rock*

An Engineering Structural Report has been obtained as to the structural condition of the viewing platform and footbridge. The Report concludes that the viewing platform is in good condition, that the handrails around the platform and access ramp comply with Australian Standards and that no further action is necessary.

As to the footbridge, the Report concludes that it is also in good condition and further that while the bridge is quite safe for pedestrian use at present, it

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recommended the following be replaced: two transverse hardwood girders, decking timbers, and any joists that are found to be defective. These works will be undertaken and completed by the end of February 2020.

Soft fall around the playground structure at Cranky Rock has now been completed.



*The recently completed softfall at the Cranky Rock playground*

### **COUNCIL'S CLEANING CONTRACT**

During the reporting period, in addition to the scheduled regular program, cleaning was completed at:

Living Classroom and Bunkhouse – various meetings/courses and a visit by Gum Flat School

Nicholson Oval – All Staff Day

Warialda Depot – Training days

Warialda Memorial Hall – Physical Culture competition, Mini Debutante Ball (fundraiser), Warialda High Year 12 Formal, and the Gwydir Business Awards.

### **PROPERTY MANAGEMENT**

All properties, except one unit at Whitfeld Place, are occupied and, from time to time, minor repairs are undertaken by Council staff or local contractors upon request.

Council continues to lease 113 Long Street, Warialda to the family who lost their home to fire early this year.

### **Medical Centres**

A reverse cycle air conditioning unit was installed at the Warialda Medical Centre in the acupuncture treatment room.

Window blinds were installed at the Bingara Medical Centre.

In addition, minor repairs were undertaken and safety and directional signage was erected at the Bingara Medical Centre. This assisted the medical practice's accreditation process.

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Two medical students in receipt of the NSW Rural Doctors' Network Bush Bursary were placed at the Bingara and Warialda Medical Centres, Moree Aboriginal Medical Service and Bingara and Warialda Multi-Purpose Centres from 25 November 2019 to 6 December 2019. Council assisted by providing the students with accommodation at the Bingara and Warialda Caravan Parks.

**GOVERNANCE**

**Declarations of Interest**

Annual Disclosure of Electoral Expenditure for Parties, Elected Members, Candidates, Groups, Associated Entities and Third-Party Campaigners have been completed and submitted to the NSW Electoral Commission at the end of November.

Declarations of Interest	Pecuniary - significant	Pecuniary – less than significant	Non-Pecuniary - significant	Non-Pecuniary – less than significant
October – Committee	0	0	0	0
October – Ordinary	1 General Manager– Item 1 – Confidential Agenda	0	0	0
November – Committee	0	0	0	0
November – Ordinary	0	0	0	0

**Customer Service Requests**

Customer Service Requests	Building Services	Technical Services	Town Utilities	Environmental and Sustainability Services	Total Received	Total Pending
July Received	14	45	19	13	91	
July Pending	0	0	0	0		0
August Received	15	84	25	24	148	
August Pending	1	0	0	2		3
September Received	15	131	14	19	179	
September Pending	2	1	1	5		9
October Received	17	98	10	13	138	
October Pending	1	0	0	7		8
November Received	19	121	18	5	163	
November Pending	9	8	8	4		29

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Total Requests					719	
Total Pending						49

**My Town (Ten Towns) Nomination**

Thank you to the staff members who put in such a fabulous effort for the Rural Aid, *My Town* nomination. Unfortunately, we were unsuccessful on this occasion.

**Code of Meeting Practice**

The Office of Local Government has issued a draft Model Code of Meeting Practice that should be adopted at this meeting. The model has been modified for use by Gwydir Shire and is attached.

OFFICER RECOMMENDATION

THAT the Executive Report for November 2019 be received.

FURTHER that the Model Code of Meeting Practice, as attached, is adopted.

**ATTACHMENTS**

AT- Code

**COUNCIL RESOLUTION:  
MINUTE 416/19**

**THAT the Executive Report for November 2019 be received.**

**FURTHER that the Model Code of Meeting Practice, as attached, is adopted with the following change to Clause 3.1:**

***Ordinary meetings of the council will be held on either the fourth or the last Thursday of each month from February to December at alternate venues in either Bingara or Warialda. (Ref: 417/19).***

**(Moved Cr Dixon OAM, seconded Cr Moore)**

**MODEL CODE OF MEETING PRACTICE  
FOR LOCAL COUNCILS IN NSW**

DRAFT

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## 1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

This 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.

In adopting the Model Meeting Code, 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".

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

## 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 fourth Thursday of each month from February to December at alternate venues in either Bingara or Warialda.
- 3.2 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings each September for the next year.

#### Extraordinary meetings

- 3.3 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.

#### Notice to the public of council meetings

- 3.4 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.
- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.
- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

#### Notice to councillors of ordinary council meetings

- 3.7 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.
- 3.8 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.

#### Notice to councillors of extraordinary meetings

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



Giving notice of business to be considered at council meetings

- 3.10 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 8 business days before the meeting is to be held.
- 3.11 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.
- 3.12 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.
- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:
- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
  - (b) by written notice sent to all 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

- 3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.17 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.

- 3.18 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
  - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
  - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
  - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
  - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.
- 3.22 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

- 3.23 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.
- 3.24 Clause 3.23 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

- 3.25 For the purposes of clause 3.23, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.
- 3.26 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.

Agenda and business papers for extraordinary meetings

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

Pre-meeting briefing sessions

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

required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

#### 4 PUBLIC FORUMS

- 4.1 The council may adopt to 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 are to be chaired by the mayor or their nominee.
- 4.3 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by 4 pm three days before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.4 A person may apply to speak on no more than one item of business on the agenda of the council meeting.
- 4.5 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.
- 4.6 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.
- 4.7 No more than two speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.8 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.
- 4.9 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, 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.
- 4.10 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more

than three days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.

- 4.11 The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.12 Each speaker will be allowed five minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.13 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.
- 4.14 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.
- 4.15 Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question are to be limited to two minutes.
- 4.16 Speakers at public forums cannot ask questions of the council, councillors or council staff.
- 4.17 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to five 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.
- 4.18 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.
- 4.19 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.
- 4.20 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.19, 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.
- 4.21 Clause 4.20 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.

- 4.22 Where a speaker engages in conduct of the type referred to in clause 4.19, 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.
- 4.23 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

## 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.
- 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.
- 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.
- 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.
- 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 safety and 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), the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.14 Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

Entitlement of the public to attend council meetings

- 5.15 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.

- 5.16 Clause 5.15 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.17 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.

Webcasting of meetings

- 5.18 All meetings from 14<sup>th</sup> December 2019 of the council and committees of the council are to be webcast on the council's website as uploaded audio recordings.
- 5.19 Clause 5.18 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.
- 5.20 At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being audio recorded for a webcast and that those in attendance should refrain from making any defamatory statements.
- 5.21 A recording of each meeting of the council and committee of the council is to be retained on the council's website for one month. 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

- 5.22 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.
- 5.23 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.
- 5.24 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.
- 5.25 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.

**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.



- 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.

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4 The election of a chairperson must be conducted:
- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
  - (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.
- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of clause 6.5, the person conducting the election must:
- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
  - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:
- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
  - (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

**7 MODES OF ADDRESS**

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.

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

## 8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

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

Opening meeting  
Apologies and applications for a leave of absence by councillors  
Confirmation of minutes  
Disclosures of interests  
Presentations  
Mayoral minute(s)  
Reports to council  
Reports of committees  
Notices of motions/Questions with notice  
Councillor Reports  
Confidential matters  
Conclusion of the meeting

- 8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

- 8.3 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.2 may speak to the motion before it is put.

## 9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

### Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, 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. 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.
- 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.
- 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 11.5 of this code.
- 11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.
- 11.10 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

Voting on planning decisions

- 11.11 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.12 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.13 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.14 Clauses 11.11–11.13 apply also to meetings that are closed to the public.

**12 COMMITTEE OF THE WHOLE**

- 12.1 The council may resolve itself into a committee to consider any matter before the council.
- 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.
- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting



to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

### 13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.2.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

### 14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

#### Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
  - (b) the personal hardship of any resident or ratepayer,

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
  - (d) commercial information of a confidential nature that would, if disclosed:
    - (i) prejudice the commercial position of the person who supplied it, or
    - (ii) confer a commercial advantage on a competitor of the council, or
    - (iii) reveal a trade secret,
  - (e) information that would, if disclosed, prejudice the maintenance of law,
  - (f) matters affecting the security of the council, councillors, council staff or council property,
  - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
  - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
  - (i) alleged contraventions of the council's code of conduct.
- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
  - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.
- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
- (a) are substantial issues relating to a matter in which the council or committee is involved, and
  - (b) are clearly identified in the advice, and
  - (c) are fully discussed in that advice.
- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.
- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or

- (b) the discussion of the matter may:
  - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
  - (ii) cause a loss of confidence in the council or committee.

14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
  - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
    - (i) should not be deferred (because of the urgency of the matter), and
    - (ii) should take place in a part of the meeting that is closed to the public.

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.
- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by 4 pm three days before the meeting at which the matter is to be considered.
- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than two speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.

- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than two speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed 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

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Information to be disclosed in resolutions closing meetings to the public

- 14.20 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.

Resolutions passed at closed meetings to be made public

- 14.21 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as

soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

- 14.22 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 14.21 during a part of the meeting that is webcast.

## 15 KEEPING ORDER AT MEETINGS

### Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

### Questions of order

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

### Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.

- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act or any 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.
- 15.12 The chairperson may require a councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), or
  - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
  - (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

How disorder at a meeting may be dealt with

- 15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

- 15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.
- 15.15 Clause 15.14 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

- 15.16 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.
- 15.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.18 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.19 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.20 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.
- 15.21 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.
- 15.22 Any person who contravenes or attempts to contravene clause 15.21, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.23 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

**16 CONFLICTS OF INTEREST**

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

## 17 DECISIONS OF THE COUNCIL

### Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.
- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

### Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.
- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.
- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.
- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.
- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.
- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.
- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.
- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than 4 pm two working days after the meeting at which the resolution was adopted.
- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.
- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:



- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
- (b) to confirm the voting on the resolution.

17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.

17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.

17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.

17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

**18 TIME LIMITS ON COUNCIL MEETINGS**

18.1 Meetings of the council and committees of the council are to conclude no later than 7 pm.

18.2 If the business of the meeting is unfinished at 6 pm, 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 7 pm, 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.

## 19 AFTER THE MEETING

### Minutes of meetings

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.
- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:
- (a) details of each motion moved at a council meeting and of any amendments moved to it,
  - (b) the names of the mover and seconder of the motion or amendment,
  - (c) whether the motion or amendment was passed or lost, and
  - (d) such other matters specifically required under this code.
- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.
- 19.4 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.
- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.
- 19.6 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.
- 19.7 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

- 19.8 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.
- 19.9 Clause 19.8 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.
- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.
- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 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

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

**20 COUNCIL COMMITTEES**

Application of this Part

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

Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 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.
- 20.4 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

- 20.5 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

- 20.6 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.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

- 20.8 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.
- 20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

- 20.10 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

- 20.11 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.
- 20.12 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.
- 20.13 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.

- 20.14 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

- 20.15 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.
- 20.16 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 20.15.
- 20.17 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

- 20.18 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.
- 20.19 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.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings

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

Minutes of council committee meetings

- 20.22 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:

- (a) details of each motion moved at a meeting and of any amendments moved to it,
  - (b) the names of the mover and seconder of the motion or amendment,
  - (c) whether the motion or amendment was passed or lost, and
  - (d) such other matters specifically required under this code.
- 20.23 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.24 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.25 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.26 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.27 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.28 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.

## 21 IRREGULARITIES

- 21.1 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.

## 22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code

amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2005</i>

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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

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**Item 3 Monthly Organisation and Community Development Report for November 2019**

**FILE REFERENCE**

**DELIVERY PROGRAM**

**GOAL:** 5. Organisational Management

**OUTCOME:** 5.1 CORPORATE MANAGEMENT

**STRATEGY:** 5.1.3 Administrative functions - GM - internal

**AUTHOR** Organisation Development Director

**DATE** 2 December 2019

**IN BRIEF/ SUMMARY RECOMMENDATION**

The monthly Organisation and Community Development report details the activities carried out by the Department during November 2019.

**BACKGROUND**

The monthly Organisation and Community Development report forms part of a regular reporting regime. The purpose of the report is to inform Council of the activities carried out within the Department.

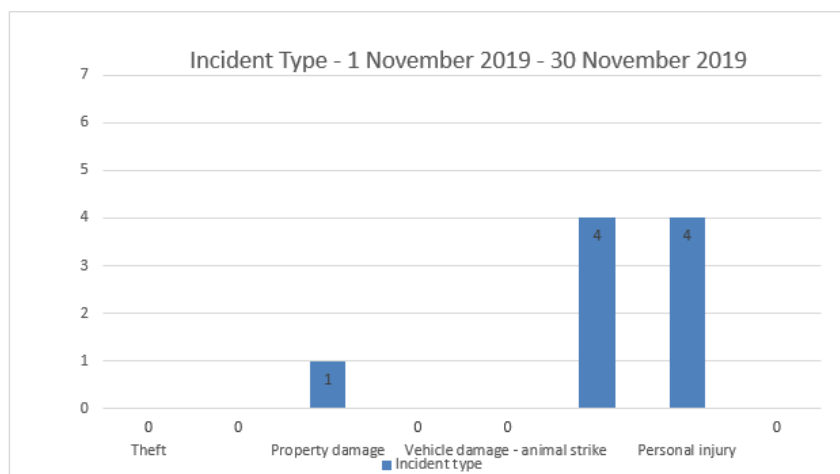
**COMMENT**

**WORK HEALTH AND SAFETY – November report**

**Incidents and Near Misses**

There were 9 incidents reported in November 2019.

There were 4 pieces of plant were damaged (2 x water cart, grader, jetpatcher), 4 personnel injured (2 x finger, knee, arms, head) and 1 instance of property damage (privately owned water tank). The total number of incidents is summarised below:



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**Incident Actions – year July to November 2019**



**WHS Performance Summary and Analysis + Safety Starts With Me – Attachment 1**

**AGED CARE SERVICES**

**Naroo Aged Care Facility, Warialda**

**Occupancy:** 34/36 – Nil residents on waiting list. Manager promoting Naroo to community and other areas. Staffing levels are currently being reviewed.

Aged Care Funded Instrument (ACFI) residents are currently being reviewed and upgraded as necessary. Three current residents have been upgraded in the last six weeks – equating to an extra \$86,749.20 per year. Management is continuing to review current and new residents’ ACFI.

**Meetings:** General staff meeting was held on 23 November and a residents meeting was held on 26 November. The initial Dementia Friendly Committee meeting was held in November and will be scheduled monthly in 2020.

**Recruitment:** Nil for November

**Building Works:** Plans for the Naroo kitchen extension have been completed. Calls for Tenders close early December. Kitchen staff aware to commence planning with Management of how food services will be implemented when work commences.

**Activities:** New vehicle purchased by Council for Residents at Naroo enables residents that are confined to wheelchairs to be transported to outings and medical appointments without having to rely on the CHSP bus.

**Quality Indicators:** Falls 1, Skin Tears 1, Pressure Injury Nil, Weight loss Nil, Medication staff error 17. Staff have been directed to review medication

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charts prior to completion of shift – most errors are related to staff not signing when giving medications to residents.

**Naroo Staff Training – year to date**

Staff Training - current	Attendance
Montessori Workshop Dementia activities - Goondiwindi	1 x Activities officer
Dementia Essentials 3 day workshop - Inverell	4 x staff
Cultural Diversity in Ageing	In progress
Must read – Open Disclosure Policy	In progress
Must read – Dignity of Risk Policy	In progress
Must read – Management of Witnessed/Unwitnessed Fall	In progress
Elder Abuse – All staff	100%
Food Safety Handling – Kitchen Staff	In Progress
Use of Restraints – Care staff	In Progress
Medication Management – Use of Syringe Driver – Care staff	In Progress
Must read - Drug and Alcohol Policy	94%
Must read - Employee Assistance Program	94%
Must read - Code of Conduct	48%
Must read - Recover at Work Policy	48%
Mandatory fire training	11
Work Health and Safety Course - Narrabri	1
Basic Life Support	In progress
Staff Performance Development Reviews	In progress
<b>WHS Training</b>	In progress

**Naroo Bond Report – November 2019 - Attachment 2**



*New Vehicle for Naroo*

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**Gwydir Shire Commonwealth Home Support Program – Bingara, Delungra and Warialda for October/November**

	<b>BINGARA</b>		<b>DELUNGRA</b>		<b>WARIALDA</b>	
	<b>Oct</b>	<b>Nov</b>	<b>Oct</b>	<b>Nov</b>	<b>Oct</b>	<b>Nov</b>
<b>DAY CENTRE</b>						
Total active clients	100	100	24	26	24	102
Clients receiving service	13	14	11	13	11	42
Total meals	49	50	54	42	54	168
Hrs clients receive in Centre	147	160	134	112	134	404
<b>SOCIAL SUPPORT</b>						
No of clients	45	4	11	13	11	42
Individual hrs	242	337	5	4	5	48
Group hrs	147	160	129	110	129	355
Total hours received	389	497	134	114	134	403
<b>FOOD SERVICE (Meals on Wheels)</b>						
Clients	4	4	0	0	0	3
Meals	71	59	0	0	0	48
<b>TRANSPORT</b>						
Number of clients	38	39	5	3	5	24
Number of trips	152	158	10	8	10	61
<b>TRANSPORT - YOUTH</b>						
Number of clients	0	0	0	0	0	0
Number of trips	0	0	0	0	0	0
<b>ACCESS BUS - INVERELL</b>						
Number of clients	14	21	1	1	1	6
Number of trips (per month)	2	4	6	6	6	6
<b>VOLUNTEERS</b>						
No of volunteers for the month	5	5	1	3	1	36
Monthly volunteer hours	191	191	93	16	93	49
<b>ACCOMMODATION UNITS FOR AGED</b>						
Occupancy	6/6	6/6	0	0	13/13	13/13

**BINGARA CHSP**

A Melbourne Cup luncheon was held in the Lingalonga room with finger food provided and four sweeps were held.

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Tuesday mornings are still a weekly event, with ladies enjoying their morning tea and knitting.

Two staff attended the informative Food Forum held in Armidale on 21 November 2019.

The Access bus to Inverell is still running fortnightly and is at full capacity. The last trip to Inverell will be on Friday 13 December and the service will recommence on 23 January 2020.

The Bingara Centre will hold a Christmas party at the Living Classroom again this year, as the Service has outgrown the Lingalonga room.

**WARIALDA / DELUNGRA**

The Warialda and Delungra group celebrated Melbourne Cup luncheon on the Monday with clients enjoying several sweeps.

The Access bus to Inverell has been filled to capacity with the last trip scheduled for 12 December and resuming the service on 16 January 2020.

CHSP Coordinator has been busy organising and cooking for Christmas parties with the Delungra’s Day Centre scheduled for 11 December, Friday ‘Card Group’ on 13 December and Warialda Day Centre on 16 December. The last day for Warialda Day Centre will be 16 December and the service will resume on 20 January 2020, giving all volunteers a well-deserved break.

**THE ROXY COMPLEX Monthly Report – November 2019**

**Use of the Theatre**

<b>Date</b>	<b>Purpose</b>	<b>Numbers</b>
Oct 31	Seniors Expo - Touriandi	
Nov 13	BCS Primary & Secondary Presentation Night	
Nov 14	Namoi Drought Relief Expo - Rebel	
Nov 24	NWTC Film Club	Approx. 30

**Conference Room** – no bookings for November

**Roxy Trade Training Kitchen** – no bookings for November

**Meeting Room** – no bookings for November

**ECONOMIC DEVELOPMENT**

**2019 Gwydir Community Education and Business Awards**

The 2019 Gwydir Business awards were hosted by Gwydir Shire Council at the Warialda Town Hall on Thursday 21<sup>st</sup> November.

This year saw nominations down on last year from around 150 nominations to 100 which is possibly a reflection of the current economic mood as a result of the drought.

Nominations were received from a range of sectors including hospitality and services, to aged care and retail.

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A highlight of this year’s awards was guest speaker Jamie Munsie from Faraway Domes. Many of you will have seen extraordinary publicity surrounding this innovative tourism destination. For those who aren’t familiar, Faraway Domes is a boutique accommodation destination offering an exclusive get-away in a location of outstanding natural beauty and tranquility within a short drive of Warialda.

The Munsie family developed the idea to create Faraway Domes to diversify their 9,000 acre cattle operation during the drought and it has since gone on to win the best New Tourism Business in regional New South Wales award, just nine months after welcoming its first guests.

The evening meal for the Awards night was catered by the Naroo fundraising committee.

The winners of the Business Awards were:

Junior Employee – Ethan Brown - Meat on Maitland (Bingara)

Senior Employee – Jennifer Brown – Touriandi (Bingara)

Small Business – Croppa Creek Store (Croppa Creek)

Large Business – RARMS Health (Warialda)

Gwydir Vocational Education Student of the Year award went to Petah-Jayne Butler from Warialda High School.



*Ethan Brown (Meat on Maitland) and Craig Aspinall from Service NSW*



*Jennifer Brown (Touriandi) and Craig Aspinall from Service NSW*

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*Georgia Trevithick and Dr Dianna Coote (RARMS Health Warialda) Craig Aspinall from Service NSW*



*Carolyn Bellman and Staff (Croppa Creek Store) Craig Aspinall from Service NSW*

**2019 Bingara Christmas Carnival**

For over 18 months, a steady convoy of hay, grain, hampers and gifts have made their way from the small town of Bangalow in the Northern Rivers to Bingara, providing vital supplies for farmers facing the worst drought on record.

Earlier this year Bangalow supported the children of Bingara Central School by subsidising the annual school camp, and in the coming weeks will be distributing Christmas hampers to every child attending the school in the hopes of making their festive season a little brighter.

In their latest show of support, Bangalow joined forces with Gwydir Shire Council to coordinate the annual Christmas Carnival. This time, instead of hampers, the convoy comprised sound technicians, musicians, singers and performers, all ready to put on a show.

Bangalow coordinator called in favours from friends and family across Australia to put together a show of talented performers, which included Clayton Crosby, Dan Murphy, Susie Jay and Joe Ace, Jayne Henry, Bingara Central School and the Bingara Preschool.

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The event took place at the Gwydir oval and MC for the evening Jayne Henry interspersed MC duties with a number musical performances, including hit songs and Christmas carols.

Complementing the concert was a range of food and market stalls, kid's entertainment, a pop up thrift shop and a visit from Santa.

The event was attended by around 600 visitors and community members.



*2019 Christmas Carnival at Gwydir Oval, Bingara*



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**Gwydir Libraries Branch Activities**

**Be Connected Tutorials for seniors**

	Participants for month	
	Oct	Nov
Bingara	12	12
Warialda	3	2
<b>Total</b>	<b>15</b>	<b>14</b>

**Library Statistics**

	Bingara	Warialda	GSC members total
Door Count	1214	506	
PC usage	171	74	
WIFI usage	188	157	
New membership	2	1	
Loans	844	455	
e-resources users			38
e-resources downloads			156

	Oct		Nov	
Bingara	Programs	Attend	Programs	Attend
Adults	15	127	8	161
Kids	17	349	19	452
Be connected tech	6	16	6	12
Community Engagement			4	55
<b>Total</b>	<b>38</b>	<b>492</b>	<b>37</b>	<b>680</b>

	Oct		Nov	
Warialda	Programs	Attend	Programs	Attend
Adults	5	27	6	11
Kids programs	12	174	9	183
Be connected tech	0	0	1	2

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Community Engagement			2	25
<b>Total</b>	<b>17</b>	<b>201</b>	<b>18</b>	<b>221</b>

**Library Outreach**

Sessions	Bingara	Warialda	Attendees/ Total
Personal home delivery	4	2	6
Aged Care hostel delivery	2	2	6
Nursing Home delivery	2	2	6
Golden oldie craft Touriandi	1		14
Golden oldie craft Naroo	0	0	0
Library branch promotions	3		48
Outreach Bingara	4		68
Outreach Warialda		2	22
<b>Total</b>	<b>16</b>	<b>8</b>	<b>170</b>

**Bingara Library**

Regular Programs

Be connected tutorials have finished for the year; six seniors have expressed interest in sessions to begin February 2020.

Book club continues to meet on the first Friday of each month with another club beginning early 2020.

Afterschool programs continue to be successful three afternoons a week.

No Boys No Girls finished for the year with a cooking session.

Friday Toddler maker space/storytime will resume again in 2020.

Ability sessions will resume in February 2020.

Promotion – The Great Big Gwydir Book Hunt

The Great Big Gwydir Book Hunt has been a very successful promotion for the library as well as an activity for the entire family and has 107 followers; the next hunt will be in December.

Kodey the Robot visited the Bingara School for the entire day.

Baby book time; launch at the toy library Bubz Biz session.

The Bingara librarian demonstrated the 3D printer at the local CHSP.

Golden Oldie craft held a session at MPS day centre during November and visited the Bingara preschool to make robots with the children.

Celebrations

International Games week - after school attendees participated in board games each afternoon, Be Connected seniors enjoyed learning about on-line games, solitaire and puzzle maker.

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**Warialda Library**

Regular Programs

Afterschool programs continue to be successful three afternoons a week  
Story time at the toy library proves to be very successful.

Promotion:

Kodey the Robot visited the preschool and Saint Joseph's Primary school.  
The Great Big Gwydir Book Hunt was also launched in Warialda in mid-November has 64 followers.

Celebrations

Halloween - the children celebrated Halloween with a party from 6pm in the Warialda library.

**Outreach**

Visits to Gravesend school, Bingara Preschool, Bingara School, toy libraries and Saint Joseph's for stories and more.

The Great Big Gwydir Book Hunt will be launched in Gravesend and Coolatai early in 2020.





Libraries are Fun

**VISITOR INFORMATION CENTRES**

**Warialda Visitor Information Centre**

Sept 2019	Oct 2019	Nov 2019
Opening hrs = 157.5	Opening hrs = 172.5	Opening hrs = 150
Volunteer hrs = 24	Volunteer hrs = 24.5	Volunteer hrs = 36

**Bingara Visitor Information Centre**

Sept 2019	Oct 2019	Nov 2019
Opening hrs = 172.5	Opening hrs = 143	Opening hrs = 166
Volunteer hrs = 36	Volunteer hrs = 32	Volunteer hrs = 36

Income – Warialda VIC	\$ Sept	\$ Oct	\$ Nov
Caravan Park	543.00	861.01	162.00
Centre hire	10.00	18.00	60.00
Merchandise sales	2,725.68	2,644.92	2,061.30
Goods on consignment sales	53.00	40.00	0
Gwydir Business Awards			60.00
<b>Subtotal</b>	<b>\$3,331.68</b>	<b>\$3,563.93</b>	<b>\$2,343.30</b>
Less Caravan Park money banked	543.00	861.01	162.00
<b>Total Monthly Income</b>	<b>\$2,788.68</b>	<b>\$2,702.92</b>	<b>\$1,968.30</b>

Income – Bingara VIC	\$ Sept	\$ Oct	\$ Nov
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Products on consignment	85.00	3.00	28.00
Merchandise	1,416.50	887.00	915.50
<b>Subtotal</b>	<b>\$1,501.50</b>	<b>\$890.00</b>	<b>\$943.50</b>
Less payments to consignees	59.50	2.10	19.60
<b>Total Merchandise sales/income</b>	<b>\$1,442.00</b>	<b>\$887.90</b>	<b>\$923.90</b>
Commission received on event bookings	0	0	0
<b>Roxy Tour income</b>	<b>\$1,235.00</b>	<b>\$200.00</b>	<b>\$140.00</b>
<b>Total Monthly Income Bingara VIC</b>	<b>\$2,677.00</b>	<b>\$1,087.90</b>	<b>\$1,063.90</b>

<b>Cranky Rock Sites</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>
Powered sites	61	55	26
Unpowered sites	44	34	14
<b>Total</b>	<b>105</b>	<b>89</b>	<b>40</b>

<b>Visitors at Warialda VIC</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>
Visitors	443	465	378
RMS clients	190	244	169
Cafe	467	451	399
<b>Total Warialda VIC</b>	<b>1,100</b>	<b>1,160</b>	<b>946</b>

<b>Visitors at Bingara VIC</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>
	867	552	345

**SOCIAL SERVICES – September 2019**

**Bingara Neighbourhood Centre**

*Funding body – Family and Community Services*

Bingara Neighbourhood Centre has continued to focus on drought relief applications with the number of clients requiring assistance since the new round of funding being released by the Federal Government. 32 applications for assistance were processed through the neighbourhood centre in the last week of November alone. Advocacy and referral to Rural Financial Counselling services has also featured strongly this month. Assistance with grant applications has seen over \$40,000.00 in funding through the Primary Health Network Mental Health Support program being awarded to our Shire and surrounds. The Centre is also continuing to assist with registrations for several other organisations dedicated to drought relief assistance. Police matters and court support have also been addressed during November.

Social Services has now taken over the Centrelink contract.

**Be Connected (Broadband for Seniors)**

Month	Number of participants
September	15
October	3
November	9

**Youth Service**

*Funding body – Family and Community Services*

**Youth Council**

The Youth Council has been working hard throughout November organising the movie night scheduled for 5 December in Warialda. The Youth Council has been selling tickets of an afternoon at both IGA in Warialda and Bingara and at school during lunch breaks.

A bus will run from Bingara to the event and currently has 14 seats booked. 150 tickets have been sold to the movie night.

**Youth Mentoring Program**

The Youth mentoring program has been assisting young people with Centrelink, Medicare, travel bookings, behaviour management and rental applications. It has also been working with the young people motivating them to be more involved in events throughout the community.

A rural caseworker from the Salvation Army continues to work with one young person offering financial counselling and the Positive Lifestyle Program

Month	Number of participants
September	3
October	3
November	4

**Bingara Toy Library**

*Funding body – Early Childhood Education and Care Directorate  
NSW Department of Education and Communities*

Particulars	September	October	November
Toy Library Members- children utilising the service	37 children 91 KSK Program	43 children 47 KSK Program	44 children 76 KSK Program
Toy Library Members - Parents/Adults Attending	27 adults	29 adults	28 adults
Total memberships at Bingara Toy Library	13 borrowers 23 non borrow	12 borrowers 23 non borrow	12 borrowers 24 non borrow

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Chairman .....

	1 birth	1 birth	1 birth
Toys returned	10	13	8
Toys borrowed	14	9	11
Children/ Group using toys (members)	9+ drs	6	6 + Drs
Craft/songs/stories/Free play	18 children 15 adults	29 children 18 adults	29 children 17 adults

5 November - Bubz Biz - unfortunately the Bubz Biz coordinator was unavailable for November. A handout was given out to families who attended and morning tea, coffee and tea were on offer as it was Melbourne Cup Day also. Five mums and nine children attended.

Wednesdays - 4+ Lego creations. This activity was added to Wednesday mornings as an extra for the older children visiting. The very first week the four children had fun creating all different sorts of things in the front room by themselves. The request was to simply make something with what was on the table for the first session but after that there were themes to follow. Parents have asked for this to run on other days also.

12 November - Baby Book Time. The Early Education Literacy Officer for the Central Northern Regional Library visited Bingara Toy Library to hold a baby book time and chat with the families about the importance of reading, why it is so important and demonstrated simple activities which engage the children. Four mums and five children attended.

26 November - Rural Outreach parenting support. Emma visited from Inverell to provide parenting support along with a bonus of a Christmas themed cooking activity. The children and parents joined in to make mini Christmas cakes. Five adults and seven children attended.

26 November - NBNG (No Boys No Girls) all mixed day. The last one of these combined activities for the children for the year was enjoyed by 18 children. Some of the children were in the kitchen with Bingara Librarian preparing tacos and the remainder in the toy room with the Toy Library Coordinator making Christmas decorations and playing with the toy room toys. The children were all invited to build their own taco. The cooks even washed up, vacuumed and wiped over the tables. A beautiful afternoon to end the year.

**Supported Playgroup Development Worker**

*Funding body – Family and Community Services*

<b>Warialda Toy Library</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>
Total daily attendance count for children, (no. of children having utilised the service calculating each day over the month)	178	115	103
Full borrowing members (new)	0	0	0
Non borrowing members (new and/or renew)	0	0	0
Casual borrowing members (new or renew)	0	0	0

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Chairman .....

Commemorative Birth Certificate – voucher memberships	0	0	0
Commemorative Birth Certificate applications received	4	1	0
Toys returned	8	6	11
Toys borrowed	6	11	4
Groups using the service (FDC carers, Church and Pharmacy)	4	4	4
<b>Monday</b> group activity morning	56	11	16
<b>Tuesday</b> group activity morning	39	32	25
Wednesday x 1 (School Holidays)	0	11	0
<b>Thursday</b> group activity morning sessions	46	28	28
<b>Friday</b> group activity morning	37	33	34

Significant events for Warialda Toy Library during November included:

1 November – placemat making was the activity being catered for at the Warialda Toy Library on this Friday. Nine children attended on this day.

7 November – children engaged in a cooking experience, followed by a craft activity. Fine motor, following directions and sensory based play were catered for throughout these two activities. 10 children attended these activities.

8 November – playdough was made by the children who then utilised the playdough to make creations before then using paints to create hand printed 'butterflies'. 10 attended.

11 November – families were provided with information relating to children snoring and mouth breathing and when a referral should be sought for ear, nose and throat specialist care. Sensory play experiences were provided during this session for the 16 children attending.

12 November – children were encouraged to utilise their receptive listening skills as they took part in a 'monkey see monkey do' activity. Face painting was also engaged in during this service session. 13 children attended.

19 November - music and movement experiences with children using rice and paper plates to create maracas. 12 children attended.

21 November - nine children gathered at the Toy Library, practicing their counting and number recognition skills.

22 November – finger painting using bubble wrap was provided for the children to explore. Eight children participated in this experience.

28 November - story time took place at the Toy Library with a total of 6 children attending.

29 November - seven children exhausted their fine motor skills as they set about using pasta to create necklaces and bracelets for themselves.





*Busy at the Toy Library*

Playgroup Location	September	October	November
Warialda – Monday morning	56	11	16
Gravesend – Wednesday morning	20	9 +32(Children's week)	12
Bingara – Thursday morning	33	23 + 30(Children's week)	42
<b>Total</b>	<b>109</b>	<b>43</b>	<b>70</b>

**Warialda and Gravesend** - Sensory play was a focal point for children attending playgroup sessions in November. Children were provided opportunities to explore sensory play using goop, slime, shaving cream, PVA glue, cotton wool and sand. Families were provided with information regarding the benefits associated with sensory and messy play experiences and a short list for play ideas at home. With children transitioning to school, name writing and recognition, cutting, shapes and colours, counting and number identification have all been repetitively incorporated into the program for November.

**Bingara** – Bingara Playgroup has commenced Christmas themed craft activities, while both fine and gross motor skills have continued to be encouraged with obstacle courses and 10 pin bowling taking place during November. Literacy and music times remain routine with children and their parents alike engaging in these experiences during playgroup session times.

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Chairman .....

**Bingara Preschool**

*Funding body - Early Childhood Education and Care Directorate  
NSW Department of Education and Communities*

Days	November
Tuesday	23
Wednesday	21
Thursday	23
Friday	24

**Literacy Officer Visit:** The Early Education Literacy Officer for the Central Northern Regional Library visited Bingara Preschool on 12 November and read two books to the children: 'I am Very Grumpy' and 'Where Is the Green Sheep'? followed by discussion of the important features of a book such as the spine, author and a full stop. The children also had the opportunity to make their own 'Green Sheep' to take home. The visit focused on encouraging, supporting and empowering literacy in the early years.

**Making Robots:** The Bingara librarian came to Bingara Preschool and helped the children make recycle bottle tops and containers to make robots. Each of the children that are going to big school next year had the opportunity to make a robot.

**Transition to School:** The class of 2020 has attended their full transition days at Bingara Central School on 21 and 29 November. All reports from the children, families and the school have been positive. Bingara Preschool and Bingara Central School will continue to liaise and provide a comprehensive transition program for the children.

**The Great Gwydir Book Hunt:** Bingara Preschool was invited to be a part of the 'Great Gwydir Book Hunt'. The Bingara Librarian hid three books at Preschool and the three children who found the books were ecstatic. These children re-hid the books in our community with their families. Over the course of the book hunt, more books were hidden and found in the Bingara Preschool environment. What a wonderful experience for the children at Bingara Preschool and our wider community.



Bingara Preschool

**Tharawonga Mobile Resource Unit**

*Funding body – Department of Education | Department of Employment Australian Government*

Day	Venue	2-3yo	3-5yo	Transition to school	Total In Attendance
Monday	Yetman	1	7	3	8
Tuesday	North Star	3	13	6	16
Wednesday	Yallaroi	0	11	3	11
Thursday	Tulloona	1	4	3	5
Thursday	Gravesend	2	7	1	9
Friday	Gravesend	2	10	5	12
Friday	Crooble	1	5	2	6

The month of November was filled with Christmas party preparation and children practicing their presentations for parents. Presents for parents and tree decorations are the latest projects. This year, Graduation Certificates will be issued to the children at the Christmas parties. Staff have covered books in readiness for placement into each child’s bag. Portfolios have been completed online through Xplor as well as copies of children’s work placed into black plastic display folders for those children transitioning to school.

Following attending the Community Child Care Fund seminar in Sydney in October, Tharawonga Director has collaborated with other mobile and children’s services; this has given Tharawonga a voice to speak with

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Chairman .....

government officials about the future of childcare in Australia. Participation has shown that the problems Tharawonga is experiencing are familiar to all other services as well.

**Tulloona** children enjoyed an excursion to Goondiwindi Emergency Services which was a great success and the children are still evaluating their experience by discussions with educators.

**Gravesend** children are busy practicing their presentation for parents. The Social Services manager has offered to apply to the government for funding for a new safety fence around the perimeter. The new mud kitchen has been supplied from the fundraising committee and has been placed in the woodchips under the shadecloth in the park. It will require securing to a post or digging into the ground.

**North Star** children combined with North Star primary school pupils participated in an excursion to the local Rural Fire Service. Children were given the opportunity to sit in the fire truck, use the fire hose, honk the horn and hear the siren. The excursion gave children an understanding of what firemen do, how they look and what equipment they use.

**Crooble** children have been busy getting ready for Christmas. The resources have arrived and decorations for the hall are being made along with gifts for parents.

**Yallaroi** children participated with North Star children on their excursion to the fire engine and then had a visit from the local Policeman who gave all children a tattoo and allowed them to view the inside of the police car and wear a police uniform.

The Tharawonga Christmas party dates will be 6 December at Crooble, 9 December. Yetman, 10 December for North Star and Yallaroi, Tulloona on 12 December, and Gravesend on 13 December.

## **CONSULTATION**

Consultation has occurred within the Organisation and Community Development Directorate.

## **POLICY IMPLICATIONS**

Policy implications are those relating to the 2019/2020 Operational Plan and the Policies of Gwydir Shire Council.

## **FINANCIAL, ECONOMIC and RESOURCE IMPLICATIONS (including Asset Management)**

The activities carried out by the Organisation and Community Development Department are in line with the 2019/2020 Operational Plan.

**SUSTAINABILITY IMPLICATIONS (Social and Environment)**

The activities undertaken by the Organisation and Community Development Department regarding social and environmental factors are targeted in line with the 2019/2020 Operational Plan.

**OFFICER RECOMMENDATION**

THAT the Monthly Organisation and Community Development Report for November be received

**ATTACHMENTS**

AT- WHS Reporting Summary and Analysis + Safety Starts With Me

AT- Naroo Bond Report for November 2019

**COUNCIL RESOLUTION:  
MINUTE 418/19**

**THAT the Monthly Organisation and Community Development Report for November be received.**

**FURTHER, that Council congratulates the Council's staff, particularly Mrs. Georgia Standerwick, and the Bingara Lions Club on their efforts in making the Bingara Christmas event so successful. (Ref: 419/19).**

**FURTHER that the NSW Premier, The Hon. Gladys Berejiklian, be invited to officially open the \*Bingara Library at a date and time suitable to her (Ref: 420/19).**

**(Moved Cr Young, seconded Cr Galvin)**

**\*This may require an alteration to the previously indicated target opening date of 5<sup>th</sup> February 2020.**

**Attachment 1 - WHS Performance Summary for November 2019**

Objective	Action no.	Action	Key Performance Indicator	Responsible	Due date	Total	Target	Total met KPI	% met KPI
That managers and supervisors visibly demonstrate their commitment to health and safety management and to the implementation of Council's work health and safety management systems	3.1	All operational supervisors and managers to complete one work verification record per month with a work crew to improve safety knowledge, carry out on the job training and demonstrate safety leadership.	% of work verifications completed vs monthly targets	Managers, Supervisors, WHS & Risk Management Officer	Monthly	10	10	4	40%
Improve the reporting culture as part of building an overall positive health and safety culture	5.1	All incidents/near misses are reported to Managers and Risk Unit within the same shift.	% of incidents reported same shift	Supervisors	Reported same shift	9	9	9	100%
Improve the reporting culture as part of building an overall positive health and safety culture	5.2	Complete all incident investigations within 7 days.	% of incident investigations completed within 7 days.	Managers	Within 7 days of notification	8	8	3	38%
Improve the reporting culture as part of building an overall positive health and safety culture	5.3	Corrective actions from incident investigations are completed within agreed timeframes and closed in Interplan.	% of corrective actions completed within specified timeframes	Managers, Supervisors, WHS & Risk Management Officer, HSRs	Within specified date, (cumulative total for year)	8	8	5	63%

**Analysis**

The summary above is a summary of the monthly November reportable actions listed in the Council's WHS Action Plan. This performance record for November is now the baseline to measure future performance against as the organisation commences on a positive path towards the greater awareness of the need for a cultural awakening within our organisation.

The recently adopted Organisational restructure allocates additional resources to this important area of the Council's operations.

The Council's revised safety value is **Safety Starts With Me** and more information about the program is attached to this report.

**Gwydir Shire Council**  
**Launches New Organisational Value**



**What is it?**

*Safety Starts With Me* is GSC's new Safety Value.

**What is a Value?**

The most familiar value is known as a Personal Value. Personal values are ingrained characteristics or behaviours that are important to you, motivate you and guide your decision making. For example, you may value honesty, loyalty and reliability.

**What is a Safety Value?**

A Safety Value is just like your personal value but the focus is on how you behave or operate at work and home. For example, those who value their safety and the safety of others, will wear the appropriate PPE, will make sure their mates are wearing the correct PPE, will not take short cuts and will drive to the road rules.

**Why do we need a Safety Value?**

The Management Team wants to ensure safety isn't just a tick and flick exercise – rather a core value. When you are injured it doesn't just affect you, it affects your family, friends and can also have an impact on your community. There are many objectives and goals of our Organisation but if people are injured along the way, then we as a team have not been successful.

**When will our new Safety Value Begin?**

*Safety Starts With Me* yesterday. We encourage all of GSC, its contractors and local stakeholders to adopt the *Safety Starts With Me* value.

**Where will I See it?**

The Management Team is committed and busy reviewing/developing safety material and training. You will begin to notice the *Safety Starts With Me* logo published around sites and on GSC material.

**How do I use our Safety Value?**

The real impact of the *Safety Starts With Me* value will be through your attitude and behaviour towards it. A positive attitude (thinking and feeling) is key to influencing a positive behaviour towards safety. This means you hold the key to keeping yourself and those around you safe.

We empowered you to address safety issues and encouraged GSC staff and contractors to speak up about safety matters without fear of retaliation or retribution. *Safety Starts With Me* will be a journey for our Organisation but over the long-term, we aim to build a culture which operates with the mindset that all incidents are preventable as the only truly acceptable number of employee injuries is zero.

Contact Lisa Meader with any questions you may have or for a confidential conversation regarding safety.

Attachment 2 – Naroo Bonds Report – November 2019

Multi Facility Summary													
Active Accommodation Bonds / Payment Schedule - Summary													
As at 30/11/2019													
Printed Date: 3/12/2019 - Last Edit: 30/08/2019													
RAD/RAC Payment Method: Undecided, RAD/RAC Only													
FACILITY NAME	Pre 1 July 2014 Payment Arrangements [Bonds]	Agreed Bond	Part Lump Sum Amount	Total Payment Amount	Lump Sum Amount Outstanding	Total RAD/RAC Outstanding	Total Bond Balance Outstanding	Total Retention Deductions	Total Interest Deductions	Total Care Fee Deductions	Total Other Deductions	Balance	
	Post 1 July 2014 Payment Arrangements [RADs/RACs]	Agreed Price	Agreed RAD/RAC Portion	Total RAD/RAC Received	Total RAD/RAC Outstanding	Total RAD/RAC Outstanding	Agreed DAP/DAC Portion	Total DAP/DAC Deductions	Total Care Fee Deductions	Total Other Deductions	Balance		
TOTAL	TOTAL												
NAROO AGE CARE FACILITY													
Bonds		\$182,067.73	\$182,067.73	\$182,067.73	\$0.00	\$0.00	\$0.00	\$29,306.51	\$0.00	\$0.00	\$152,761.22		
RADs/RACs		\$1,704,957.59	\$525,000.00	\$1,495,000.01	-\$970,000.01	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,495,000.01		
<b>TOTAL</b>		<b>\$1,887,025.32</b>	<b>\$707,067.73</b>	<b>\$1,617,067.74</b>	<b>-\$970,000.01</b>						<b>\$1,647,761.23</b>		
GRAND TOTAL													
Bonds		\$182,067.73	\$182,067.73	\$182,067.73	\$0.00	\$0.00	\$0.00	\$29,306.51	\$0.00	\$0.00	\$152,761.22		
RADs/RACs		\$1,704,957.59	\$525,000.00	\$1,495,000.01	-\$970,000.01	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,495,000.01		
<b>TOTAL</b>		<b>\$1,887,025.32</b>	<b>\$707,067.73</b>	<b>\$1,617,067.74</b>	<b>-\$970,000.01</b>						<b>\$1,647,761.23</b>		



**Item 4 Monthly Investment and Rates Collections Report for November 2019**

**FILE REFERENCE**

**DELIVERY PROGRAM**

**GOAL:** 5. Organisational Management

**OUTCOME:** 5.1 CORPORATE MANAGEMENT

**STRATEGY:** 5.1.1 Financial management and accountability systems - CFO - internal

**AUTHOR:** Manager, Finance

**DATE:** 2 December 2019

**STAFF DISCLOSURE OF INTEREST:** Nil

**TABLED ITEMS:** Nil

**COMMENT**

At each monthly Ordinary Meeting, the Council is presented with the schedule relating to Investments, as at the end of the previous month.

**BACKGROUND**

In accordance with Clause 19(3) of the Local Government (Financial Management) Regulation 1993, the following information provides details of Council's funds invested as at 30<sup>th</sup> November 2019.

Direct Investments							
Broker	ID	Investment Name	Rating	Type	Next Rollover	Yield	Current Value
NAB	2020.01	NAB	AA	TD	3-10-19	1.93%	\$1,000,000.00
NAB	2020.02	NAB	AA	TD	3-10-19	1.93%	\$1,000,000.00
NAB	2020.03	NAB	AA	TD	14-10-19	1.93%	\$1,000,000.00
<b>Grand Total</b>							<b>\$3,000,000.00</b>

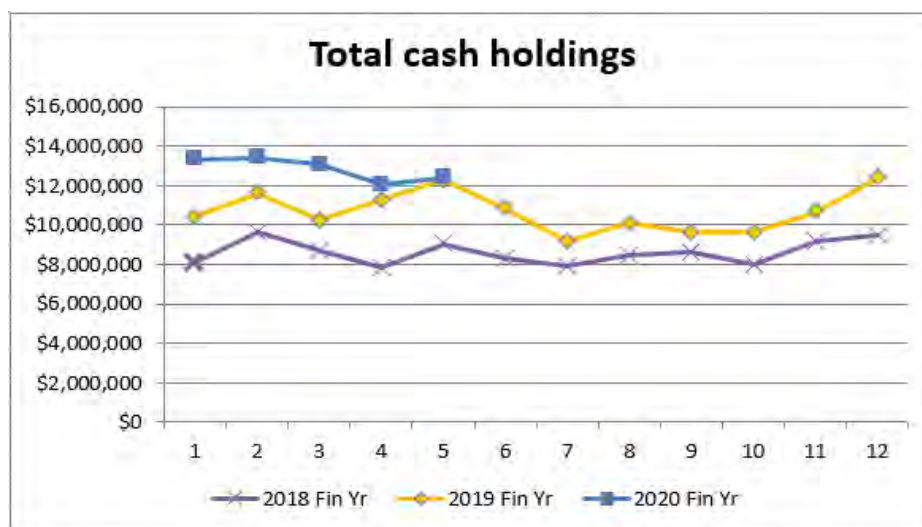
Managed Funds					
Fund	Investment Horizon	Type	3 Mth Avg Yield	Current Value	
Regional Australia Bank	At Call	Cash	See report	\$311,802.18	
Tcorp Cash Fund	At Call	Cash	See report	\$6,601,489.00	
Tcorp Medium Term Fund	At Call	Cash	See report	\$1,075,894.43	
<b>Grand Total</b>					<b>\$7,989,185.61</b>

Total Investments	
Direct Investments	\$3,000,000.00
Managed Funds	\$7,989,185.61
<b>Grand Total</b>	<b>\$10,989,185.61</b>

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Chairman .....

Total Investments	
Direct Investments	\$3,000,000.00
Managed Funds	\$7,989,185.61
<b>Grand Total Investments</b>	<b>\$10,989,185.61</b>
Total Cash and Investments	
Investments	\$10,989,185.61
Cash at bank	\$ 1,385,102.22
<b>Grand Total Cash and Investments</b>	<b>\$12,374,287.83</b>
General Fund Cash	
<b>Total cash and investments</b>	<b>\$12,374,287.83</b>
<b>LESS:</b>	
Water fund*	-\$825,312.53
Sewer fund*	-\$3,471,828.03
Waste fund*	-\$3,292,928.92
<b>Other restrictions:</b>	
Employee leave entitlements*	-\$900,000.00
Carry over works in progress*	-\$1,500,000.00
Asset replacement*	-\$500,000.00
Bonds and deposits	-\$290,000.00
Unexpended grants*	-\$1,100,000.00
Developer contributions	-\$256,000.00
*These figures may change with end of year processing	
<b>Discretionary General Fund Cash</b>	<b>\$238,218.35</b>



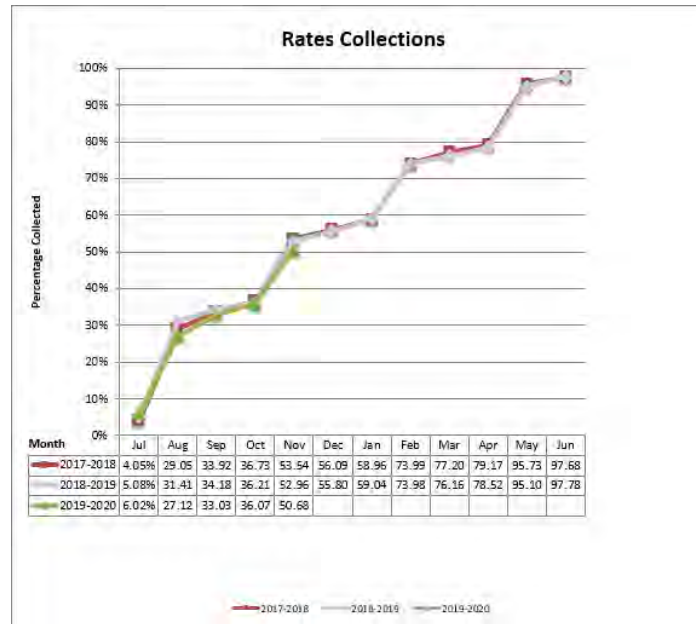
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Chairman .....

I, Helen Thomas, Finance Manager and Responsible Accounting Officer for Gwydir Shire Council, certify that the Council’s investments have been made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005 and Council’s Investment Policy (F.01.03), as amended.

**RATES COLLECTIONS**

The graph below represents a comparative of the percentage collections for the current year against the two previous rating years. The current years collections are up to 30<sup>th</sup> November 2019.



**OFFICER RECOMMENDATION**

THAT the Monthly Investment and Rates Collections Report for November 2019 be received

**ATTACHMENTS**

There are no attachments for this report.

**COUNCIL RESOLUTION:  
MINUTE 421/19**

**THAT the Monthly Investment and Rates Collections Report for November 2019 be received.**

**(Moved Cr Young, seconded Cr Dixon OAM)**

Item 5 Monthly Technical Services Report for November 2019

FILE REFERENCE

DELIVERY PROGRAM

GOAL: 5. Organisational Management

OUTCOME: 5.1 CORPORATE MANAGEMENT

STRATEGY: 2.1.1 Plan for and develop the right assets and infrastructure - TS -external

AUTHOR Manager, Engineering Services

DATE 4 December 2019

STAFF DISCLOSURE OF INTEREST Nil

BACKGROUND

The monthly Technical Services report has been identified by Council as the process of reporting the activities carried out monthly by the Technical Services Department.

COMMENT

1. TECHNICAL SERVICES AND ADMINISTRATION

Technical Services infrastructure, planning, design and surveys were carried out in-house. The Technical Services staff continue to provide customer service to the Gwydir Shire residents.

2. ENGINEERING SERVICES

Warialda Truck wash

Contracted concreting works on the truck wash site have been completed by Lachlan Hall Construction, allowing Council staff better access to the site to begin finalisation of a number of smaller items within the facility. Completion is scheduled prior to 30 December, with practical commissioning and opening in January.



Truck Wash Site, Warialda

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Chairman .....

**Park Lane Bingara**

Park Lane was reformed and sealed using Council’s jet-patching truck in November. The seal is intended to function as a dust seal without the full useful life of a construction seal, however, the low traffic volumes and no-through nature of the road will result in a longer life for the seal than those typically observed elsewhere.



*Completion of Park Lane, Bingara*

**Regional Road Maintenance**

Basic seal maintenance continues on Council’s regional road network. Roadside slashing is still not occurring due to lack of rain and fire hazard.

**Unsealed Roads**

Southern and northern maintenance graders have been stood down due to drought conditions. Small isolated rainfalls seen in some parts of the shire have generally not produced adequate moisture for maintenance, however limited activity occurred in the Gulf Creek area following rainfall in November.

Construction crews have finished a 4km resheeting project on Yallaroi Road using locally sourced gravel and water from a spring fed creek. The crew has continued on Yallaroi Road conducting intensive maintenance including crushing of existing gravel.

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Chairman .....



*Yallaroi Road Resheeting*

**Roads Maintenance Council Contract – Works Orders issued by RMS**

All Work Orders issued by RMS are quality assurance schedule of rates projects carried out by Council staff under the Roads Maintenance Council Contract with Roads and Maritime Services.

Detailed surveys have now been completed for the three segments programmed for rehabilitation next financial year. These segments include 5150 and 5255 on MR63 Fossickers Way and 8270 on HW12 Gwydir Highway. The design works are programmed to take place over the next couple of months, now awaiting pavement designs from the RMS. Further programmed works this financial year will include approximately four weeks of heavy patching throughout various segments, where required. A heavy patching program has now been scoped out and a Works Proposal submitted, with works planned to start after the Christmas break, due to delays in the Work Order approval. No reseals are programmed for completion this financial year.

Routine maintenance continues each week undertaking inspections, rest area services, and vegetation control and bitumen repairs. Several kilometers of the roadside has now had litter removed while vegetation is low and the ground is visible. North and South crews have removed several truckloads of litter along both HW12 Gwydir Highway and MR63 Fossickers Way as routine works.

**HW12 Gwydir Highway – Warialda HPV Route Intersection Works Authorisation Deed (WAD)**

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Chairman .....

Construction works continue with the HPV Route Intersection, with all Capping Layer material now placed and tested. Crews have now laid a total of 1000mm of Capping Layer material, currently working on the 300mm Upper Select Layer, consisting of the same material but stabilised with 1% hydrated lime. The Capping Layer and Upper Select Layer material is a white granite extracted from the Heywood Pit near Delungra. The intersection is still programmed to be accessible before crews break for Christmas.



*Stabilising at the HW12 Intersection, Warialda*

**Other Services**

Street services continued to be maintained for vehicular, pedestrian and public conveniences.

Storm water drainage facilities continue to be maintained.

Aerodromes at Warialda and Bingara continue to be maintained and inspections are carried out monthly.

Existing quarry sources are continually being utilised and future sources are being investigated as time permits with other competing projects.

The radio and television towers continued to be maintained.

**3. DESIGN AND ASSET SERVICES**

Survey, design and soil testing is continuing for the 2019-2020 works programs. Progress is as follows:

Warialda Truckwash

Council is in the final stages of this project, with survey only being required for bitumen and line marking.

Funding Applications

The Engineering team has been busy compiling different funding applications for Fixing Country Roads NSW and Fixing Local Roads NSW. This process has involved condition assessments, budget estimates and traffic studies.

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Chairman .....

SH12 Intersection – HPV Route

The SH12 intersection is well underway, with constant survey and different surfaces required from the team.

**4. TOWN SERVICES**

**Water and Sewerage**

During November, water operators attended 21 service line repairs, two water main breaks and 12 sewer blockages. A backflow prevention device and new meter were installed on the Bingara Sporting Club connection to the bowling greens. The Major Stop valve was replaced at the Bingara Sewer treatment plant. This involved removal of the concrete slab and lowering the digestion tank with a vacuum truck from Moree so the valve could be replaced. Work was undertaken on the truck wash bay at Warialda, Bingara Civic Centre, Warialda Cemetery, Warialda treated effluent pumps, Maitland Street Bingara toilets, Naroo Hostel, Warialda and Bingara swimming pools, CWA Park Bingara toilets, Bingara museum, Roxy Theatre and Bingara Showground.

Level 1 water restrictions remain in place meaning no fixed sprinklers between 10am and 6pm at night. Hand held hoses are permitted to be used.

**Parks**

Parks, gardens, sports fields, cemeteries and Council facilities have been maintained during November. Watering programs have been developed and staff are rostered to start early to carry out watering, so Council complies with Level 1 water restrictions where possible. Broad leaf spraying was undertaken at various locations. Turf was installed at All Abilities Park in Warialda. The last garden bed in Bingara was removed and turf installed. A number of street trees were removed during November. A border fence was installed at Bicentennial Park, Bingara.



*New fence at Bicentennial Park*

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Chairman .....



**Amenities Building at Gwydir Oval**

The old amenities building at Gwydir Oval was removed during November and pad preparation work commenced with the aim of constructing the slab before Christmas.



*Removal of old amenities at Gwydir Oval*

**Bingara Showground**

The Bingara Showground continues to be maintained. A grant proposal is being prepared for additional lighting at the Bingara Showground.

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Chairman .....

**Plant and Workshop**

The new Caterpillar loader is scheduled to be delivered mid-January. Major workshop repairs carried out in Warialda and Bingara during November included:

- Truck wash platform modifications
- Truck wash drainage separation gates with actuator
- P1469 - forklift side shift repairs
- P1721 - grader replace injectors
- P1665 - skid steer sweeper hydraulic repairs
- P1065 - loader – head gasket
- P1446 - jet patcher- air compressor replacement
- P1467 - landfill excavator – rollers

**5. DEVELOPMENT AND BUILDING SERVICES**

The Department continues to receive enquiries and provide advice on a range of planning and building matters including:

- Minor structure construction e.g. sheds
- Commercial opportunities and construction
- Basix (Building Sustainability Index)
- Bushfire requirements
- Building construction standards and requirements
- Stormwater
- Licensing and owner builder requirements
- Fees and charges

The following Construction Certificate (C/C), Building Information Certificate (BIC) and S68 applications have been approved in November.

No.	Property Description	Development/ Work	\$	C/C	BIC	S68
22/2015	3260 Gragin Road WARIALDA NSW 2402	Single Dwelling (1 bedroom) with Verandah.	\$64,200	✓		
28/2019	114 Maitland Street BINGARA NSW 2404	Dwelling Additions.	\$4,000	✓		
34/2019	3 Geddes Street WARIALDA NSW 2402	Garage/Carport/Shed.	\$19,000	✓		
18/2019	39 Ironbark Drive WARIALDA NSW 2402	Pre-Fab Dwelling.	\$311,497			✓
22/2019	566 Hibernia Road YALLAROI NSW 2408	Amendment to septic effluent disposal.	-			✓
23/2019	30 Gwydir Terrace BINGARA NSW 2404	Carry out water supply, storm water drainage and sewer work to proposed shed.	-			✓
24/2019	13212 Gwydir Highway WARIALDA NSW 2402	Pre-fab dwelling and connect to existing septic and carry out storm water drainage work.	\$288,460			✓

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Chairman .....

The following Construction Certificate (C/C) applications were approved by a Private Certifier and lodged with Council during in November:

No.	Property Description	Development/ Work	\$	C/C
NA				

**ILLEGAL ACTIVITY**

ACTIVITY	No	ACTION TAKEN					
		Inspected	Letter Sent	Application/ Certificate Lodged	Penalty Notice	Legal Action	Refer to Council
None							

**NO. OF COMPLAINTS/INSPECTIONS**

Type	No.	Yr. to Date	Actioned	Pending
Building	37	341	336	5

**BUILDING MAINTENANCE**

The Department continues to receive requests to carry out minor maintenance and these are generally dealt with in a timely manner. Otherwise, the works are scheduled into maintenance staff building activities including new works for attention.

**Building Projects**

Staff worked on the following projects during November:

- Truck Wash amenities building, Warialda – 95% completed. Flashing to be installed.
- Bingara Civic Centre – 65% completed. Completed plastering and tiling of amenities and commenced painting.
- Gwydir Oval amenities building– removal of asbestos.

**6. ENVIRONMENTAL SERVICES**

The Environment and Sustainability Department report for November 2019 was compiled with information available at the time of preparing the report.

The Department continues to receive enquiries and provide advice on a range of health matters including:

- Overgrown properties
- Food premises design and fit-out
- Food handling practices
- Mobile food vendors

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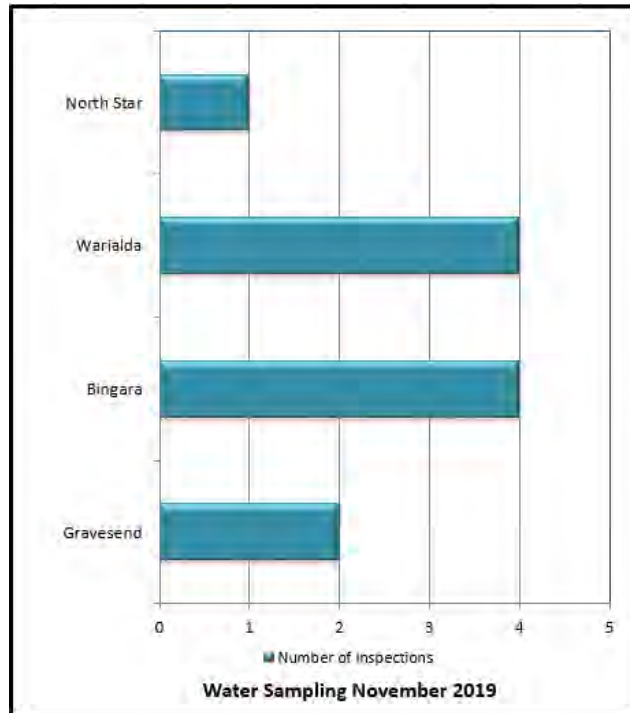
Chairman .....

- Licensing
- Water carting
- Pet Ownership

**Water Surveillance**

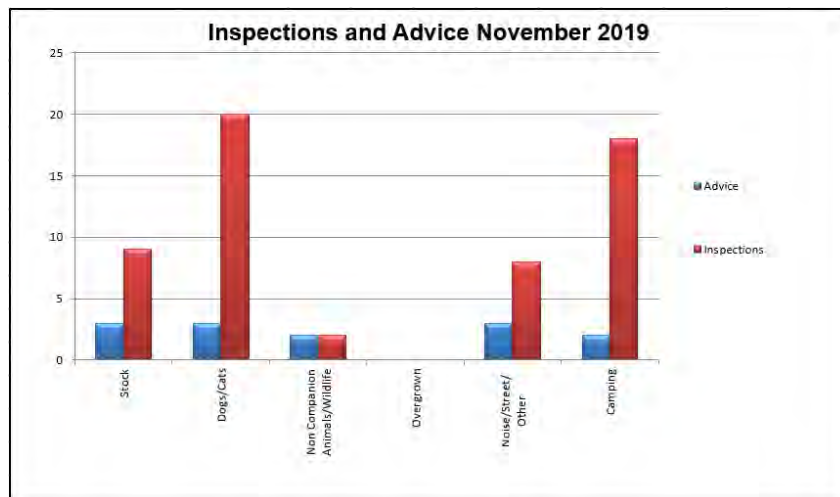
The Department continues to carry out routine weekly microbiological sampling of the water supply in the towns of Warialda and Bingara, fortnightly sampling of Gravesend and monthly sampling at North Star.

**Health Related Inspections for November 2019**



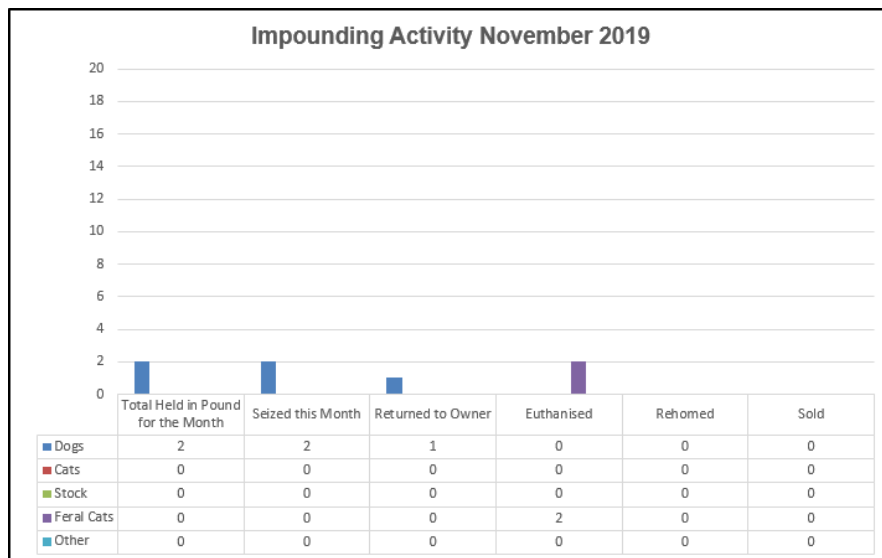
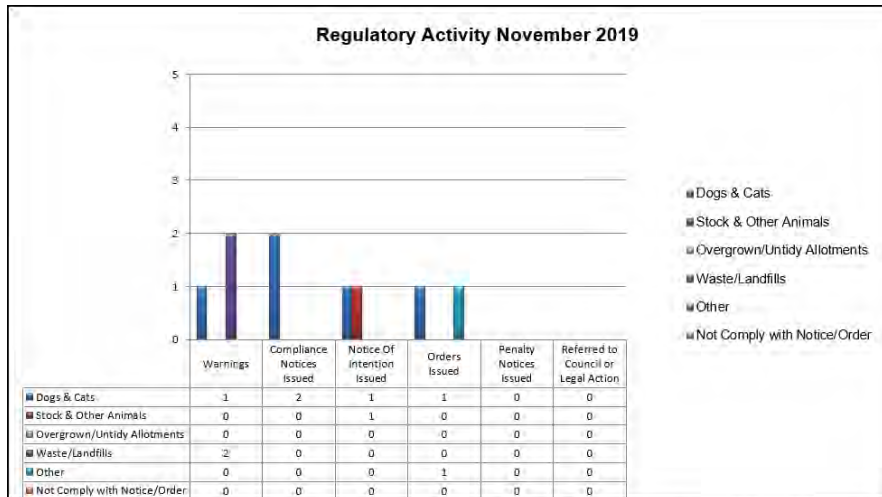
**Compliance and Regulatory Control**

Council received complaints regarding roaming stock and dogs, noise, the keeping of animals and other concerns during the month of November 2019. These are investigated and actioned as necessary and are detailed in the following table:



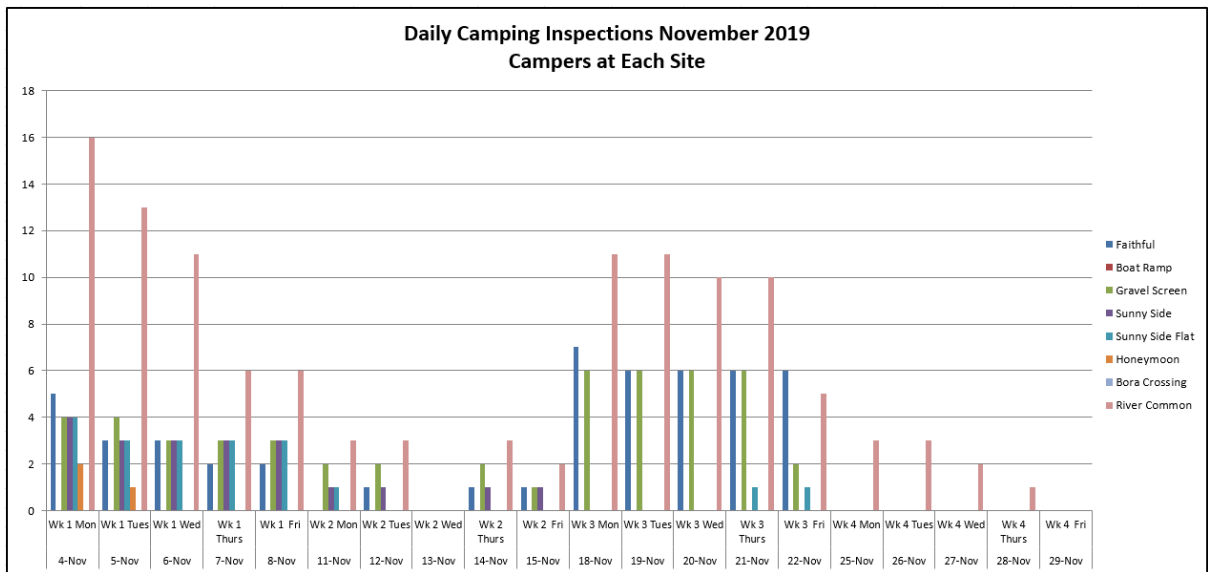
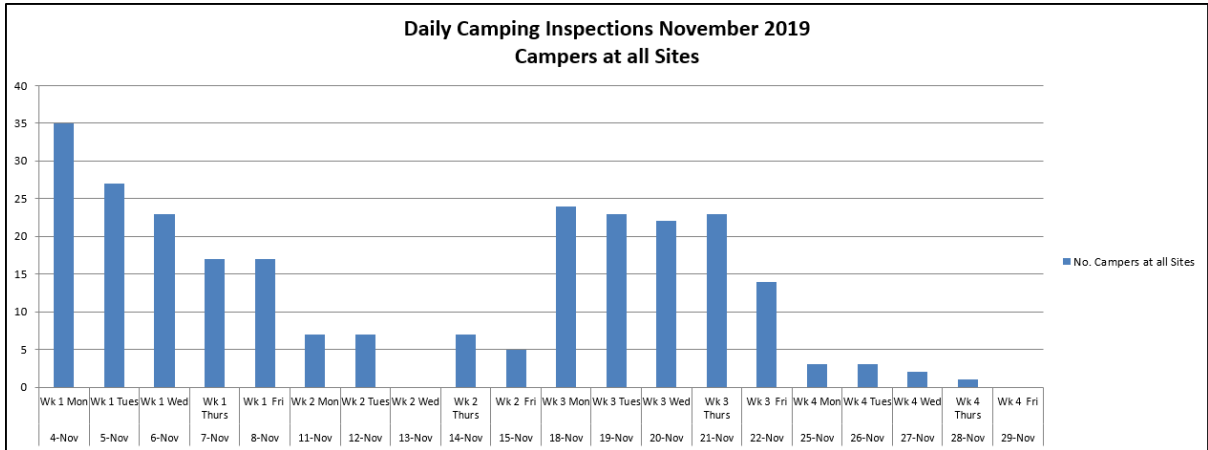
This is page number 92 of the minutes of the Ordinary Meeting held on Thursday 12 December 2019

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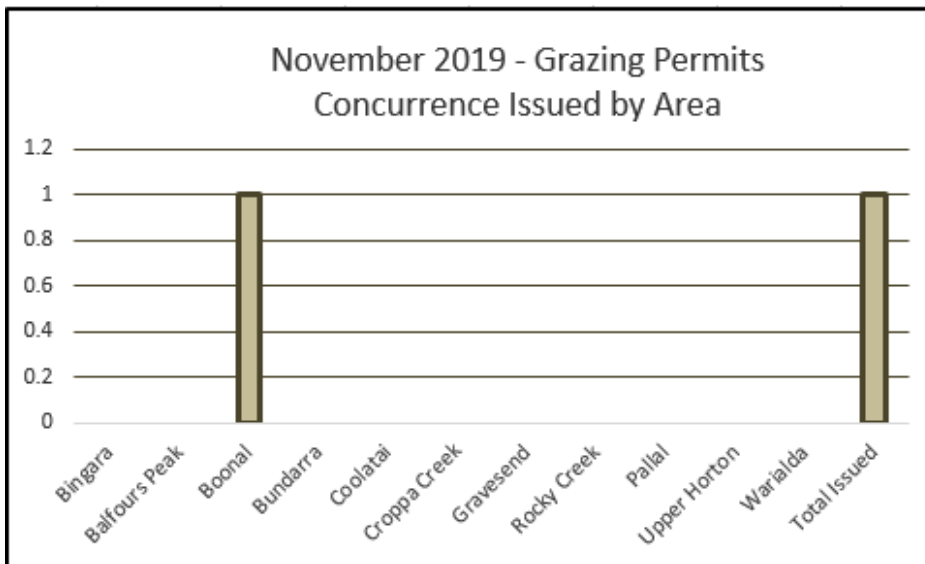
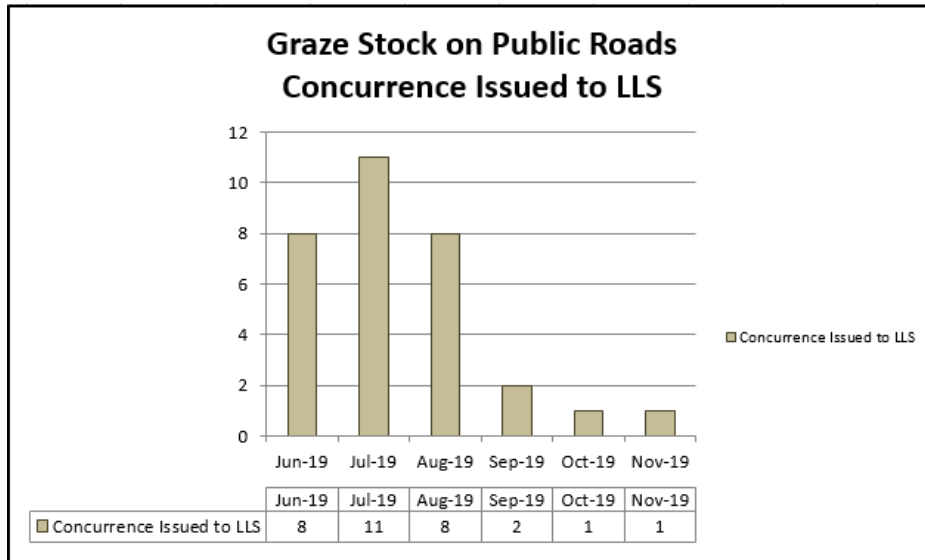
**RIVERSIDE CAMPING**

Council’s Compliance Officer aims to carry out daily checks along the Gwydir River to ensure camping is being conducted in a safe and hygienic manner. Flyers promoting local events and services are distributed to campers and enquires from campers are addressed as necessary. The graphs below show total numbers of campers and the distribution of campers at the different campsites.



**GRAZING PERMITS**

As the Consent Authority for road reserves, Council has issued concurrence to the North West Local Land Services for only one Roadside Grazing Permit during the month of November 2019. The decrease in requests for concurrence can be attributed as a direct result of the drought conditions, with little to no feed left on the ground. The LLS has strict guidelines that only allow grazing where sufficient ground cover and pasture is available. The following graph shows the applications received for November 2019 compared to the previous five months. The second graph shows the Locality of the applications.



**WASTE SERVICES**

Scheduled kerbside collection of waste, recycling and green waste was carried out throughout the Shire during November. Customer service requests are processed and actioned as necessary.

All Waste Recovery Centres in the Shire continue to be supervised/monitored and maintained. Staff continue to make changes to the site layout and signage to improve onsite operation and access for residents unloading waste and recyclable materials. Council is continuing to supply mulch from chipped green waste to residents.

Steel continues to be stockpiled for collection at the Bingara and Warialda Waste Recovery Centre, during the past month, Infrabuild Recycling Hexam have removed just over 240 tonnes of scrap metal from Bingara, Warialda and Upper Horton Waste Facilities.

**NOXIOUS WEEDS CONTROL**

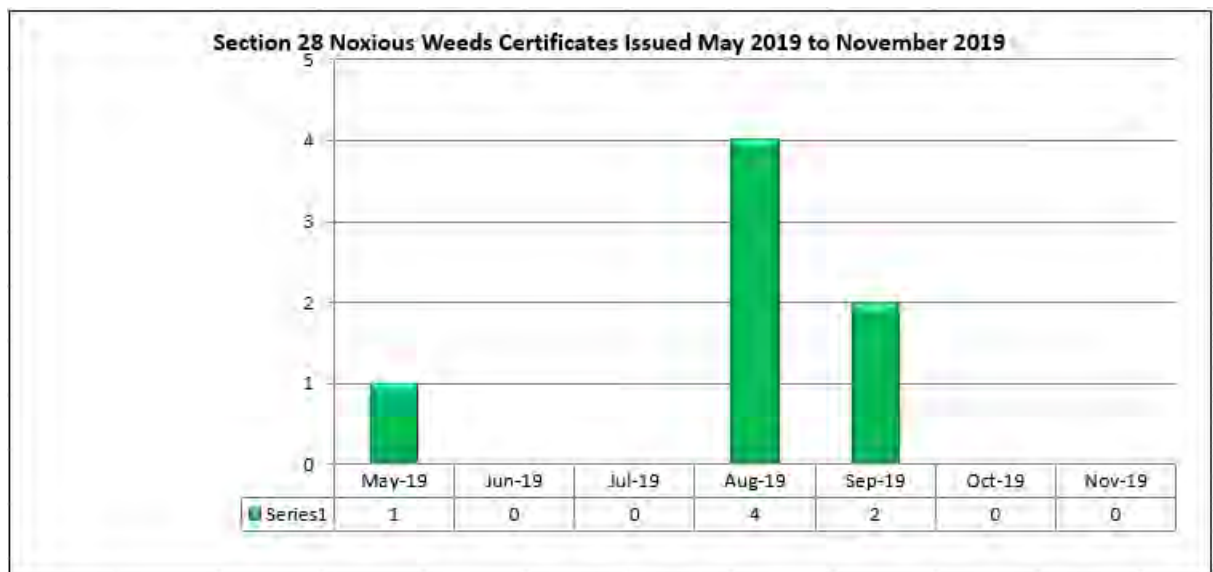
**Property Inspection Program**

Staff continue to assist farmers and the community with:

- Funding advice
- Noxious weeds advice
- Property inspections
- Spraying of noxious weeds
- Property inspections are currently being undertaken in Section D.

**Section 28 Noxious Weeds Certificates**

No certificates were issued for the month of November 2019. The graph below shows the noxious weeds certificates issued for the previous six (6) months.



**Weeds Inspections**

Property inspections are currently being undertaken in Section D, with property owners being offered support and advice on managing weeds during the current adverse conditions.

The following graph and chart shows the noxious weeds inspections carried out in 2019.





**Noxious Weeds Inspections for the month of November 2019**

<i>Areas Inspected</i>	<i>No.</i>	<i>Ha</i>	<i>Rd km</i>	<i>Weeds Present</i>
Private Property	1	1600		Common Pear, African Boxthorn, Tree Pear
Private Property – High Risk Pathways	17	8057		Rope Pear, Cats Claw Creeper, Tiger Pear, Mother of Millions, Green Cestrum, African Boxthorn, Tree Pear, Common Pear
Roadside	3	80.5	16.1	Mother of Millions
Roadside – High Risk	1	10	2	Mimosa Bush, Green Cestrum, Rope Pear
Water Ways – High Risk Pathways	16	7087		Cats Claw Creeper, Tiger Pear, Green Cestrum, Rope Pear, Mother of Millions, Mimosa Bush, African Boxthorn, Tree of Heaven, Feral Fruit Trees, Broadleaf Privot
Quarries	18	90		Mimosa Bush, Bathurst Burr, Mimosa Bush, Osage Orange
Department of Lands	2	20		Mimosa Bush, Green Cestrum, Rope Pear, African Boxthorn, Tree of Heaven, Feral Fruit Trees, Broadleaf Privot

**Noxious weeds control works for November 2019**

Road/Property	Locality	Weed Code	Area Ha	Road km	High Risk Road	Council Road	Other
SH12 Gwydir Hwy	Warialda	BH	289.85	57.97	1		
SH12 Gwydir Hwy	Warialda	BH	289.95	57.97	1		
MR63 Cobbadah Rd	Bingara	SB	246.65	49.33	1		
SR11 Horton Rd	Upper Horton	SB	179.45	35.89		1	
MR134 Delungra Rd	Myall Creek	SB	101.25	35.89		1	
MR63 Allan Cunningham Rd	Warialda	SB	188.85	37.77	1		
Bingara Showground	Bingara	HL-SN-TP	40				1
Bingara River Common	Bingara	HL-SN-TP	40				1
SR19 Whitlow Rd	Bingara	HL-SN-TP	116.9	23.38		1	
Reedy Creek	Warialda	GC	2				1
Reedy Creek & TSR	Warialda	GC	5				1
SR285 Cranky Rock Rd	Warialda	MB	15.8	3.16		1	
SH12 Gwydir Hwy	Warialda	MB	289.85	57.97	1		

**RECOMMENDATION**

That the Report by the Technical Services Department on the activities of the Department including Notices of Intent, Orders and Penalty Notices issued by Council be noted.

**CONCLUSION**

The activities carried out by the Technical Services Department are in line with the 2019/2020 Management Plan and otherwise as directed.

**CONSULTATION**

Consultation is carried out within the Technical Services Department during the monthly Technical Services team meetings and other relevant persons.

**OFFICER RECOMMENDATION**

THAT the monthly Technical Services Report for November 2019 be received

**ATTACHMENTS**

There are no attachments for this report.

**COUNCIL RESOLUTION:  
MINUTE 422/19**

**THAT the monthly Technical Services Report for November 2019 be received.**

**FURTHER the efforts of Council’s engineering staff, particularly Neil Daley, Les Turvey, Andrew Doyle and Peter Kennedy, are acknowledged with thanks for the excellent work being undertaken on the Warialda By-pass intersection with the Gwydir Highway (Ref: 423/19).**

**(Moved Cr D Coulton, seconded Cr Smith)**

Item 6            Namoi Unlimited

**FILE REFERENCE**

**DELIVERY PROGRAM**

**GOAL:**            4. Proactive Regional and Local Leadership

**OUTCOME:**      4.2 WE WORK TOGETHER TO ACHIEVE OUR GOALS

**STRATEGY:**    4.2.1 Build strong relationships and shared  
responsibilities - GM - external

**AUTHOR**        General Manager

**DATE**            4 December 2019

**STAFF DISCLOSURE OF INTEREST**   Nil

**IN BRIEF/ SUMMARY RECOMMENDATION**

This report is for notation and adoption of the adoption of the Namoi Unlimited advocacy positions outlined in Attachment 1.

**COMMENT**

Also attached is the Namoi Unlimited's Annual Report for your information.

**OFFICER RECOMMENDATION**

THAT the Namoi Unlimited Annual Report is received and noted.

FURTHER that the Namoi Unlimited advocacy positions outlined are endorsed.

**ATTACHMENTS**

AT- Advocacy Positions

AT- Namoi Unlimited Annual Report

**COUNCIL RESOLUTION:**

**MINUTE 424/19**

**THAT the Namoi Unlimited Annual Report is received and noted.**

**FURTHER that the Namoi Unlimited advocacy positions outlined are endorsed.**

**(Moved Cr Dixon OAM, seconded Cr Young)**

This is page number 99 of the minutes of the Ordinary Meeting held on Thursday 12 December 2019

Chairman .....

# PROCEDURE

2018/10 – 001/5 Version 2.2 (December 2019)



## ADVOCACY & LEADERSHIP REGISTER

NAME AND DESCRIPTION	NAMOI UNLIMITED AND ITS MEMBERS SUPPORT THE FOLLOWING POSITIONS:	POLICY REFERENCES
<p><b>1. Water for the Future</b></p> <p>Water is the critical enabler for industry, business, communities, lifestyle, tourism and the environment. Communities across the Namoi Joint Organisation of Councils deserve secure access to quality water resources.</p> <p>The availability and security of water enables Local Government and communities to plan for future social, environmental and economic growth with confidence.</p> <p>The climate of NSW is variable and drought is an inevitable feature in our landscape, therefore it should be considered in the same light as other business risks.</p> <p>Planning for the long-term is the most effective way that community and farmers can prepare for drought and other downturns.</p>	<p><b>A1.1</b> Government funding for Council owned water and sewer operations and projects that can demonstrate investment will provide improvements to:</p> <ul style="list-style-type: none"> <li>▪ public health</li> <li>▪ water security</li> <li>▪ economic, environmental outcomes and or social benefits.</li> </ul> <p><b>A1.2</b> Governments will provide funding, programs and financial assistance to Councils to provide access to water that will;</p> <ul style="list-style-type: none"> <li>▪ undertake regional strategic planning for the provision of water;</li> <li>▪ provide entitlement to meet the current and future demands of growth from development; and</li> <li>▪ maintain access to substantial storage capacity for emergency situations including drought.</li> </ul> <p><b>A1.3</b> Governments support and implement policy, processes and systems that provide an equitable sharing of surface and groundwater resources and that water entitlements and allocations are secure and tradeable.</p>	<ul style="list-style-type: none"> <li>▪ Surface and groundwater policy and management for NSW.</li> <li>▪ NSW water resources planning, policy and regulation including negotiations with the Commonwealth.</li> <li>▪ Basin specific planning, policy and management for the Great Artesian Basin and the Murray Darling Basin.</li> <li>▪ Catchment planning, policy and management for the Macleay, Gwydir, Border Rivers, Namoi and Peel catchments.</li> </ul>

# PROCEDURE

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## ADVOCACY & LEADERSHIP REGISTER



NAME AND DESCRIPTION	NAMOI UNLIMITED AND ITS MEMBERS SUPPORT THE FOLLOWING POSITIONS:	POLICY REFERENCES
<p><b>2. Agriculture, Agribusiness and Innovation</b></p> <p>Agriculture, agricultural products, commodities and services underpin the economies of the Namoi region.</p>	<p><b>A2.1</b> Governments provide programs and funding for Local Government that can stimulate the economy for business and support businesses to maintain employment and where prolonged impact of drought on regional and local employment and the economy can be demonstrated, small business can access similar assistance to that offered to primary producers.</p>	<p>COAG Agreement and Natural Disasters policy and application</p> <p>Drought policy and incentives</p> <p>Employment and incentives policy, jobs and action plans for employment in regional Australia</p>
<p><b>3. Intensive Agriculture Strategy</b></p> <p>In the New England North West of NSW agricultural production accounts for 17.5 per cent of the State's gross agricultural value, the second highest regional contribution in NSW. The strength of the sector will rely on favourable climate and soils, access to national and international markets, strong broadacre cropping and grazing sectors and emerging intensive agriculture and food processing sectors.</p>	<p><b>A3.1</b> Government funding and resourcing to develop the Namoi region as a regional meat production area and food processing precinct.</p> <p><b>A3.2</b> Government support for an environment that provides consistency across the region for planning for and operations of, meat and livestock enterprises.</p> <p><b>A3.3</b> Government support for an environment that markets the Namoi region as a food and fibre hub for NSW and the world.</p> <p><b>A3.4</b> Government funding and resourcing to assist producers to accelerate production of food and fibre into world markets.</p> <p><b>A3.5</b> Government legislation and policy for the "Right to Farm" in NSW.</p>	<ul style="list-style-type: none"> <li>▪ NSW Right to Farm Policy that reinforces rights and responsibilities establishes baseline and ongoing monitoring and evaluation of land use conflicts, land use planning, reviews of relevant environmental planning instruments to minimise conflicts, additional Government intervention be required.</li> <li>▪ Transport and logistics planning, prioritisation and funding.</li> <li>▪ Ownership and operations of abattoirs and saleyards.</li> <li>▪ Investment including domestic and foreign investment.</li> <li>▪ Export marketing, markets, support and resourcing.</li> </ul>

# PROCEDURE

2018/10 – 001/5 Version 2.2 (December 2019)

## ADVOCACY & LEADERSHIP REGISTER



NAME AND DESCRIPTION	NAMOI UNLIMITED AND ITS MEMBERS SUPPORT THE FOLLOWING POSITIONS:	POLICY REFERENCES															
<p>Intensive agricultural enterprises create jobs in the agricultural supply chain and open opportunities for agribusiness and innovation, service, research and education.</p> <p><b>Livestock Meat Industry Production 2018/19</b></p> <table border="1"> <tr> <td>NSW</td> <td>76%</td> <td>\$679m</td> </tr> <tr> <td>Queensland</td> <td>9%</td> <td>\$80m</td> </tr> <tr> <td>Victoria</td> <td>1%</td> <td>\$3.5m</td> </tr> <tr> <td>South Australia</td> <td>1%</td> <td>\$80m</td> </tr> <tr> <td>Western Australia</td> <td>1%</td> <td>\$126m</td> </tr> </table> <p>NSW's highest value producer region for livestock meat</p>	NSW	76%	\$679m	Queensland	9%	\$80m	Victoria	1%	\$3.5m	South Australia	1%	\$80m	Western Australia	1%	\$126m	<p><b>A4.1</b> Governments supports business and industry to grow and prosper in the Namoi region, creating employment and opportunities for the Local Government Areas it represents.</p> <p><b>A4.2</b> Governments supports the role of the Foreign Investment Review Board as a non statutory body established to advise the Treasurer and the Government on Australia's Foreign Investment Policy. Specifically that, proposed direct interests in an agribusiness generally require approval where the value of the investment is more than \$58 million, with an exemption applying to investors from Australia's</p>	<ul style="list-style-type: none"> <li>Government environmental policy relative to farming, agriculture and intensive agriculture planning and practice.</li> <li>Potentially reshape and consistency from a planning approach and perspective</li> <li>Food production, security and the protection of natural resources which sustain food production.</li> <li>Planning and approvals for mixed purpose operations, increasing renewables and use and operations on prime agricultural land</li> </ul> <p>Australian Government policies on foreign investment, bilateral international treaties and free trade agreements.</p>
NSW	76%	\$679m															
Queensland	9%	\$80m															
Victoria	1%	\$3.5m															
South Australia	1%	\$80m															
Western Australia	1%	\$126m															
<p><b>4. Foreign Ownership of Prime Agricultural Land</b></p> <p>Council members of Namoi Unlimited represent some of Australia's premier agricultural enterprises and lands.</p> <p>Foreign economies had a total of \$3.3 trillion invested in Australia at the end of 2017. The United States and United Kingdom are the biggest investors in Australia, followed by Belgium, Japan and Hong Kong (SAR of China). China is our ninth largest foreign investor, with 2.0 per cent of the total.</p> <p>Namoi Unlimited acknowledges community concern</p>																	

# PROCEDURE

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## ADVOCACY & LEADERSHIP REGISTER



NAME AND DESCRIPTION	NAMOI UNLIMITED AND ITS MEMBERS SUPPORT THE FOLLOWING POSITIONS:	POLICY REFERENCES
<p>in relation to acquisition of prime agricultural land by foreign owned entities. Namoi Unlimited will monitor media and examine decisions of the foreign Investment Review Board in relation to the purchase of prime agricultural land.</p>	<p>trade agreement partners and a \$0 threshold applying to Foreign Government investors.</p> <p><b>A4.3</b> Government funds the continued publication of reports on <a href="#">Foreign Ownership of Agricultural Land</a> by the Australian Taxation Office.</p>	
<p><b>5. Trade and Investment</b></p> <p>The <i>Regional Australia Institute</i> told Namoi Unlimited in 2015, that if it wanted to grow the economy it needed to support; agriculture, agricultural innovation, provide opportunity for investment on the right terms and accelerate exports.</p> <p>Namoi Unlimited will engage and develop relationships in overseas markets in pursuit of new trade and investment opportunities to grow the region.</p> <p>Regions like the Namoi need specific and expert assistance to monitor dynamics of global markets, climate change and changing consumer demand, to assist industry to evolve and adapt.</p>	<p><b>A5.1</b> Governments increase the capacity and capability of, and funding for, Councils to grow the economy and create jobs across regional NSW by:</p> <ul style="list-style-type: none"> <li>▪ Resourcing Councils to providing place based response and dedicated support to businesses to export their products and services.</li> <li>▪ Resourcing Councils to work with the NSW Government to attracting international investment.</li> <li>▪ Increased resources for international offices, engagement, communications and marketing of regional NSW.</li> </ul>	<p>Australian Government policy, investment and programs for AusTrade.</p> <p>NSW Government policy, investment and programs for the Department of Industry and Trade and the Department of Primary Industries.</p>
<p><b>6. Mining and Resource Development and Extractive Industries</b></p> <p>The New England North West geology is diverse and</p>	<p><b>A6.1</b> Governments recognises the importance of protecting important farmlands such as the Liverpool Plains.</p>	<p>NSW Government planning and land use legislation and policy, including the Council of Australian Governments (COAG) Standing Council on Energy</p>

# PROCEDURE

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## ADVOCACY & LEADERSHIP REGISTER

NAME AND DESCRIPTION	NAMOI UNLIMITED AND ITS MEMBERS SUPPORT THE FOLLOWING POSITIONS:	POLICY REFERENCES
<p>there is the potential for mineral and energy exploration and production.</p> <p>Namoi Unlimited believes communities need to be advised and informed of the potential risks to water, land and community resources as a result of mining and resource development in the Namoi region.</p> <p>The Gunnedah coal basin contains the State's third largest coal reserves and coal seam gas potential. Coal deposits also surround the Local Government Areas of Liverpool Plains Shire, Gunnedah Shire and have the potential to impact the economy of Tamworth Regional Council and to a lesser extent the rest of the Namoi region.</p> <p>The New England North West also contains deposits of gemstones, industrial minerals and extractive materials, with many small-scale mines in operation.</p>	<p><b>A6.2</b> Governments continue to reduce exploration licenses in areas where development of mining or resource development encroaches on agricultural enterprises.</p> <p><b>A6.3</b> Governments approach mining development sensitively to minimise negative impacts on the environment, agricultural land, neighbouring businesses and the community.</p> <p><b>A6.4</b> Governments will work with Local Government to respond to the lifecycle of mining with the intent of providing public resources and services and infrastructure that reflects growth.</p> <p><b>A6.5</b> Government deliver greater protection to agricultural land from the impacts of mining and coal seam gas (CSG) activity, such as:</p> <ul style="list-style-type: none"> <li>▪ coal seam gas exclusion zones;</li> <li>▪ safeguarding biophysical strategic agricultural land ;</li> <li>▪ application and scrutiny of the Gateway process for State significant mining and coal seam gas proposals;</li> <li>▪ acknowledging Critical Industry Clusters including the equine industry in the Namoi</li> </ul>	<p>and Resources Multiple Land Use Framework.</p> <p>NSW Government mining and extraction legislation and policy including; NSW Mineral Exploration and Development Assessment and Approvals Process for Major Mining and Petroleum (including coal seam gas) Projects.</p>



# PROCEDURE

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## ADVOCACY & LEADERSHIP REGISTER



NAME AND DESCRIPTION	NAMOI UNLIMITED AND ITS MEMBERS SUPPORT THE FOLLOWING POSITIONS:	POLICY REFERENCES
<p><b>7. Connected and Enabled Freight and Transport Infrastructure</b></p> <p>The network of roads plays an important role in the freight challenge for NSW. The movement of freight across accessible and efficient road networks is</p>	<ul style="list-style-type: none"> <li>▪ implement a Mining and Petroleum Gateway Panel to scientifically assess mining and coal seam gas impacts on strategic agricultural land and its associated water resources;</li> <li>▪ introduce regulations governing exploration activity, overseen by a Land and Water Commissioner;</li> <li>▪ introduce an Aquifer Interference Policy; and</li> <li>▪ introduce independent, robust and transparent Agricultural Impact Statement for all mining and resource development projects in the Namoi region.</li> </ul> <p><b>A6.6</b> Governments extend, support and fund bioregional assessments to provide transparent and scientific information on potential impacts of gas and coal mining developments on water and the environment.</p>	<p>Strategic rail infrastructure policy, programs and investments, the Investment Infrastructure Program, the Black Spot Program, Bridges Renewal Program, Heavy Vehicle Safety and Productivity Program, Roads to Recovery</p>

# PROCEDURE

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## ADVOCACY & LEADERSHIP REGISTER

NAME AND DESCRIPTION	NAMOI UNLIMITED AND ITS MEMBERS SUPPORT THE FOLLOWING POSITIONS:	POLICY REFERENCES
<p>critical for business and communities.                      increasing rail freight movements due to mining and resource development, rail level crossings are frequently closed.                      Investment and upgrading of rail infrastructure for passengers and freight capacity to enhance road capacity and reduce haulage costs.</p>	<p>\$300 million in roads to unlock the regions road transport network.  <b>A7.3</b> The Government requires ARTC to action and address;</p> <ul style="list-style-type: none"> <li>▪ the number of closed periods for crossings and the length of time crossings are closed;</li> <li>▪ advise Councils of proposed closures of crossings;</li> <li>▪ take any action to mitigate the cumulative impacts of increased rail transport on communities;</li> <li>▪ collaborate with Governments to plan solutions for infrastructure upgrades;</li> <li>▪ Upgrading of rail haulage network through Liverpool Plains Shire Council and the Gunnedah Shire Council.</li> </ul> <p><b>A7.4</b> Governments plan and invest in increased capability and capacity for passenger and freight on rail on the North West Rail Line Network including;</p> <ul style="list-style-type: none"> <li>○ Newcastle to Narrabri,</li> <li>○ Merris Creek to Tamworth</li> <li>○ Newcastle to Armidale</li> <li>○ Barraba Spur Line</li> </ul>	<p>Roads and Maritime NSW programs for funding                      Transport for NSW Freight and Ports Strategy                      Heavy Vehicles and freight policy, frameworks and logistics                      Roads to Recovery Statement of Expectations</p>

# PROCEDURE

2018/10 – 001/5 Version 2.2 (December 2019)

## ADVOCACY & LEADERSHIP REGISTER



NAME AND DESCRIPTION	NAMOI UNLIMITED AND ITS MEMBERS SUPPORT THE FOLLOWING POSITIONS:	POLICY REFERENCES
<p><b>8. Energy Infrastructure</b></p> <p>Namoi Councils support the view that renewable energy is essential to Australia's future economic</p>	<p><b>A7.5</b> Governments further subsidise passenger rail travel pricing.</p> <ul style="list-style-type: none"> <li>○ Inland Rail</li> <li>○ Tamworth Intermodal</li> <li>○ Werris Creek Over rail bridge</li> <li>○ Quirindi Over rail bridge</li> </ul> <p><b>A7.6</b> Commonwealth Government funding for Roads to Recovery increase in real terms road funding direct financial assistance to Local Government.</p> <p><b>A7.7</b> Governments commit to working with Local Government and to provide funding for;</p> <ul style="list-style-type: none"> <li>▪ Commercial air services into Gunnedah;</li> <li>▪ Development of the Tamworth International Air freight capability and capacity;</li> <li>▪ Slots for regional services into Sydney Airport;</li> <li>▪ Providing ongoing information to Local Government about the introduction of a second airport at Badgery's Creek and the future of Kingsford Smith Airport.</li> </ul>	<p>NSW Electricity Supply Act 1995                      Australian Energy Market Commission</p>

# PROCEDURE

2018/10 – 001/5 Version 2.2 (December 2019)



## ADVOCACY & LEADERSHIP REGISTER

NAME AND DESCRIPTION	NAMOI UNLIMITED AND ITS MEMBERS SUPPORT THE FOLLOWING POSITIONS:	POLICY REFERENCES
<p>growth and prosperity and a strategic driver in providing for future jobs and assisting with the lowering of greenhouse gas emissions posed by climate change.</p> <p>The development of renewable energy sources and enterprises in the region should not be to the detriment of base load security or the introduction of new technologies.</p> <p>Organisations like Namoi Unlimited can work with all levels of government to plan and prepare for infrastructure and energy needed into the future.</p>	<p><b>A8.1</b> Energy, Geothermal Energy, Solar Energy, Wind Energy, Pumped Hydro and HELE to support economic development and reduce energy prices.</p> <p><b>A8.2</b> Governments support and incentivise the development of the New England North West region as a Hub for Renewable energy in NSW.</p> <p><b>A8.3</b> Governments support the investigation of energy projects to support innovation between the agricultural and energy sectors.</p> <p><b>A8.4</b> Governments engage early and consistently to inform the community of potential and approved developments.</p>	
<p><b>9. Federal Government Local Government Assistance Grants (FAGs)</b></p> <p>Namoi Unlimited supports the Australian Local Government Association's (ALGA) position on grants. Local government (councils) is the third tier of government in the Australian system of government. Councils are primarily responsible for providing a wide range of critical local area services including planning, libraries and waste management and for infrastructure provision (e.g. roads and footpaths, parks, sporting grounds and swimming pools)</p>	<p><b>A9.1</b> Secure annual Commonwealth funding for local government equal to at least 1% of Commonwealth Taxation Revenue.</p> <p><b>A9.2</b> Oppose revenue constraints such as rate capping and cost shifting.</p> <p><b>A9.3</b> Encourage councils to acknowledge Financial Assistance Grants as a Commonwealth untied grant to local government.</p> <p><b>A9.4</b> Strengthen local government's credentials as a trusted partner for tied Commonwealth grants.</p> <p><b>A9.5</b> Secure annual Commonwealth funding for</p>	<p>ALGA Federal Budget 2019-20 Submission</p>

# PROCEDURE

2018/10 – 001/5 Version 2.2 (December 2019)

## ADVOCACY & LEADERSHIP REGISTER



NAME AND DESCRIPTION	NAMOI UNLIMITED AND ITS MEMBERS SUPPORT THE FOLLOWING POSITIONS:	POLICY REFERENCES
<p>required by the local community.</p> <p>Local government nationally employs about 187,000 Australians (around 10 per cent of the total public sector). It also owns and manages non-financial assets with an estimated written down value of \$408 billion (2015-16), raises around 3.6 per cent of Australia's total taxation revenue per annum and has an annual operational expenditure of around \$35 billion (2015-16), just under 6 per cent of total public sector spending.</p> <p>Nationally, local government derives nearly 90 per cent of its revenue from its own sources (including rates and services charges), compared to around 50 per cent for state governments. Grants from other levels of government make up only 10 per cent of local government's total revenue, however these grants are particularly important in areas with a low rate base, and/or high growth rate, and rapidly expanding service and infrastructure needs.</p> <p>Local government's expenditure is directed towards the provision of local services across the nation. These services include: housing and community amenities, transport and communications, recreation and culture and general public services. These services are critical to the productivity, wellbeing and</p>	<p>joint organisations of Councils.</p>	

# PROCEDURE

2018/10 – 001/5 Version 2.2 (December 2019)



## ADVOCACY & LEADERSHIP REGISTER

NAME AND DESCRIPTION	NAMOI UNLIMITED AND ITS MEMBERS SUPPORT THE FOLLOWING POSITIONS:	POLICY REFERENCES
<p>liveability of local communities and cumulatively of the nation.</p> <p><b>10. Engaged People Seeking Skills for the Future</b></p> <p>People and their skills are fundamental to the growth of our economies, our communities and lifestyle. Local Government is one of the largest employers in the Namoi region and has an important role to play in the attraction of people to the region, and the development of skills.</p> <p>Competition for skills across the region occurs across a number of sectors, for example mining and resource development offers above market rewards and conditions which inhibits the ability of Local Government to compete for skills.</p> <p>There is a perception that there are 'no jobs or limited jobs' in regional areas.</p> <p>As a group of Councils, members can collaborate to increase capacity and capability in skills areas that maybe difficult to full as individual Councils.</p>	<p><b>A10.1</b> Regional Trade Training Centre located in Gunnedah Shire Council including funding to establish and operate a trades training Centre in the heart of the Gunnedah Basin which is estimated to contain recoverable coal reserves of 1.48 billion tonnes - about 13% of NSW total coal reserves.</p> <p><b>A10.2</b> TAFE NSW is funded and strategically positioned to meet the workforce needs of Local Government, Industry and the regional community.</p> <p><b>A10.3</b> Establishment of a University in the Tamworth Region including funding for the establishment of a university in Tamworth Regional Council that services the Namoi region and beyond. Commonwealth placements to fund the ongoing operations of a university in the region.</p>	
<p><b>11. Emergency Assistance</b></p> <p>Across Australia local government plays an important role building resilient and sustainable communities,</p>	<p><b>A11.1</b> To do this ALGA is actively engaging with other levels of government on the continuation of appropriate Commonwealth funding to support</p>	<p>Emergency Management Australia                      National Strategy for Disaster Resilience Knowledge</p>

# PROCEDURE

2018/10 – 001/5 Version 2.2 (December 2019)



## ADVOCACY & LEADERSHIP REGISTER

NAME AND DESCRIPTION	NAMOI UNLIMITED AND ITS MEMBERS SUPPORT THE FOLLOWING POSITIONS:	POLICY REFERENCES
<p>particularly when it comes to dealing with natural hazards and other threats.</p> <p>Local governments are increasingly playing crucial roles in preparing communities through various mitigation interventions, assisting in response and playing a key leadership role in rebuilding and recovery efforts.</p> <p>Namoi Unlimited supports the ALGA policy work focuses on ensuring local government is recognised and supported in helping to build greater levels of resilience in Australia's diverse communities and geographic regions.</p> <p>The size, severity, timing, location and impacts of disasters are difficult to predict and our changing climate increases the uncertainty about future risks. Scientific modelling suggests that climate change will likely result in an increased frequency and severity of extreme weather events. Rising sea levels are increasing the likelihood of coastal erosion and severe inundation.</p> <p>Disaster resilience is a shared responsibility for individuals, households, businesses and communities, as well as for governments.</p> <p>In 2018, following floods, cyclones and fires which</p>	<p>councils and communities to mitigate and recover from natural disasters.</p> <p><b>Emergency Management</b></p> <p>Investment in the mitigation of risk, the promotion of community safety and warning systems, engaging partners and communities, protecting built and natural environments and community resilience.</p> <p>Support and funding for a whole-of-government, multi-agency and all hazards approach.</p> <p><b>Natural Disaster Resilience</b></p> <p>The Commonwealth Government invests a total of \$26.1 million each year in the National Partnership Agreement on Natural Disaster Resilience to fund priority disaster resilience initiatives. These funds are matched by state and territory governments.</p> <p>Changes to the Natural Disaster Recovery (NDR) Program to allow councils:</p> <ul style="list-style-type: none"> <li>○ greater flexibility and the self-determination of how NDR funding is spent;</li> <li>○ funding to be spent on the replacement of infrastructure to the same standard of that damaged or destroyed;</li> </ul>	<p>Hub</p> <p>Productivity Commission – Natural Disaster Funding Arrangements (2014)</p> <p>Department of Agriculture and Fisheries</p>

# PROCEDURE

2018/10 – 001/5 Version 2.2 (December 2019)



## ADVOCACY & LEADERSHIP REGISTER

NAME AND DESCRIPTION	NAMOI UNLIMITED AND ITS MEMBERS SUPPORT THE FOLLOWING POSITIONS:	POLICY REFERENCES
<p>greatly impacted communities across Australia, the Commonwealth Government established a National Resilience Taskforce within the Home Affairs Department to lead nation-wide reforms to reduce the impact and financial burden of disasters on our communities and economy. The Taskforce's first priority is to develop a five-year national disaster mitigation framework to reduce the impact of disasters.</p> <p>Local governments contribute to Australia's biosecurity in both metropolitan and rural/regional areas. The movement of animals and other livestock through our cities and towns via ports, roads and rail, as well as by foot across diverse rural landscapes, can expose our domestic agricultural and grazing industries and natural environment to risk from invasive pests, disease and noxious weeds.</p>	<ul style="list-style-type: none"> <li>○ a disaster management program and pool of funds to fund renewal or replacement of vital public.</li> </ul> <p><b>Biosecurity</b></p> <p>ALGA provides support to state and territory/local government associations on national-scale biosecurity issues through representation on peak working groups including the National Biosecurity Committee and on Federal Government initiatives that work across the tiers of government to help maintain and protect Australia's biosecurity.</p> <p>The role and investment in this function at a Local Government level is increased.</p>	





# NAMOI UNLIMITED

*Premier agricultural region in Australia*

## ANNUAL PERFORMANCE REPORT

11 May 2018 to 30 June 2019

GUNNEDAH SHIRE COUNCIL | GWYDIR SHIRE COUNCIL | LIVERPOOL PLAINS SHIRE COUNCIL  
TAMWORTH REGIONAL COUNCIL | WALCHA COUNCIL

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Chairman .....

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## Welcome and Introduction

The Annual Performance Report provides an account of our performance for our Member Councils and our community.

It details our achievements against commitments and our performance against our Annual Business Plan and our financial management over the past year.

The Annual Performance Report is an opportunity to acknowledge the great things that have been happening across Walcha Council, Tamworth Regional Council, Liverpool Plains Shire Council, Gunnedah Shire Council and Gwydir Shire Council.

This report also meets requirements under the *NSW Local Government Act (1993)* legislation says that within 5 months after the end of (financial) year, Namoi Unlimited is required to prepare a report as to the Joint Organisations achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed *Local Government Act 1993 (Act) s 428(1)*.

Copy of the council's annual report must be posted on the council's website and be provided to the Minister for Local Government (via OLG) and a copy will also be presented to the Minister of Local Government, The Hon Shelley Hancock MP *Act s 428(5)*.

Namoi Unlimited acknowledges the commitment and collaboration of Mayors, General Managers and staff from the Member Councils.

Namoi Unlimited acknowledges the Kamilaroi People, the traditional owners and custodians of the lands in our Region, and pay respect to the Elders both past and present.

Hard copies of this document are available at any of our five Member Councils via the General Manager, and electronic copies are available at [www.namoiunlimited.nsw.gov.au](http://www.namoiunlimited.nsw.gov.au).

It is acknowledged that the investment by Members in the activity of the Joint Organisation is significant not only financially but also operationally. There is a strong commitment from members who purse strategic priorities through the stewardship of these priorities and the work that steering committees and working groups undertake to achieve them.

Specifically acknowledged are:

- Tamworth Regional Council and Gunnedah Shire Council in the Water for the Future work and the Trade and Investment Strategy;
- Walcha Council and Gwydir Shire Council in the Enabled and Connected Infrastructure priority specifically in their guidance to the Roads and Transport Working Group; and
- Liverpool Plains Shire Council in the pursuit of engaging with people and skills, building scale, capacity and capability of the region and its human resources.

## Performance and Value

A key responsibility of a Joint Organisation is to identify its Strategic Regional Priorities and make plans to achieve the identified priorities for the benefit of the community. Namoi Unlimited has three identified Strategic Regional Priorities;

### 1. Water for the Future

Agriculture, agricultural products, commodities and services underpin the economies of the Namoi region. The dynamics of global markets, climate change and changing consumer demand, mean our core industry must evolve and adapt. The availability, security and access to water underpin every facet of agriculture.

Water is also critical to the other two priorities identified.

Our action will be targeted towards growth and development and water is the critical enabler for industry, business, communities, lifestyle, tourism and the environment.

### 2. Enabled and Connected Infrastructure

The provision of goods and services, connecting people and business, and addressing the perception of remoteness and isolation in regional areas are all dependent on having fully functional and connected infrastructure.

Roads, rail, air infrastructure, energy and telecommunications infrastructure are critical for the future growth and the development of the region.

The role of Namoi Unlimited is to understand the capacity and capability of existing infrastructure and networks, and then take a future focussed approach to prioritising, investing and advocating for critical and necessary infrastructure, necessary to enabling and supporting growth.

### 3. Engaged People seeking Skills for the Future

People and their skills are fundamental to the growth of our economies, our communities and lifestyle. Local Government is one of the largest employers in the Namoi region and has an important role to play in the attraction of people to the region, and the development of skills to meet future workforce demands.

The members of Namoi Unlimited will identify, promote and engage in opportunities to address skill shortages within both Councils and across communities.

## 2018-2019 HIGHLIGHTS

The highlights are focused on the functions described for Joint Organisations of Councils across NSW, recognising that Joint Organisations were given a mechanism by which Councils could work together in areas identified in strategic regional priorities and plans to achieve them.

### KEY FUNCTION 1: PLANNING AND PRIORITISATION

#### STRATEGIC REGIONAL PRIORITY: Water for the Future Strategy

Investment up to \$119,000

Project Commenced: December 2018

Project Concludes:

June 2019

The Water for the Future project is identified as a critical piece of analysis for its member Councils and Namoi Unlimited. Consultants Rhelm were appointed in December 2018 and over a period of six months completed an audit of the current sources and availability of water, in our communities to identify the supply, security and access issues.

#### The Outputs (what we did during the 2018-2019 financial year)

Funding and development of the *Water for the Future Strategy* for the Namoi region, providing;

- Detail of the water supply and infrastructure assets currently available to communities and business across the Namoi region;
- Over 30 recommendations were identified as future opportunities around demand and supply.
- A detailed understanding of the demand and supply of water for agricultural products, services, commodities, supply chains and value propositions creating the opportunity for the development of a proposal for a Special Activation Precinct across the Namoi region.
- An understanding of the constraints and some of the innovation opportunities for Local Government in water.
- And aligning water and desires for demand, growth and investment to opportunities, investment potential, community expectations and Government positions.

#### The Outcomes (what we will achieve by doing this in the 2018-2019 financial year)

The reports were presented in two volumes; Volume 1 is a comprehensive report on the resource and the region, Volume 2 the analysis and strategy provides the members with targeted and strategic advice that will enable the group to hone its pursuit of opportunities for regional growth further.

There are three recommended structures identified to position Councils into the future;

- Strategic which will provide advice and seek the evidence to support the building and investment into infrastructure including water utilities.
- Policy and performance considerations that will align where possible policy that is intended to support regional growth, investment and the pursuit of these drivers.
- Operational to collaborate on water utility planning, capacity and capability.

A proposal has been developed that identifies how by supporting the supply chains for intensive agriculture, value add opportunities may be created, generating jobs for the Namoi region. This is seen to be critical to identifying and facilitating new market opportunities for regional producers, and to building stronger and more resilient communities in this current drought.

### Trade and Investment Strategy

Strategic investment up to \$69,334 with funding of \$20,000 from the Australia-China Council and \$7,842 from the NSW Government

Project Commenced: July 2018

Project Concludes: June 2019

### The Outputs (what we did during the 2018-2019 financial year)

The outputs described in the Trade and Investment Strategy were to; establish and support a working group to drive the strategy under the stewardship of Tamworth Regional Council and Gunnedah Shire Council as the most experienced and resourced Councils involved in economic development, to support Councils to pursue investment opportunities for infrastructure, growth and jobs.

- Namoi Unlimited provided support and advocacy to individual Councils funding applications for community and roads and transport infrastructure, for example through the Namoi Roads Network Strategy Councils have attracted over \$100million in funding this financial year.
- Namoi Unlimited partnered with businesses and the NSW Government to pursue trade and export relationships for agriculture into China, specifically NingBo, and conducted activities like the Cynthia Dearin Export Workshop providing businesses with access to training rarely seen in regions of NSW.
- Namoi Unlimited engaged and has developed a network of exporters, who potentially will be the businesses primed for growth.
- Namoi Unlimited's investment in further branding and marketing of the region through case studies was hindered by drought conditions and uncertainty.

There were a number of specific activities undertaken in the pursuit of the Trade and Investment Strategy, including;

- A reciprocal visit from the Ningbo Government and business delegates to the Namoi region and AgQuip in August 2018.
- The China Study Tour to China, visiting Guangzhou, Shanghai and Ningbo in May 2019.
- The Cynthia Dearin Export Masterclass held in July 2019.

### The Outcomes (what we will achieve by doing this in the 2018-2019 financial year)

Namoi Unlimited despite the current drought conditions is committed to a targeted and regional approach to grow trade and investment in the region. Support for this approach is evidenced in the Shaping the Future of the Namoi Study (2015) that identified six levers that the joint Organisation could work on together.

Namoi Unlimited continues to be respected as an organisation that is contributing to developing better ways for Government to engage and invest in regional Australia. This is evidenced by the



organisations successes in attracting funding for capacity and capability programs from the NSW Government, and more recently access to an additional \$150,000 from the NSW Government for pursuit of strategic regional priorities.

### STRATEGIC REGIONAL PRIORITY: Enabling and Connected Infrastructure

Strategic investment up to \$25,000

Project Commenced: July 2018

Project Concludes:

June 2019

Namoi Unlimited continued to support Councils to analyse and prioritise the inhibitors to industry and growth, and or safety, to identify and address the network of roads and the network and connectivity of road to rail, air infrastructure, energy and telecommunications.

#### The Outputs (what we did during the 2018-2019 financial year)

Councils through the support of Namoi Unlimited identified over \$300million in road infrastructure investment to enable and connect the region to markets and ports. During the financial year, Councils were able to attract funding for almost \$100million of this three year target, a testament to regional planning, collaboration and inter-governmental relations facilitated by the Joint Organisation.

#### The Outcomes (what we will achieve by doing this in the 2018-2019 financial year)

The outcomes are that the region has an established function and an identified process to highlight, substantiate and promote enabling roads infrastructure for the region.

The relationships, efficiencies and opportunities to work together remain the opportunity for Councils working as a collaboration of Councils. Improved information and service delivery has been delivered by engaging with the NSW Government and the National Heavy Vehicle Regular as a group.

Future opportunities are for the Joint Organisation to focus on other inhibitors to industry and growth, and or safety, specifically around rail, air, energy and telecommunications. Namoi Unlimited believes further strategies to be released by the NSW Government around regional rail and regional airports, as well as clarification around energy and telecommunications required for future jobs and work will be necessary for the region to grow.

### STRATEGIC REGIONAL PRIORITY: Engaged People Seeking Skills for the Future

#### The Outputs (what we did during the 2018-2019 financial year)

In the previous financial year, Member Councils audited workforce development plans to identify collective operational opportunities to build scale and capacity of member Councils and the Joint Organisation.

A number of projects to build scale and capacity of Councils and businesses with support from the NSW Government and the Australian Government commenced or were completed, including;

- Bio-diversity Project Officer (\$140,000 Gwydir Shire Council)
- Contaminated Lands Project Officer (\$420,000)
- Increasing resilience to climate change on gravel roads (\$285,000)
- Export Ready Workshop (\$7,800)

**The Outcomes (what we will achieve by doing this in the 2018-2019 financial year)**

Further work needs to be done to capitalise on strategic and operational opportunities to increase services within Councils, nurture skills and talent in Local Government sharing experience and expertise and promote employment opportunities within Local Government.

**KEY FUNCTION 2: INTER-GOVERNMENTAL RELATIONS**

One of the key functions of a Joint Organisation is inter-governmental relations and the Joint Organisation has participated in a number of key Government stakeholder groups for Councils:

- Engagement with water agencies occurred through the Water for the Future project, and engagement with the Office of Water regularly as a member of the Namoi Water Alliance.
- Engagement with officers in NSW Trade and Investment both in Australian and overseas occurred, as well as engagement with Austrade offices.
- Engagement from Transport for NSW across roads, freight and road maintenance branches for collaboration around the Namoi Roads Network Strategy. Engagement with the Heavy Vehicle Regulator and National codes.
- New relationships are potentially developing with the NSW Public Advisory and the Public Service Commission around graduate opportunities in the region for Local Government and Namoi Unlimited as a collaboration of Councils.
- New England North West Regional Leadership Executive and sub groups;
  - New England North West Drought Taskgroup
  - Northern NSW Renewables Working Group
  - New England North West Regional Economic Development Sub-Committee
- New England North West Regional Plan 2036

**KEY FUNCTION 3: ADVOCACY AND LEADERSHIP**

Members established the framework, policy and procedures for advocacy and leadership from the Joint Organisation. As a group of Councils the opportunity of collaborating as a group that represents a larger population and geography is not lost on the members. Also establish was a base line position of advocacy on issues relative to the Strategic Regional Plan, including;

- Water for the Future
- Agriculture, Agribusiness and Innovation
- Intensive Agriculture Strategy
- Foreign Ownership of Prime Agricultural Land
- Trade and Investment
- Mining and Resource Development and Extractive Industries
- Connected and Enabled Freight and Transport Infrastructure
- Energy Infrastructure
- Federal Government Local Government Assistance Grants (FAGs)
- Engaged People Seeking Skills for the Future

- Emergency Assistance

Representations on behalf of members on positions of advocacy and leadership to the NSW Government and Australian Government representatives were made on the following topics;

- Water and the impacts of drought
- Namoi Roads Network Strategy and its priorities
- Education both at vocational and tertiary level for skills for business and the development of a university for Tamworth
- Support for Local Government and the Joint Organisation Model and future funding
- Acceleration of Trade and Investment opportunities for the region
- Energy
- National Telecommunications Review

Namoi Unlimited is an active participant in the Executive Officer and Chairpersons Networks for Joint Organisations of Councils in NSW.

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Chairman .....

ALIGNMENT TO THE STRATEGIC REGIONAL PRIORITIES	ALIGNMENT TO KEY FUNCTIONS	ACTIVITY AND DESCRIPTION	MEMBER BENEFIT	CASH VALUE TO COUNCILS (includes annual budget expenditure and grant funding)	IN-KIND VALUE TO COUNCILS (includes annual budget expenditure and grant funding)	STAFF INVESTMENT (Based on \$200 per hour x five for the Executive Officer.)		STATUS	
						Executive Officer	Member Councils Contribution		
Water for the Future Enabled and Connected Infrastructure Engaged People seeking Skills for the Future	Strategic Regional Plan and priorities  Inter-governmental Collaboration	2018-2021 year strategic regional plan and priorities. 2018-2019 Annual Business Plan.	ALL	\$12,000	-	\$32,000	\$16,000	Completed or Ongoing	
		Establishment grant for the Joint Organisation of Councils from the NSW Government through the Office of Local Government.	ALL	\$300,000	-	-	-	-	Completed or Ongoing
		New England North West Regional Leadership Executive	ALL	-	-	\$12,000	-	-	Completed or Ongoing
		New England North West Regional Economic Development Sub-Committee	ALL	-	-	\$6,000	-	-	Completed or Ongoing
		New England North West Regional Plan 2036 – monitoring committee and project liaison for the Joint Organisation, completed projects include:	ALL	-	-	\$8,000	-	-	Completed or Ongoing
		<ul style="list-style-type: none"> <li>Prepare a Regional Intensive Agribusiness Strategy to foster ongoing investment, specify guidelines for intensive agriculture and food processing and map suitable future precincts for these uses.</li> <li>Map important agricultural land and develop guidelines to support the implementation of the important agricultural and mapping through local plans.</li> <li>Deliver an annual New England North West Housing and Land Monitor</li> <li>Prepare guidelines for local housing strategies that will provide guidance on planning for local affordable housing needs.</li> </ul>	ALL	-	-	\$5,000	-	-	Completed or Ongoing
		Increasing resilience to Climate Change to manage the impact of reduced water availability on gravel roads and the potential use of waste water.	UPSC	-	\$285,000	-	\$5,000	-	Completed or Ongoing
		Support for the Thriving Small Towns initiative under the Regional Leadership Executive	ALL	-	-	\$28,000	-	-	Completed or Ongoing
		NSW Joint Organisation Executive Officer and Chairs Network	ALL	-	-	\$10,000	-	-	Completed or Ongoing
		Canberra Advocacy event – representation to Ministers and advisors for education, Local Government and regional development, energy trade and investment, drought and Local Members of Parliament and discussions with the Regional Australia Institute.	ALL	-	\$10,000	-	\$1,500	-	Completed or Ongoing
		Community consultations representations Farm Household Assistance Review	ALL	-	-	\$20,000	\$4,000	-	Completed or Ongoing
		Water for the Future Strategic Regional Project planning and documents, selection of consultants and contracting of consultants.	ALL	-	\$6,000	-	\$20,000	\$4,000	Completed or Ongoing
		Certification and training opportunities for collaboration and best practice across water operations.	ALL	-	\$14,010	-	\$25,750	-	Completed or Ongoing
		Trade and Investment Strategy	ALL	-	-	\$20,000	\$8,000	-	Completed or Ongoing
		Trade and Investment Strategy Projects <ul style="list-style-type: none"> <li>Project 1 – Ningbo Government Mission</li> <li>Project 2 – Sinda Foods Visit</li> <li>Project 3 – China Study Tour for Exporters</li> <li>Project 4 – Cynthia Dearnin Export Ready Workshop</li> </ul>	ALL	\$69,334	\$22,500	\$40,000	\$5,000	Completed or Ongoing	
Small and Medium Enterprises Export Hub application to develop and support the network of exporters in the Namoi region.	ALL	-	-	\$8,000	-	-	Completed or Ongoing		
NSW Regional Economic Development (DPEC) Investment Attraction Training	ALL	-	-	\$12,800	\$3,200	-	Completed or Ongoing		
MOU with a potential investor around a bio-energy opportunity for cotton	ALL (except WC)	-	-	\$1,200	-	-	Completed or Ongoing		
Potential dairy investor	WC	-	-	-	-	-	Completed or Ongoing		
Poultry enquiry for chicken feet and chicken middle joint wings starting at 10 containers	TRC	-	-	-	-	-	Not proceeding		

of each product category.									
	Lamb supply enquiry from Hezhong	ALL	-	-	-	-	-	-	-
	Education and training with a private college in Mingho	ALL	-	-	-	-	-	-	-
	Food processing and value add opportunities for beef, lamb and grain	ALL	-	-	-	-	-	-	-
Planning and Prioritisation	Representation of Member Councils with Safe and Secure Water to facilitate opportunities with government and partners for investment into the provision of water, infrastructure and skills.	ALL	-	-	-	\$4,000	-	-	-
Inter-governmental Collaboration	New England North West Drought Task group – distribution of fact sheets, program information and contacts.	ALL	-	-	-	-	\$15,000	-	-
	Namoi environmental water and floodplain harvesting working group with NSW Office of Environment.	ALL	-	-	-	-	\$2,000	-	-
Advocacy and Leadership	Annual membership of the Water Industry Association	ALL	-	-	-	-	-	-	\$11,000
Planning and Prioritisation	Representation at the Regional Telecommunications Review, assessment of the review findings and the Government response. Preparation of priorities aligned to the 20 year Vision for Regional NSW and the REDS	ALL	-	-	-	\$2,000	-	\$800	-
Advocacy and Leadership	Namoi Roads Network Strategy, Roads and Transport Working Group	ALL	-	-	-	\$40,000	-	\$15,000	-
	Network Business Case – Stage 2	ALL	-	-	-	\$100,000	-	\$83,200	\$12,000
	Fossilisers Way Corridor	GWSC, TRC	-	-	-	-	-	\$9,380,000	-
	Tamworth Corridor	TRC	-	-	-	-	-	\$16,074,000	-
	Thunderbolts Way Corridor	WC, TRC	-	-	-	-	-	\$11,342,400	-
	Werris Creek Road Corridor	TRC, LPSC	-	-	-	-	-	\$25,000,000	-
	Heavy Vehicle Safety Productivity Program (HVSP) for Grain Valley Road	GSC	-	-	-	-	-	\$10,000	-
	Liverpool Plains and Gunnedah Shire Corridor	LPSC, GSC	-	-	-	-	-	\$30,990,000	-
	Regional approach to the NRMMA electric vehicle charging stations roll-out	ALL	-	-	-	-	-	-	-
	Renewables Investor HITE targeting projects for solar or wind farms, no less than 50MW, franchising or acquiring.	ALL	-	-	-	-	-	-	EXPORT LEAD
Inter-governmental Collaboration	Northern NSW Renewables Project and Forum to produce a resource look for Councils	ALL	-	-	-	\$8,000	-	\$800	INFORMATION
Planning and Prioritisation	Contracts and revenue sharing agreement between a Material Recovery Facility and councils from the NSW Container Deposit Scheme.	ALL	-	-	-	\$10,000	-	-	-
	Facilitation and coordination of discussions about NSW Population Futures with NSW Population and Land Use Analytics.	ALL	-	-	-	-	-	\$3,200	\$1,500
	New England North West Bio-diversity project officer is managed by Gwydir Shire Council	ALL	-	-	-	\$70,000	-	\$2,000	\$10,000
Engaged People seeking Skills for the Future	NSW Information Commission CEO presentation to the region and the Board about public confidence and good governance.	ALL	-	-	-	-	-	\$3,200	\$1,500
Inter-governmental Collaboration	Gunnedah Shire Council will represent the region on the Department of Planning Council Stakeholders Panel.	ALL	-	-	-	-	-	-	\$6,400
	Application for funding for a regional Contaminated Lands Officer for 3 years.	ALL	-	-	-	\$420,000	-	\$12,000	\$3,200
	Heritage Near Me Program and the Energy Management Services program training and grants program.	ALL	-	-	-	-	-	-	INFORMATION
Advocacy and Leadership	Local Government Skills Strategy	ALL	-	-	-	-	-	-	\$5,000

▪ Gunnedah Shire Council	-	-	\$7,461	-	-
▪ Gwydir Shire Council	-	-	\$7,920	-	-
▪ Liverpool Plains Shire Council	-	-	\$18,602	-	-
▪ Tamworth Regional Council	-	-	\$82,893	-	-
▪ Walcha Council	-	-	\$32,334	-	-

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Chairman .....

## FINANCIAL REPORT

A full copy of the Audited Financial Statements for the 2018/2019 year is provided on the website at [www.namoiunlimited.nsw.gov.au/content/uploads/2019/10/191017-AGA-Board-Meeting-Walcha.pdf](http://www.namoiunlimited.nsw.gov.au/content/uploads/2019/10/191017-AGA-Board-Meeting-Walcha.pdf)

### Income

#### Note 2 Income from continuing operations

	Period 11 May 2018 to 30 June 2019
	\$
(a) Member Council contributions	
Gunnedah Shire Council	30,000
Gwydir Shire Council	30,000
Liverpool Plains Shire Council	30,000
Tamworth Regional Council	30,000
Walcha Shire Council	30,000
<b>Total member council contributions</b>	<b>150,000</b>
(b) User charges and fees	
China Study Tour Fees	22,788
<b>Total user charges and fees</b>	<b>22,788</b>
(c) Interest and investment revenue	
Interest on financial assets measured at amortised cost	733
<b>Total interest and investment revenue (losses)</b>	<b>733</b>
(d) Grants	
	<b>Operating</b>
	<b>Period 11 May 2018 to 30 June 2019</b>
Joint Organisation Establishment	300,000
China - Namoi Engagement Project	20,000
Contaminated Lands Program	140,000
New England North West Export Workshop	7,890
	<b>467,890</b>
Comprising	
- Commonwealth funding	20,000
- State funding	447,890
	<b>467,890</b>

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## Expenses

### Note 3 Expenses from continuing operations

	Period 11 May 2018 to 30 June 2019
(a) Employee benefits and on-costs	\$
Salaries and wages	156,788
Travel expenses	15,653
Employee leave entitlements (ELE)	26,203
Superannuation	18,267
Workers compensation insurance	12,114
<b>Total employee benefits and on-costs</b>	<u>229,025</u>
(b) Administrative expenses	\$
Contractor and consultancy costs	
- Media and Communications	24,946
- Namoi Water Alliance	28,470
- Namoi Water Strategy	105,350
Remuneration of auditors	6,000
Training	10,934
Travel	
- Chair	2,044
- Ningbo delegation	3,166
- Trade & Investment – China Study Tour	56,200
- Advocacy	9,841
Meetings	2,621
Subscriptions	20,000
Other	18,069
<b>Total administrative expenses</b>	<u>287,641</u>
Auditors' remuneration	
Auditors of the Namoi Joint Organisation - NSW Auditor General:	
- Audit of financial statements	6,000
<b>Total fees paid or payable to the Auditor- General</b>	<u>6,000</u>

#### Accounting policy for expenses

Employee benefit expenses are recorded when the service has been provided by the employee.

Borrowing costs are expensed as incurred.

Depreciation is calculated using the straight-line method to allocate the cost of the asset, net of residual



### NAMOI UNLIMITED'S PROFILE

Namoi Unlimited consists of a range of Councils including Gunnedah Shire Council, Gwydir Shire Council, Liverpool Plains Shire Council, Tamworth Regional Council and Walcha Council. Through member council cooperation, Namoi Unlimited is able to build on the unique and diverse economic, cultural and natural qualities of each region. JOs will not impose significant red tape or cost to their communities.



Namoi Unlimited is a Joint Organisation of Councils in New South Wales. Joint Organisation's of Councils is a voluntary function of Councils that enables them to collaborate, plan, set priorities and deliver important projects in regional NSW.

Councils in the Namoi region are; Gunnedah Shire Council, Gwydir Shire Council, Liverpool Plains Shire Council, Tamworth Regional Council and Walcha Council.

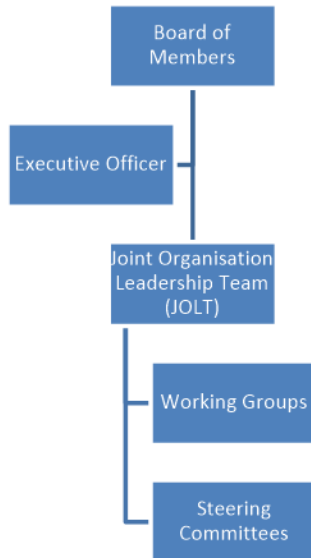
### YOUR MEMBER REPRESENTATIVES

The Board of Namoi Unlimited includes the Mayors of member Councils.

- Councillor Jamie Chaffey, Chairperson and Mayor Gunnedah Shire Council
- Councillor Colin Murray, Deputy Chairperson and Mayor Tamworth Regional Council
- Councillor Andrew Hope, Mayor Liverpool Plains Shire Council
- Councillor John Coulton, Mayor Gwydir Shire Council
- Councillor Eric Noakes, Mayor Walcha Council

The NSW Government is a non-voting Member and is represented by the Director – Regional NSW for the New England North West region.

The organisational structure is as follows:



The Mayors receive advice and information about strategic and operational opportunities from the General Managers of member Councils. Working Groups are established with key experienced personnel from within each member Council. The Board, the General Managers Group and various working groups meet regularly throughout the Namoi region. The administration of the organisation is reliant on the support of member Councils and their staff. The organisation employs an Executive Officer to guide the organisations activities.

### Steering Committees

A Steering Committee is a partnership between representatives of Namoi Unlimited, Member Councils, external parties or identified stakeholders to provide advice and undertake specific and collaborative project activities for Namoi Unlimited.

Active 2018/2019 Steering Committees are:

- Namoi Water Alliance (Established November 2012)  
Established to collaborate on the supply, access, security, service functions, management and operation of water and sewer facilities.
- Roads And Transport (March 2016)  
Established to collaborate and develop a road network that prioritises and focusses on freight, safety and regional development.

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### Working Groups

A Working Group is a partnership between Namoi Unlimited employees and representatives of Member Councils to provide advice and undertake specific and collaborative project activities for Namoi Unlimited.

Active 2018/2019 Working Groups are:

- Joint Organisation Leadership Team (JOLT)
- Contaminated Lands Project
- Trade and Investment Strategy

### Member Conduct

Members are Councillors and are elected by the residents and ratepayers to act in the best interests of the community.

To guide the conduct of elected members, Council Code of Conduct and standards of conduct, behaviour, accountability and responsibilities apply to ensure public confidence is maintained.

The community expects the business of Local Government is to be conducted with efficiency, transparency and impartiality.

To mitigate any personal or private interests that may compromise the conduct and decisions of a Member, declaration of conflicts of interest is a standing agenda item for all Board meetings.

### Member Allowances

The Chair and Members are not paid an annual fee. Member's expenses incurred by representing their Council discharging their functions and responsibilities may be paid by the Joint Organisation. Nil payments for expenses have been claimed by members.

## STATUTORY INFORMATION

### Amount of rates and charges written off during year Local Government (General) Regulation 2005 (Reg), cl 132

Nil

### Total cost during the year of the payment of expenses of, and the provision of facilities to, councillors in relation to their civic functions

#### Provision of dedicated office equipment allocated to councillors

Nil

#### Telephone calls made by councillors

Nil

**Attendance of councillors at conferences and seminars**

Nil

**Training of councillors and provision of skill development**

Nil

**Interstate visits by councillors, including transport, accommodation and other out-of-pocket travelling expenses**

Nil

**Overseas visits by councillors, including transport, accommodation and other out-of-pocket travelling expenses Reg cl 217(1)(a)**

Namoi Unlimited representatives made one overseas trip during the 2018/2019 financial year.

WHO	DATE FROM DATE TO	OVERSEAS DESTINATION	PURPOSE
Cr Jamie Chaffey Cr Colin Murray Rebel Thomson Alex Wang	19 – 25 May 2019	Reaffirm establishing a Government to Government relationship in China by formalising directions for a future relationship and signing of a Memorandum of Understanding with the Foreign Affairs Office, Ningbo Zhejiang Province, China.	Conduct activities in Shanghai, Ningbo and Guangzhou to: <ul style="list-style-type: none"> <li>▪ Understand opportunities for marketing and promotion of regional products and brands on e-commerce. Develop contacts for agents and import networks for beef, lamb and poultry products.</li> <li>▪ Build confidence and awareness of the Namoi region and the five member Councils.</li> <li>▪ Provide the opportunity for exchange of economic and community development Officers.</li> <li>▪ Showcase regional produce and opportunities from the Namoi.</li> </ul>

**Expenses of any spouse, partner or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors**

Nil

Expenses involved in the provision of care for a child of, or an immediate family member of, a councillor Reg cl 217(1)(a1) (i), (ii), (iii), (iv), (v), (vi), (vii), (viii)

Nil

Details of each contract awarded for amounts greater than \$150,000 including: name of contractor (except employment contracts - contracts of service), nature of goods or services supplied and total amount payable Reg cl 217(1)(a2) (i), (ii)

Nil

Summary of the amounts incurred by the council in relation to legal proceedings including: amounts incurred by council in relation to proceedings taken by or against council (including out of court settlements), summary of the state of the progress of each legal proceeding and (if finalised) the result Reg cl 217(1)(a3)

Nil

Include resolutions made concerning work carried out on private land, including: details or a summary of any resolutions made under section, and Reg cl 217(1)(a4) & Act s 67, 67(2)(b)

Nil

Details or summary of any work carried out, where the charge is less than the approved fee, the proposed fee to be charged and the total amount subsidised by the Joint Organisation

Nil

Total amount contributed or otherwise granted to financially assist others Reg cl 217(1)(a5) & Act s 356

Nil

Statement of all external bodies that exercised functions delegated by the Joint Organisation Reg cl 217(1)(a6)

Tamworth Regional Council has been delegated functions to provide human resources, financial, ICT, GIPA and PID functions to the Joint Organisations at no cost to the Joint Organisation.

Statement of all corporations, partnerships, trusts, joint ventures, syndicates or other bodies in which the Joint Organisation held a controlling interest Reg cl 217(1)(a7)

Nil

Statement of all corporations, partnerships, trusts, joint ventures, syndicates or other bodies in which the Joint Organisation participated during the year Reg cl 217(1)(a8)

Nil

Statement of activities to implement its EEO management plan Reg cl 217(1)(a9)

Nil

Statement of the total remuneration package of the general manager Reg cl 217(1)(b)(i), (ii), (iii), (iv), (v)

Total value of the salary component of the package

The salary component of the Executive Officer's package for the 2018/2019 financial year was \$177,759.

Total amount of any bonus, performance or other payments that do not form part of the salary component

Nil

Total amount payable by way of the employer's contribution or salary sacrifice to any superannuation scheme to which the general manager may be a contributor

\$16,887 was the Employer's contribution, the Employee made Nil additional contributions.

Total value of any non-cash benefits for which the general manager may elect under the package

Nil

Total amount payable by way of fringe benefits tax for any such non-cash benefits

Nil

Statement of the total remuneration packages of all senior staff members, expressed as the total (not of the individual members) Reg, cl 217(1)(c) (i), (ii), (iii), (iv), (v)

Nil

A statement detailing the stormwater management services provided (if levied) Reg cl 217(1)(e)

Nil

A statement detailing the coastal protection services provided (if levied).  
Reg cl 217(1)(e1)

Nil

Detailed statement, prepared in accordance with such guidelines as may be issued by the Director-General from time to time, of the council's activities during the year in relation to enforcing, and ensuring compliance with, the provisions of the Companion Animals Act 1988 (CA Act) and the Companion Animal Regulation 2018

Nil

Report on certain proposed capital works projects where a capital expenditure review had been submitted OLG Capital Expenditure Guidelines

Nil

Councils considered to be 'human service agencies' under the CR Act (provide services directed at carers and/or people being cared for by carers) must report on compliance with the CR Act for the reporting period. Carers Recognition Act 2010 (CR Act), s 8(2)

Nil

Information on the implementation of council's Disability Inclusion Plan and give a copy to the Minister for Disability Services Disability Inclusion Act 2014, s 13(1)

Nil

Particulars of compliance with and effect of planning agreements in force during the year Environmental Planning & Assessment Act 1979, s 7.5(5)

Nil

Recovery and threat abatement plans - Councils identified in a plan as responsible for implementation of measures included in the plan, to report on actions taken to implement measures as to the state of the environment in its area. Fisheries Management Act 1994, s220ZT (2)

Nil

Details of inspections of private swimming pools Swimming Pools Regulation 2018 (SP Reg) cl 23

Nil

**Information included on government information public access activity.  
Government Information (Public Access) Act 2009, s 125(1) Government  
Information (Public Access) Regulation 2018, cl 8, Schedule 2**

Namoi Unlimited received zero formal access and zero informal applications for the reporting year under *Government Information (Public Access) Act, 2009 (GIPA)*.

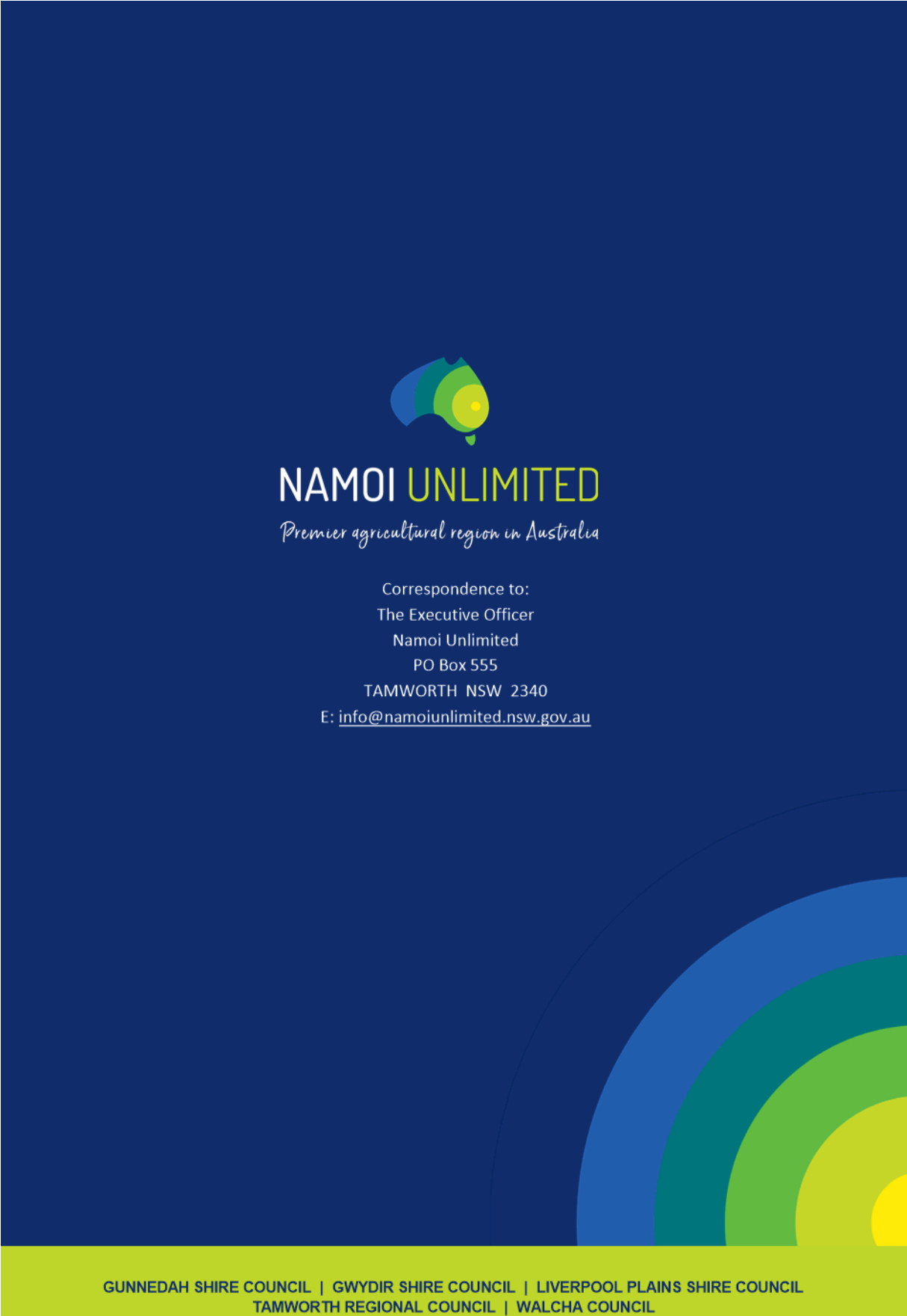
**Information included on public interest disclosure activity. Public Interest  
Disclosures Act 1994, s 31 Public Interest Disclosures Regulation 2011, cl 4**

Namoi Unlimited has no knowledge of any Public Interest Disclosures on its activities.

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**Item 7 Internal Audit Committee Recommendations**

**FILE REFERENCE**

**DELIVERY PROGRAM**

**GOAL:** 5. Organisational Management

**OUTCOME:** 5.1 CORPORATE MANAGEMENT

**STRATEGY:** 5.1.1 Financial management and accountability systems - CFO - internal

**AUTHOR** General Manager

**DATE** 4 December 2019

**STAFF DISCLOSURE OF INTEREST** Nil

**IN BRIEF/ SUMMARY RECOMMENDATION**

The recommendations from this Committee Meeting will be circulated prior to the Council Meeting.

**OFFICER RECOMMENDATION**

THAT the report be received

**ATTACHMENTS**

There are no attachments for this report.

**COUNCIL RESOLUTION**

**MINUTE 425/19**

**THAT the following resolutions from the Internal Audit Committee are noted:**

**Adoption of Minutes (Ref: 426/19)**

**THAT the Minutes of the previous Internal Audit Committee Meeting held on Friday 20<sup>th</sup> September 2019 as circulated be taken as read and CONFIRMED.**

**Financial Reports and OLG Letter (Ref: 427/19)**

**THAT the Committee notes the correspondence from the Office of Local Government and looks forward to receiving a copy of the Council's response.**

**FURTHER the Council's Quarterly Review result is noted.**

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Chairman .....

**Draft Guidelines Submission (Ref: 428/19)**

**THAT the Chair's suggested submission is endorsed.**

**FURTHER that the Council's submission include the suggestion that each Council should have the ability to select the independent members, have Councillor representation and negotiate the fees.**

**FURTHER that Committee's structure should mirror that of listed Australian Companies rather than the onerous and unreasonable conditions outlined in the Draft Guidelines.**

**Position of Chair (Ref: 429/19)**

**THAT Mr Jack O'Hara, former General Manager at Walcha Shire Council, be approached to take on the Chair role of the Council's Internal Audit Committee for a period of 2 years.**

**FURTHER Mr. Nick Tobin is thanked for his chairmanship over the last 2 years.**

**(Moved Cr Young, seconded Cr Smith)**

**Item 8 Crown Land Management Act, 2016 NSW**

**FILE REFERENCE**

**DELIVERY PROGRAM**

**GOAL:** 3. An Environmentally Responsible Shire

**OUTCOME:** 3.2 WE USE AND MANAGE OUR NATURAL RESOURCES WISELY

**STRATEGY:** 3.1.3 Value, protect and enhance our natural environment - ED - external

**AUTHOR** General Manager

**DATE** 9 December 2019

**STAFF DISCLOSURE OF INTEREST** Nil

**IN BRIEF/ SUMMARY RECOMMENDATION**

**TABLED ITEMS** Nil

**BACKGROUND**

Council is legislatively required to undertake planning and project works, particularly those of a capital nature within the provisions of the Commonwealth Native Title Act, 1993, the Native Title Act, 1994 NSW the Aboriginal Land Rights Act, 1983 NSW, and the National Park and Wildlife Act, 1974, NSW and the recent Crown Land Management, 2016 NSW.

In addition, Council is required under the Crown Land Management, 2016 NSW, to adopt Plans of Management of the Crown Lands that it manages. The NSW Government has provided Council \$75,000 to assist in the development of these Plans of Management.

The following is a brief summary of each of these relevant Acts, and their purpose.

**Native Title Act, 1993 Commonwealth**

Historically, Australian law presumed that the Crown had acquired full title to the land in Australia. This presumption rested on the view that Australia was not 'settled at law' before European colonization, that it was 'nobody's land' or terra nullius.

The High Court decision of Mabo v Queensland changed this and recognized that Aboriginal people held rights and interests in relation to land by virtue of their traditional lore and customs and that those rights and interests continue unless extinguished.

**Native Title Act, 1994 NSW**

The NSW Government enacted the Native Title Act, 1994 NSW to confirm the effect of the Commonwealth’s Native Title Act, 1993 as it applies to NSW circumstances. The Commonwealth Act remains the main legislation to be used by Council.

**Aboriginal Land Rights Act (ALRA), 1983 NSW (Land Claims)**

This Act recognises that “Land is of spiritual, social, cultural, and economic importance” to Aboriginal people, and that, “as a result of past Government decisions the amount of land set aside for Aboriginal persons has been progressively reduced without compensation”.

The aim of this Act is to return land in NSW to Aboriginal people through a process of lodging claims for certain Crown lands.

The legislation established a network of democratically elected Aboriginal Land Councils across NSW. These Land Councils acquire and manage land as an economic base for Aboriginal communities, as compensation for historic dispossession and in recognition of the ongoing disadvantage suffered by Aboriginal communities.

**National Parks and Wildlife Act, 1974 NSW**

The purpose of this Act is to protect Aboriginal cultural heritage. That Act applies to all land including freehold.

Aboriginal cultural heritage is any place and object of significance to Aboriginal people because of their traditions, observances, lore, customs, beliefs and history. It provides evidence of the lives and existence of Aboriginal people before European colonization through to the present.

Aboriginal cultural heritage is dynamic and may comprise physical (tangible) or non-physical (intangible) elements. Tangible examples include stone tools, art sites, ceremonial or burial grounds, mission buildings, massacre sites and cemeteries.

Part 6 of this Act, provides specific protection for Aboriginal objects and declared Aboriginal places by establishing offences of harm. Harm is defined to mean destroying, defacing, damaging an Aboriginal object or declared Aboriginal place, or moving an object from the land.

**Crown Land Management Act, 2016 NSW**

From 1 July 2018 the Act passes responsibility from the NSW Government to local government entities regarding activities which affect native title undertaken on Crown Land managed or supervised by local government.

From this date any compensation which may be payable to a Native Title claimant as determined by the Federal Court may be payable by the relevant local government entity.

The Crown Land Management Act, 2016 also authorizes local councils that are appointed to manage dedicated or reserved Crown land, to manage that land as if it were public land under the Local Government Act, 1993.

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Under the Local Government Act, a 'plan of management' must be adopted by council for every parcel of community land. Each plan of management categorizes that land and governs its use and management.

Please note that these plans are to be drafted in consultation with the community and completed by 30 June 2021.

## COMMENT

### What must Council do to comply with this legislation?

#### Native Title

The Native Title framework recognises and protects native title and validates past government dealings in land which had the effect of extinguishing native title. The framework also sets standards to allow future dealings affecting native title to take place. The key issue for Council to consider is whether the exercise of Council powers and functions in undertaking an activity (for instance, a capital works project) will affect native title.

If the activity does affect native title then under the provisions of the Crown Land Management Act, 2016 NSW Council is liable to pay compensation. The amount of compensation is determined through agreement between parties or by the Federal Court. Currently the whole of Gwydir Shire is subject to a native title claim by the Gomeri People.

Accordingly, when Council is dealing with Crown Lands it must consider whether the activity is likely to affect native title. If it considers that it may, Council must give notice to the Gomeri People through the **Future Act Notification** process before proceeding with the activity.

If, upon giving due Notice and allowing a period of time for comment, no comments are received then Council may undertake the activity knowing that compensation may be payable in the future.

If the claimant objects to the activity then the activity can only occur if the parties can come to a formal agreement or await a determination by the Federal Court.

#### Land Claims

As at the date of this report there are more than 33,000 NSW Aboriginal land claims to be determined by the NSW Government. Council cannot deal directly with a Land Claimant; however, the lodgement of an Aboriginal land claim on Crown Land should not influence the management of a reserve where that management is consistent with the purpose of the Crown Land Reserve.

In instances, whereby an activity is in addition to the stated purpose then Council is required to seek the Minister's approval before proceeding with the activity.

#### Aboriginal Cultural Heritage Assessment

Under the National Parks and Wildlife Act, NSW Council has been obligation to ensure that Aboriginal cultural heritage is preserved.

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Council is obliged to undertake activities with due diligence. Council needs to investigate a site before commencing an activity. Depending on the size and potential impact of the activity, Council may engage an Aboriginal Cultural Assessor to investigate the site before commencing the activity. If Aboriginal cultural heritage is found then Council must obtain an Aboriginal Heritage Impact Permit from the NSW Government’s Office of Environment and Heritage before proceeding.

If Council is undertaking an activity and the Council unearths Aboriginal cultural heritage it is required to stop immediately and seek assessment.

**Crown Land Plans of Management.**

Council is required, through community collaboration, to adopt Plans of Management of Crown land parcels/Reserves and set out how such lands are to be used and managed.

To achieve this Council needs to firstly identify all parcels of crown land that it manages. Currently a great number of parcels have no manager formally appointed and are noted on Council’s records simply as ‘No Trust’.

When all of the parcels of Crown Land are identified Council will then request the NSW Government to formally acknowledge Council’s ongoing role by lawfully appointing Council as the Reserve Manager.

This process will also serve to further develop Council’s Asset Register and ensure Council complies with the NSW Government’s Code of Accounting Practice and financial reporting obligations.

**CONCLUSION**

As mentioned above there is currently a Federal Court matter, Gomeroi People v The Attorney General of New South Wales and Respondents, (Matter Number NSD 2308/2011) which covers all of Gwydir Shire.

Council has engaged a Solicitor, Ms. Vanessa Field, to act in regard to this matter.

The matter has been ongoing for a number of years, however it is hoped that it will come before the Court for determination within the next four years.

Within this period Council has the opportunity to prepare a case and to present evidence to the Federal Court that native title has been extinguished on a number of parcels of Crown Land within our Shire that the Council has determined as strategically important. Collating such evidence will require a great many researching hours as Council will need to establish that is the lawfully appointed manager of such lands and that the activities undertaken (particularly that of public works) were resolved by Council or otherwise lawfully carried out. This work will involve searching through Council’s minutes, obtaining copies of Government Gazette notices and checking that the gazettal was made lawfully.

The proposed research will marry in with the work required for the adoption of Plans of Management with the first task being establishing a list of all parcels of land that Council manages.

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The extent of the research required is detailed in the attachment relating to the Bingara Caravan Park.

**OFFICER RECOMMENDATION**

THAT the report be received

**ATTACHMENTS**


**AT-** Establishing that Native Title has been extinguished

**COUNCIL RESOLUTION:  
MINUTE 430/19**

**THAT the report (Crown Land Management Act, 2016 NSW) be received.**

**(Moved Cr Galvin, seconded Cr Smith)**



 Project Planning and Approval

**Future Act Implications and Requirements**


**Subdivision J** – (Reservations, leases etc) which deals with acts undertaken on land reserved for a public purpose

**Procedural rights** - This subdivision requires notification and an opportunity for comment be given where the future act is a public work or creation of a plan of management for a "State park intended to preserve the natural environment ..."  
(section 24JB(6) and (7))

**Consequences -**

- (4) *The **native title holders** are **entitled to compensation** for the act in accordance with Division 5.*
- (5) *The native title holders may recover the compensation from:  
(b) if the act is attributable to a State or Territory - the Crown in right of the State or Territory.*


LANDSAS – Craig Barnes and Vanessa Field





**NATIVE TITLE**


Evidencing a Public Work


LANDSAS – Craig Barnes and Vanessa Field


	<h2>Evidencing a Public Work</h2>
<p><b>Why seek to evidence a Public Work?</b></p> <p>Council may seek to evidence a public work in order to determine whether native title has been extinguished over land or waters.</p> <p>As the process and detail of evidencing a public work is time consuming Council will likely only commence it where the project:</p> <ul style="list-style-type: none"><li>▪ has not identified a past act that extinguishes native title or PEPA (ie a scheduled lease or other exclusive interest), and</li><li>▪ has not identified an appropriate Future Act other than an acquisition that requires the right to negotiate.</li></ul>	
<p>LANDSAS – Craig Barnes and Vanessa Field</p>	


	<h2>Evidencing a Public Work</h2>
<p><b>Why seek to evidence a Public Work?</b></p> <p>Evidencing a public work may be relevant where Council:</p> <ul style="list-style-type: none"><li>▪ seeks to replace or extend an existing public work or undertake development within the footprint of the public work.</li><li>▪ requests a native title certificate from the Department of Planning, Industry and Environment (with the result that the land will be Excluded Land for the purposes of the CLMA)</li><li>▪ seeks to obtain consent from the Minister for Water, Property and Housing to sell or otherwise dispose of land under section 3.22(4)(a) of the CLMA.</li><li>▪ has no earlier act under Subdivision J to rely on.</li></ul>	
<p>LANDSAS – Craig Barnes and Vanessa Field</p>	


	<h2>Evidencing a Public Work</h2>
<p><b>Legislative Requirements</b></p> <p>Section 23B - Previous exclusive possession act</p> <p>(1) This section defines previous exclusive possession act.</p> <p><i>Construction of public works commencing on or before 23.12.1996</i></p> <p>(7) An act is a previous exclusive possession act if:</p> <ul style="list-style-type: none"><li>(a) it is <b>valid</b> (including because of Division 2 or 2A); and</li><li>(b) it consists of the construction or establishment of any <b>public work</b> that commenced to be constructed or established on or <b>before 23 December 1996</b>.</li></ul>	
<p>LANDSAS – Craig Barnes and Vanessa Field</p>	


	<h2>Evidencing a Public Work</h2>
<p><b>Legislative Requirements</b></p> <p>(7) An act is a previous exclusive possession act if:</p> <ul style="list-style-type: none"><li>(a) it is <b>valid</b> (including because of Division 2 or 2A); and</li><li>(b) it consists of the construction or establishment of any <b>public work</b> that commenced to be constructed or established on or <b>before 23 December 1996</b>.</li></ul> <p>In Section 253 Other definitions, a <b>public work</b> means</p> <ul style="list-style-type: none"><li>a) any of the following that is constructed or established by or on behalf of the Crown, or a <b>local government body</b> or other statutory authority of the Crown, in any of its capacities:<ul style="list-style-type: none"><li>(i) a building, or other <b>structure</b> (including a memorial), that is a fixture; or</li><li>(ii) a <b>road, railway or bridge</b>; or</li><li>(ia) where the expression is used in or for the purposes of Division 2 or 2A of Part 2—a stock-route; or</li></ul></li></ul>	
<p>LANDSAS – Craig Barnes and Vanessa Field</p>	


	<h2>Evidencing a Public Work</h2>
<p><b>Legislative Requirements</b></p> <p>(7) An act is a previous exclusive possession act if:</p> <ul style="list-style-type: none"><li>(a) it is <b>valid</b> (including because of Division 2 or 2A); and</li><li>(b) it consists of the construction or establishment of any <b>public work</b> that commenced to be constructed or established on or before <b>23 December 1996</b>.</li></ul> <p>In Section 253 Other definitions, a <b>public work</b> means</p> <ul style="list-style-type: none"><li>a) any of the following that is constructed or established by or on behalf of the Crown, or a <b>local government body</b> or other statutory authority of the Crown, in any of its capacities:<ul style="list-style-type: none"><li>(iii) a well, or bore, for obtaining water; or</li><li>(iv) any <b>major earthworks</b>; or</li></ul></li></ul>	
<p>LANDSAS – Craig Barnes and Vanessa Field</p>	


	<h2>Evidencing a Public Work</h2>
<p><b>Legislative Requirements</b></p> <p>(7) An act is a previous exclusive possession act if:</p> <ul style="list-style-type: none"><li>(a) it is <b>valid</b> (including because of Division 2 or 2A); and</li><li>(b) it consists of the construction or establishment of any <b>public work</b> that commenced to be constructed or established on or <b>before 23 December 1996</b>.</li></ul> <p>In Section 253 Other definitions, a public work means</p> <ul style="list-style-type: none"><li>(b) a building that is constructed with the authority of the Crown, other than on a lease.</li></ul>	
<p>LANDSAS – Craig Barnes and Vanessa Field</p>	

	<h2>Evidencing a Public Work</h2>
<p><b>Legislative Requirements</b></p> <p>(7) An act is a previous exclusive possession act if:</p> <ul style="list-style-type: none"><li>(a) it is <b>valid</b> (including because of Division 2 or 2A); and</li><li>(b) it consists of the construction or establishment of any <b>public work</b> that commenced to be constructed or established on or <b>before 23 December 1996</b>.</li></ul> <p>Section 251D extends the definition of a public work to include any land or waters adjacent to the land or waters on which the public work is constructed, established or situated.</p> <p>However, to qualify as a public work the adjacent land or waters must be <b>necessary for, or incidental to</b>, the construction, establishment or operation of the work.</p>	
<p>LANDSAS – Craig Barnes and Vanessa Field</p>	

	<h2>Evidencing a Public Work</h2>
<p><b>Legislative Requirements</b></p> <p>(7) An act is a previous exclusive possession act if:</p> <ul style="list-style-type: none"><li>(a) it is <b>valid</b> (including because of Division 2 or 2A); and</li><li>(b) it consists of the construction or establishment of any <b>public work</b> that commenced to be constructed or established on or <b>before 23 December 1996</b>.</li></ul> <p>To have the effect of extinguishing native title, the public work must also qualify as a past act or previous exclusive possession act under the NTA.</p> <p>There must be documents evidencing that the public work was authorised to be established or constructed in accordance with the relevant legislation at the time, and must have been constructed or commenced to be constructed prior to 1 January 1994 or 23 December 1996.</p>	
<p>LANDSAS – Craig Barnes and Vanessa Field</p>	

	<h2>Evidencing a Public Work</h2>
<p><b>Legislative Requirements</b></p> <p>(7) An act is a previous exclusive possession act if:</p> <ul style="list-style-type: none"><li>(a) it is <b>valid</b> (including because of Division 2 or 2A); and</li><li>(b) it consists of the construction or establishment of any <b>public work</b> that commenced to be constructed or established on or <b>before 23 December 1996</b>.</li></ul>	
<p>LANDSAS – Craig Barnes and Vanessa Field</p>	

	<h2>Evidencing a Public Work</h2>
<p>Essentially, Council will be seeking to establish:</p> <ol style="list-style-type: none"><li>1. Who authorised, constructed or established the public work?</li><li>2. Do the available documents verify that the correct legislative procedures were followed at the time to validly establish the public work?</li><li>3. Was the entire footprint of the public work commenced to be constructed before 23 December 1996?</li><li>4. Do plans exist to document the extent of structures?</li><li>5. What is the nature of the structure or work?</li><li>6. Is the footprint of the public work consistent with former plans and development approvals for the site?</li><li>7. Is any adjoining land integral to the operation of the work or otherwise required (e.g. for the storing of materials or equipment) to be used during the construction, establishment and/ or operational phases of the public work?</li></ol>	
<p>LANDSAS – Craig Barnes and Vanessa Field</p>	

 **Evidencing a Public Work**

Essentially, Council will be seeking to establish:

- 8. Was any adjoining land originally contemplated as being required to allow reasonable access for the construction, operation and maintenance of the public work, if so, what is actually required and not simply desirable?
- 9. Which Department, entity or online information resource may hold the information (files, lease documents, gazette notices, plans and planning instruments) that will document the answers to these questions?

LANDSAS – Craig Barnes and Vanessa Field



This is page number 151 of the minutes of the Ordinary Meeting held on Thursday 12 December 2019

Chairman .....




This is page number 152 of the minutes of the Ordinary Meeting held on Thursday 12 December 2019

Chairman .....







## Native Title Status

**A. 1912 - Reserve 47979 Created over Portion 208**

**[627] Department of Lands, Sydney, 31st July, 1912.**

**RESERVES FROM SALE.**

It is hereby notified that, in pursuance of the provisions of the 101st section of the Crown Lands Act of 1884, the lands hereunder described shall be reserved from sale pending determination of the portions to be set apart for the public purposes hereinafter respectively specified, and they are hereby reserved accordingly.

**G. S. BEEBY.**

**CENTRAL DIVISION.**  
**For Public Recreation.**  
**LAND DISTRICT OF BINGARA, AND MUNICIPAL DISTRICT OF BINGARA.**

No. 47,979. County of Macintyre, parish of Bingara, suburban lands, town of Bingara, containing an area of 6 acres 2 roods. The Crown Lands within the boundaries of portion 208. Plan M. 2,543-1,789.

4996 NEW SOUTH WALES GOVERNMENT GAZETTE, No. 114. [31 July, 1912.]

Department of Lands,  
Sydney, 31st July, 1912.

**RESERVES FROM SALE.**

It is hereby notified that, in pursuance of the provisions of the 101st section of the Crown Lands Act of 1884, the lands hereunder described shall be reserved from sale pending determination of the portions to be set apart for the public purposes hereinafter respectively specified, and they are hereby reserved accordingly.

**G. S. BEEBY.**

**CENTRAL DIVISION.**  
**For Camping.**  
**LAND DISTRICT OF MURCHISON, AND MUNICIPAL DISTRICT OF BINGARA.**

No. 47,980. County of Brisbane, parish of Charlemagne, containing an area of 79 acres. The Crown Lands within the following boundaries: Commencing on the right bank of the Hunter River at an intersection of portion 20 of the aforesaid and bounded thence on the north-west by a north-western boundary of that portion bearing north 87 degrees 27 minutes and 14 seconds to link to the north-east by a north-eastern boundary of that portion bearing north 41 degrees 45 minutes and 45 seconds to link to the Hunter River and thence on the east by that river down to the point of commencement. Plan N. 1,056-7,006.

Note. Includes also water reserve 121, notified 21st February, 1902.

**CENTRAL DIVISION.**  
**For Public Recreation.**  
**LAND DISTRICT OF BINGARA, AND MUNICIPAL DISTRICT OF BINGARA.**

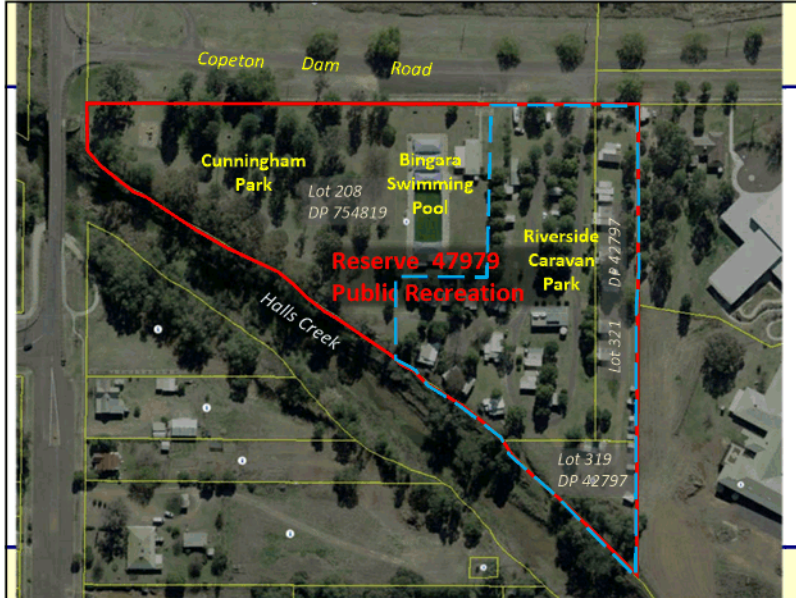
No. 47,979. County of Macintyre, parish of Bingara, suburban lands, town of Bingara, containing an area of 6 acres 2 roods. The Crown Lands within the boundaries of portion 208. Plan M. 2,543-1,789.


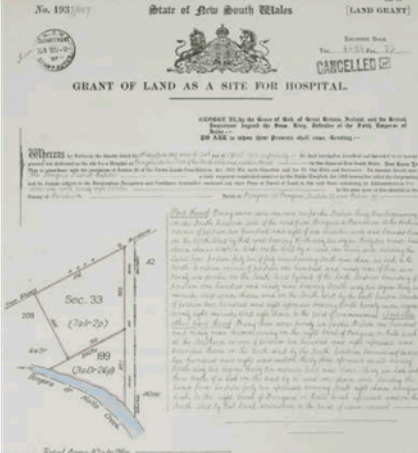
Note. In lieu of reserve 713 from sale for public recreation, notified for cancellation, 1925, hereby provided. (Ms. 1012.6562.)

**For Triangulation Purposes.**  
**LAND DISTRICT OF COMMERCE, AND LOCAL GOVT. DISTRICT OF NAPIER.**

No. 47,990. County of Napier, parish of Goodwin, containing an area of 19 acres 1 rood 30 perches. The Crown Lands within the boundaries of an area marked boundary over a's as appearing, Queensland Triangulation and Fisher, containing an area of about 200 acres. The Crown Lands within the following boundaries: Commencing at the commencement corner of section 124, village of Fisher, as a point on the north-western boundary of portion 124, parish of Ungarie, and bounded thence as a line partly bearing the north-western boundary of that portion and portions 121 and 122 easterly to the northern boundary of portion 27; by that boundary easterly and by that northern boundary of that portion easterly to the eastern boundary of that portion; by a line partly bearing the northern boundary of that portion and by the western boundary of that portion; by the northern boundary of portions 121, 122, and 123; and along a north-western boundary of those lands north-westerly to the point of commencement; thence easterly to a point on the north-western boundary of portion 27, parish of Ungarie, and thence north-westerly to the north-western corner of section 124, village of Fisher, and thence along a north-western boundary of that portion and portions 121, 122, and 123, and along a north-western boundary of those lands north-westerly to the point of commencement; thence easterly to a point on the north-western boundary of portion 27, parish of Ungarie, and thence north-westerly to the north-western corner of section 124, village of Fisher, and thence along a north-western boundary of that portion and portions 121, 122, and 123, and along a north-western boundary of those lands north-westerly to the point of commencement; thence easterly to a point on the north-western boundary of portion 27, parish of Ungarie, and thence north-westerly to the north-western corner of section 124, village of Fisher, and thence along a north-western boundary of that portion and portions 121, 122, and 123, and along a north-western boundary of those lands north-westerly to the point of commencement; thence easterly to a point on the north-western boundary of portion 27, parish of Ungarie, and thence north-westerly to the north-western corner of section 124, village of Fisher, and thence along a north-western boundary of that portion and portions 121, 122, and 123, and along a north-western boundary of those lands north-westerly to the point of commencement. (Ms. 3123-11,431.)

LANDSAS – Craig Barnes and Vanessa Field



	<h2>Native Title Status</h2>
<p>A. 1912 - Reserve 47979 Created over Portion 208</p> <p>B. 1937 - part of the land subject to a PEPA - Crown Grant associated with the adjoining Hospital</p>	
<p>LANDSAS – Craig Barnes and Vanessa Field</p>	

**LANDSAS** Native Title Status

A. 1912 - Reserve 47979 Created over Portion 208

B. 1937 - part of the land subject to a PEPA - Crown Grant associated with the adjoining Hospital


**LANDSAS** Native Title Status


A. 1912 - Reserve 47979 Created over Portion 208


B. 1937 - part of the land subject to a PEPA - Crown Grant associated with the adjoining Hospital

C. 1982 – Lots 319 and 321 added to Reserve 47979

D. 2011 - Gomeroi People Claim

	<h2>Evidencing a Public Work</h2>
<p>Essentially, Council will be seeking to establish:</p> <ol style="list-style-type: none"><li><b>1. Who authorised, constructed or established the public work?</b></li><li>2. Do the available documents verify that the correct legislative procedures were followed at the time to validly establish the public work?</li><li>3. Was the entire footprint of the public work commenced to be constructed before 23 December 1996?</li><li>4. Do plans exist to document the extent of structures?</li><li>5. What is the nature of the structure or work?</li><li>6. Is the current footprint of the public work consistent with former plans and development approvals for the site?</li><li>7. Is any adjoining land integral to the operation of the work or otherwise required (e.g. for the storing of materials or equipment) to be used during the construction, establishment and/ or operational phases of the public work?</li></ol>	
<p>LANDSAS – Craig Barnes and Vanessa Field</p>	

	<h2>Evidencing a Public Work</h2>
<p>Where to Start ?</p> <p>Who (which organisation) is most likely to have been in control of the public work ?</p> <p>Where is information (evidence) likely to be available ?</p>	
<p>LANDSAS – Craig Barnes and Vanessa Field</p>	

 **Evidencing a Public Work**

Where to Start ?

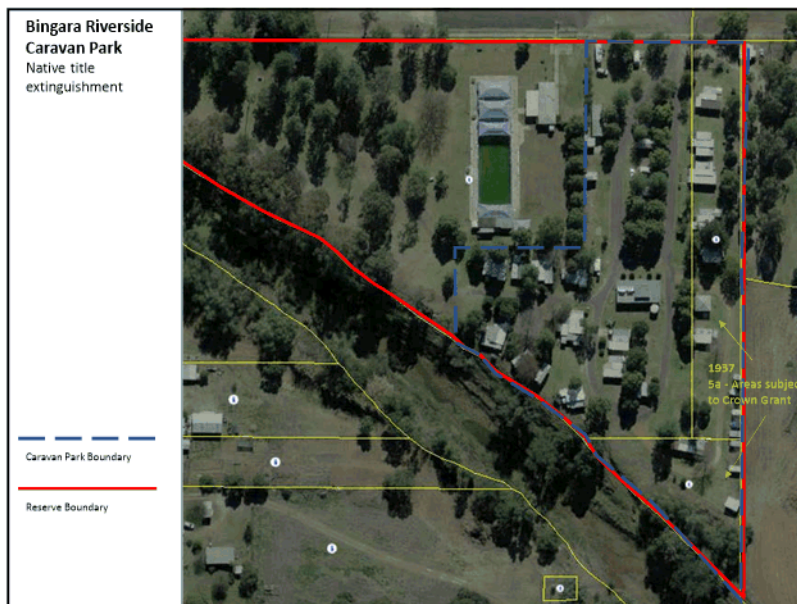
Who (which organisation) is most likely to have been in control of the public work ?

Where is information (evidence) likely to be available ?

Typically, Council will be sourcing information from:

- Council meeting minutes and council files.
- the records of the Department of Lands and its various iterations
- the records of the Department of Public Works and its various iterations
- historical records in the Government Gazette, historical plans and aerial photographs
- public libraries including the NSW State Library

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## Evidencing a Public Work

**Tag 8**

BINGARA SHIRE COUNCIL - Meeting June 19, 1964

**14. GRANT FOR JUNCTION PARK**

The Department of Lands has advised that a grant of £1,000 will be made available for improvements to Junction Park, provided Council spends a further £1,000 from its own funds.

This offer follows representations to the Department, and an inspection of the park by Departmental officers last month.

I feel the caravan park has a great tourist potential, with its most attractive surroundings, and the proximity of the Bingara Baths. With the improvements this money could provide it could become a very popular spot with holidaymakers and travellers, and the injection of this foreign capital into the town would have a very favourable effect on business generally.

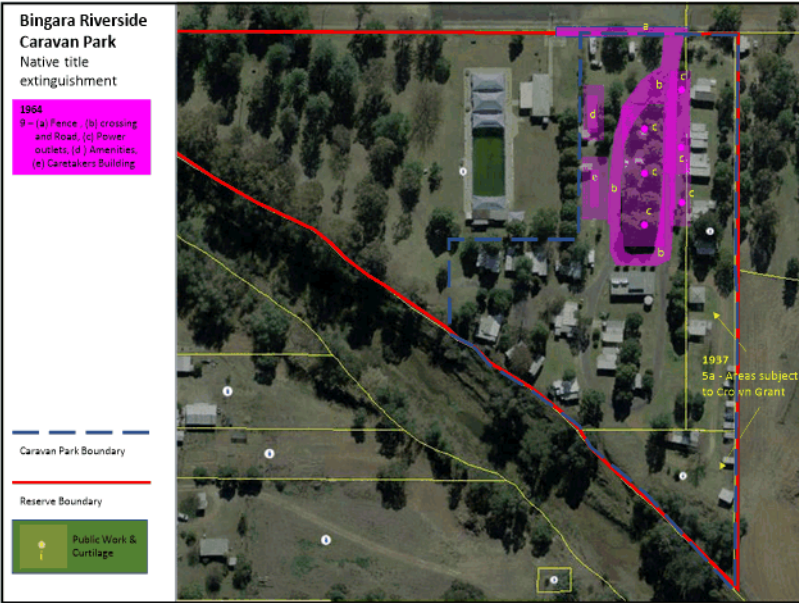
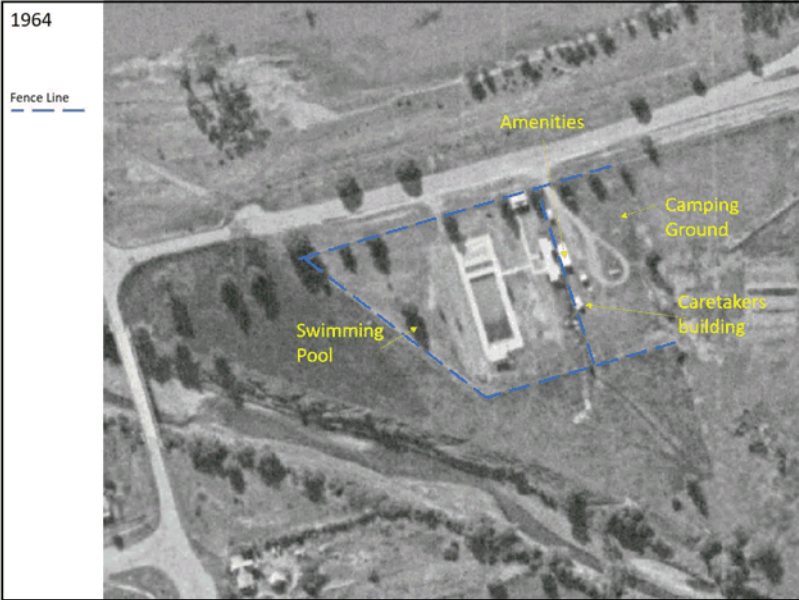
LANDSAS – Craig Barnes and Vanessa Field

## Evidencing a Public Work

**Bingara Riverside Caravan Park – Native title**


Tag	Date	Type <sup>1</sup>	Evidence
9	17 Jul 1964	PWE	<p><b>Definition of Public Works – Approval of Electricity Works</b></p> <p><b>OM 17/7/64</b> – Summary of Capital works proposed to be carried out at Junction Park Caravan Park with the Lands Dept. grant covering Grounds, Ladies and Men Amenities Building, Laundry and General Items including</p> <ul style="list-style-type: none"> <li>(a) New Fence</li> <li>(b) Crossing and 12' access road</li> <li>(c) Electrical Outlets</li> <li>(d) Amenities building upgrades</li> <li>(e) Caretakers building roofing</li> </ul> <p><b>OM 17/7/64</b> – Acceptance of quotation for provision of electricity to caravan park including the installation of:</p> <ul style="list-style-type: none"> <li>• Two lights in each of the Ladies, Mens and Laundry</li> <li>• Three power points in the Laundry</li> <li>• One three-phase instantaneous HWS</li> <li>• Six meter box outlets for caravan sites each capable of serving two caravan sites. Provision of 6 future sites</li> <li>• Three lights and two power points to the caretaker/playroom building</li> </ul> <p><b>OM 17/7/64</b> – Resolved that the amenities block and caretaker's room and work generally on the Caravan Park be carried out by Council labour provided roadworks are not held up by work on this project.</p>

LANDSAS – Craig Barnes and Vanessa Field



This is page number 159 of the minutes of the Ordinary Meeting held on Thursday 12 December 2019

Chairman .....

 Evidencing a Public Work

Tag 12

BINGARA SHIRE COUNCIL - Meeting February 5, 1965.

CORRESPONDENCE Continued


34. BINGARA BASKETBALL ASSOCIATION (M.E. Brown, Hon Secretary)

Again promising one quarter of the estimate of cost for the Basketball Court at the Baths. When the court is ready for use, it is felt that 100 players and 40 spectators will contribute £7 entry per week to the Council via baths turnstiles. The Association previously donated £130 to the Baths Society. (33)

36/65 RESOLVED that the court be completed in two weeks, with further discussions with the Association being held concerning lighting, fencing and admission fees during the winter, with the Basketball Association erecting the backboards at the court.

(Moved Cr. Bateman, Seconded Cr. Hayes)

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 Evidencing a Public Work

Tag 14

BINGARA SHIRE COUNCIL - Meeting October 15, 1965.

Basketball Court Lighting

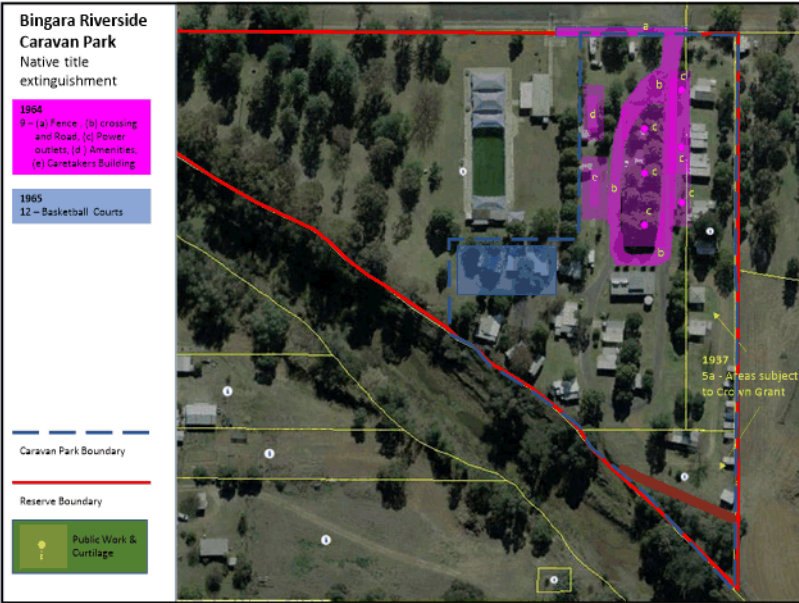
Quotations from Hayes' Electrical Installations of Bingara were now considered for lighting the basketball court at the Bingara Swimming Pool

370/65 RESOLVED that the quotation of Hayes' Electrical Installations for 4 Mercury Vapour lights at a total cost of £415 to the Council (the charge by Hayes' Electrical Installations to be £270) be now accepted, with the Basketball Association being asked to provide labour for digging trenches and post holes if possible in order to reduce costs.

(Moved Cr. Quelch, Seconded Cr. Goodacre)

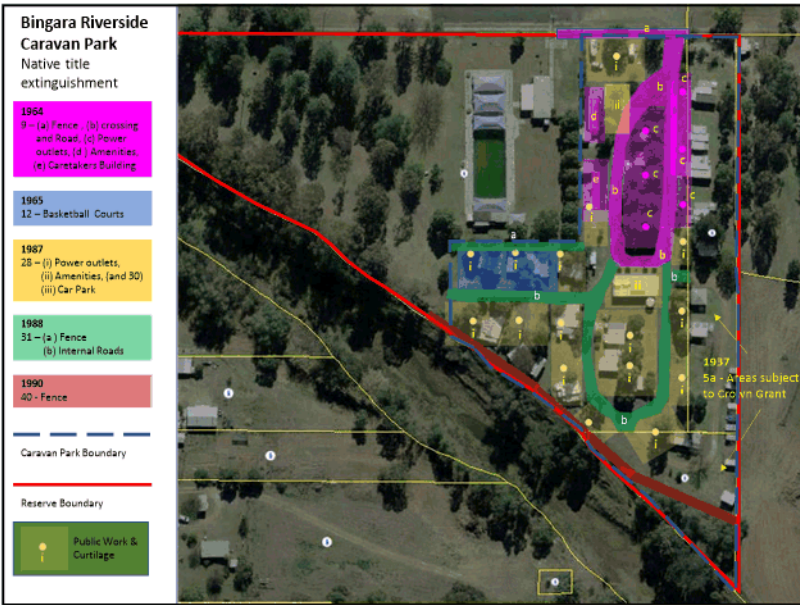
LANDSAS – Craig Barnes and Vanessa Field





This is page number 161 of the minutes of the Ordinary Meeting held on Thursday 12 December 2019

Chairman .....



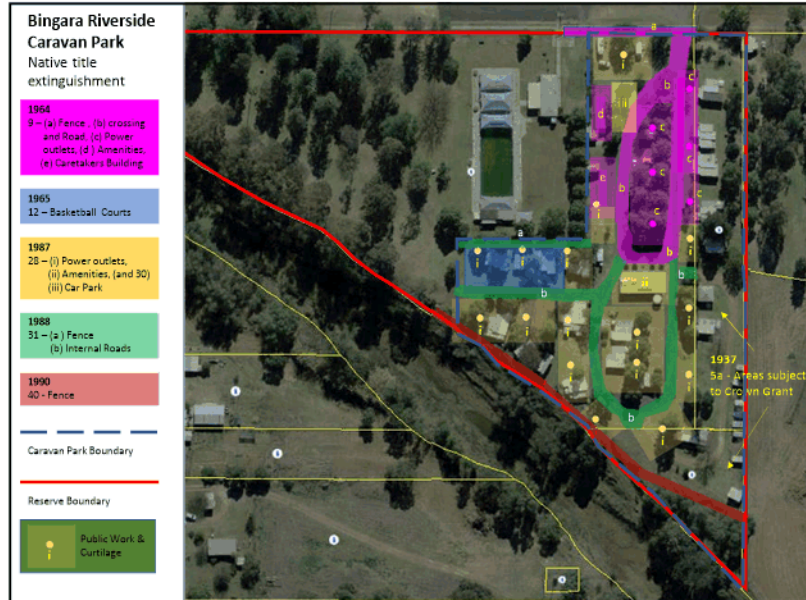
This is page number 162 of the minutes of the Ordinary Meeting held on Thursday 12 December 2019


Chairman .....



This is page number 163 of the minutes of the Ordinary Meeting held on Thursday 12 December 2019

Chairman .....





## Evidencing a Public Work

**Legislative Requirements**


In Section 253 Other definitions, a public work *means*

a) any of the following that is constructed or established by or on behalf of the Crown, or a local government body or other statutory authority of the Crown, in any of its capacities:

- (i) a building, or other structure (including a memorial), that is a fixture; or ✓
- (ii) a road, railway or bridge; or ✓
- (iia) where the expression is used in or for the purposes of Division 2 or 2A of Part 2—a stock-route; or
- (iii) a well, or bore, for obtaining water; or
- (iv) any major earthworks; or

(b) a building that is constructed with the authority of the Crown, other than on a lease.

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## Evidencing a Public Work

**Legislative Requirements**

23B Previous exclusive possession act

(1) This section defines previous exclusive possession act.

*Construction of public works commencing on or before 23.12.1996*

(7) An act is a previous exclusive possession act if:


- (a) it is valid (including because of Division 2 or 2A); and
- (b) it consists of the construction or establishment of any public work that commenced to be constructed or established on or before 23 December 1996.

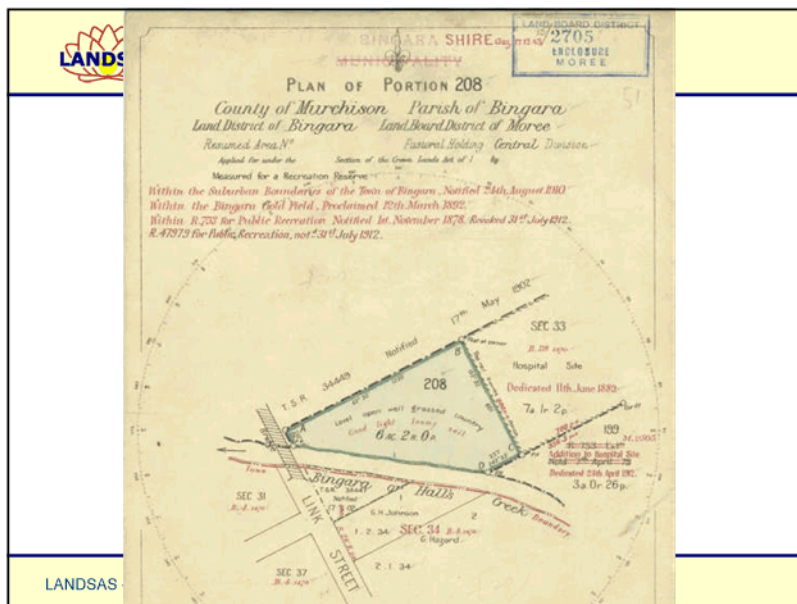
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✓

LANDSAS – Craig Barnes and Vanessa Field

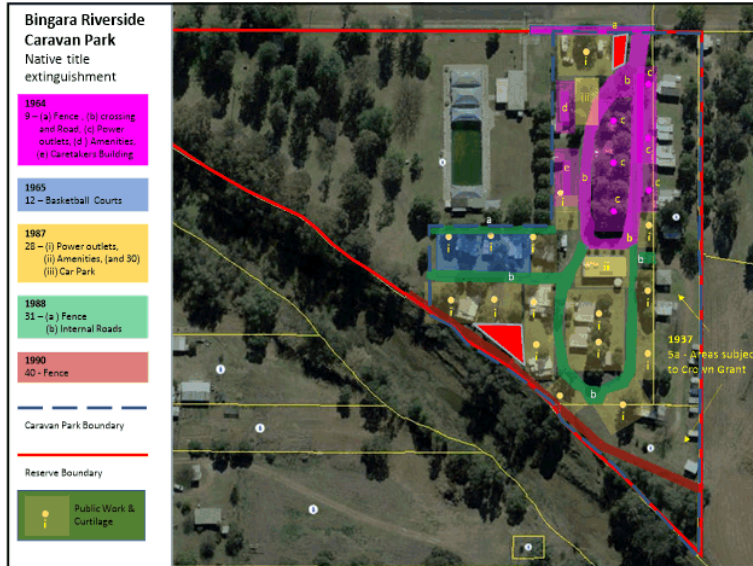
LANDSAS		Evidencing a Public Work	
Tag	Date	Type <sup>1</sup>	Evidence
1	27 Mar 1889	A	<b>Bingara Council Created</b> Municipal District of Bingara Created under <i>the Municipalities Act of 1867</i>
2	28 Dec 1906	A	<b>Council Authorised to Manage Public Reserves</b> <i>Local Government Act 1906</i> Section 74 – Municipal Councils responsible for “the care and management of parks and recreations, public reserves, and commons, the care of which is not by or under any statute vested in other bodies or persons
3	4 Jun 1912	A	<b>Surveyed Area Defined</b> Portion Plan for Portion 208 in the Parish of Bingara, County of Murchison approved
4	31 Jul 1912	A	<b>Public Recreation Reserve Created</b> Reserve 47979 for Public Recreation created over Portion 208 under the <i>Crown Lands Act 1884</i>
5	22 Dec 1919	A	<b>Council Authorised to manage land reserved for recreation</b> <i>Local Government Act 1919</i> Section 344(1) – The council shall have the care, control and management of (a) public reserves which are not under the care of or vested in any body or persons other than the council, and are not held by any person underlease from the Crown ...


 Evidencing a Public Work			
Tag	Date	Type <sup>1</sup>	Evidence
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4	31 Jul 1912	A	<b>Public Recreation Reserve Created</b> Reserve 47979 for Public Recreation created over Portion 208 under the <i>Crown Lands Act 1884</i>
57b	1 Jul 1993	A	<b>Council has control of certain public reserves</b> <i>Local Government Act 1993</i> Section 48 – (1) Except as provided by section 98A of the <i>Crown Lands Act 1989</i> , a council has the control of: (a) public reserves that are not under the control of or vested in any other body or persons and are not held by a person under lease from the Crown, and ...



This is page number 166 of the minutes of the Ordinary Meeting held on Thursday 12 December 2019

Chairman .....





## Evidencing a Public Work

**Legislative Requirements**

23B Previous exclusive possession act

(1) This section defines previous exclusive possession act.

*Construction of public works commencing on or before 23.12.1996*

(7) An act is a previous exclusive possession act if:

- (a) it is valid (including because of Division 2 or 2A); and ✓
- (b) it consists of the construction or establishment of any public work that commenced to be constructed or established on or before 23 December 1996. ✓

LANDSAS – Craig Barnes and Vanessa Field

This is page number 167 of the minutes of the Ordinary Meeting held on Thursday 12 December 2019

Chairman .....

**Cr Stuart Dick**

**Bush Fire Update (Ref: 431/19)**

Cr Dick gave a verbal update on the bush fire situation within Gwydir and thanked staff for their assistance with the Wearnes Road area fire.

During discussion the concerns regarding the need to create a viable fire break around Warialda was discussed.

**Cr Jim Moore**

**Various matters (Ref: 432/19)**

Cr Moore advised the meeting that he attended the school events at North Star and Gravesend as well as the Christmas function at Warialda Rail.

He also advised the meeting that Rotary NSW has received a very generous \$1 million dollar donation, which will assist with drought support within Gwydir.

**Cr Marilyn Dixon OAM**

**Various matters (Ref: 433/19)**

Cr Dixon advised the meeting that she too attended the Warialda Rail Christmas event.

The meeting was also advised that there is continuing concern regarding patrons who purchased season swimming pool tickets when there is free entry for days with extreme temperatures. The meeting was advised that season ticket holders will be compensated with Bingara or Warialda 'Bucks', which was supported.

**Cr Frances Young**

**Letter to Editor (Ref: 434/19)**

Cr Young referred to a letter recently published in the Gwydir News that although generally favourable did highlight an issue with the entry sign coming into Bingara from Narrabri.

Cr Young requested that the issues raised with the sign, colour and height, be reviewed, which will be undertaken.



**Cr David Coulton**

**Staff Assistance (Ref: 435/19)**

Cr D Coulton requested that the grateful thanks of the Warialda Showground Trust be recorded to acknowledge the assistance provided by Suzanne Webber in the preparation of the grant application for new stables at the Warialda Showground.

**Cr John Coulton**

**Australia Day Ambassador (Ref: 436/19)**

The Mayor advised that it appears the Shire may have to share an Australia Day Ambassador between Warialda and Bingara. This is an issue that will need to be considered over the next few weeks.

**Cr John Coulton**

**Fuel Tender (Ref: 437/19)**

The Mayor requested an update on the fuel tenders. The meeting was advised that the tender closes on Friday 13<sup>th</sup> December 2019 and the tender will be reported to Council at the February 2020 Council meeting.

**Meeting closed 4.10 pm**